

## MEMORANDUM

**TO:** NAIOP

**FROM:** GrayRobinson

**DATE:** March 7, 2021

**SUBJECT:** 2021 Legislative Session – Week 1 (March 1-5)

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The first week of the legislative session opened with Gov. Ron DeSantis touting the state’s trajectory in his State of the State address.

Speaking from the House floor, Gov. DeSantis highlighted the state’s improving unemployment rate, school openings, and a spike in business incorporations and relocations. “While so many other states kept locking people down, Florida lifted people up,” he said.

Gov. DeSantis then turned to his priorities for the legislative session, first addressing the budget. He said he would reject any education cuts and implored lawmakers to maintain water quality and environmental project funding levels. His other priorities are more controversial — the Governor pitched proposals to crack down on rioters, push back against supposed “Big Tech” censorship, and rework election laws.

Gov. DeSantis acknowledged the Floridians who died amid the pandemic before closing on a hopeful note. “Our nation and our state have endured a tumultuous year. Floridians have responded in ways that would make our founders proud,” DeSantis said. “Because of those efforts, the sun is rising here in Florida — and the Sunshine State will soon reach new horizons.”

Watch the Governor’s full address [here](#).

In separate speeches, Senate President Wilton Simpson and House Speaker Chris Sprowls outlined their session priorities. Senate President Simpson stressed the need for liability shields to protect businesses and health care providers from coronavirus-related lawsuits. Those bills have been fast-tracked in the lead-up to session, with the business protections passing the full House last week. He also said lawmakers would need to make tough choices, describing the Florida

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Retirement System as the “single largest threat to Florida’s balance sheet” and urging lawmakers to address it.

House Speaker Sprowls’ comments were more political in nature. He highlighted legislation to “take on the higher education establishment,” defend itself against rising sea levels, and resist “intolerance created by the rising woke agenda.”

On the COVID-19 front, the state’s daily caseload remained in the sub-10,000 range for another week while vaccinations continued ticking up by 40,000 to 50,000 a day. Heading into the weekend, more than 3.2 million Floridians have received at least one vaccine dose while 1.8 million have received two. Vaccine eligibility expanded at the federal level this week to include all Florida teachers. On Friday, Gov. DeSantis said the state would lower the minimum age requirement — currently 65 — this month.

All of [these](#), a preview of [Week 2](#), our [Federal Spotlight](#) and current [Session Statistics](#) are detailed below.

## **Activities and Bills related to NAIOP – Summary List**

### **Key Issues for 2021 As Determined at the NAIOP Summit**

- Enacting provisions of the Georgia FAST Act in Florida;
- Phasing out the Business Rent Tax;
- Enforcing the Internet Sales Tax;
- Improving the State Fire Code, with particular regard to radio antenna requirements; and
- Monitoring Florida Building Commission membership and adding NAIOP member

**Business Rent Tax** – The Senate and House have both filed bills to enforce the online sales tax (bills summarized below). Both chambers are expected to move this legislation and the latest traction is that the BRT will be reduced to make the online sales tax collection more revenue neutral.

**FAST Act** – House Commerce Committee staff is actively working on legislation to address delays in permits.

**Fire Code** – CFO Jimmy Patronis has included our language regarding in his official package (summarized below). As well, we are in a standalone package dealing directly with the radio communication antennae.

## **Detailed Activities and Bills related to NAIOPFL**

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The following are bills filed that impact (positively and/or negatively) the commercial real estate industry. Information that is highlighted is new as of this week.

### Promoting Business Friendly CRE Regulations

#### Fire Prevention and Control – SB 360 (Hooper) and HB 415 (Botana)

##### Key Take Away

Requiring the authority having jurisdiction to determine certain minimum radio signal strength requirements for all new and existing buildings; authorizing the use of radio communication enhancement systems to comply with minimum radio signal strength requirements; extending the deadline to comply with minimum radio strength for fire department communications from 2019 to 2024 for permitting and from 2022 to 2027 for installation; providing an exception to the prohibition against installing or transporting certain radio equipment using law enforcement or fire rescue frequencies, etc.

##### **House Approval Milestones** – Bill filed January 25.

Insurance & Banking Subcommittee – Awaiting hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

##### **Senate Approval Milestones** – Bill filed December 21.

Community Affairs - Committee Substitute approved by vote of 9-0 on March 3.

Banking & Insurance – Awaiting hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

#### Construction Defects – HB 21 (Andrade) and SB 270 (Perry)

##### Key Take Away

Defining the term “material violation”; requiring that a person submit a construction defect claim to the warranty provider before bringing a cause of action; requiring that a claimant submit a construction defect claim to the warranty provider before serving a notice of claim; authorizing a person served with a copy of a notice of claim to perform a reasonable inspection of the property subject to the claim; requiring, instead of authorizing, a person served with a notice to serve a copy of the notice to specified persons under certain circumstances, etc.

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**House Approval Milestones** – Bill filed November 30, 2020.

Civil Justice & Property Rights Subcommittee – Approved by vote of 10-8 on February 17.

Regulatory Reform Subcommittee – **On Committee Agenda for March 8.**

Judiciary Committee – N/A

**Senate Approval Milestones** – Bill filed December 21.

Judiciary – Approved by vote of 9-1 on February 15.

Community Affairs – Awaiting Hearing.

Rules – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Building Design – HB 55 (Overdorf) and SB 284 (Perry)**

#### Key Take Away

If passed, would provide that regulations relating to building design elements may not be applied to residential dwellings unless they are historic properties; provides affected party may submit certain local government regulations to Florida Building Commission for review; provides for enforcement of such regulation.

**House Approval Milestones** – Bill filed on December 10.

Regulatory Reform Subcommittee – Committee Substitute passed by vote of 10-5 on February 10.

Local Administration & Veterans Affairs Subcommittee – **Approved by 12-6.**

Commerce Committee – **On Committee Agenda for March 9.**

**Senate Approval Milestones** – Bill filed on January 11.

Community Affairs – Awaiting hearing.

Regulated Industries – N/A

Rules – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **County and Municipal Code Enforcement – SB 60 (Bradley) and HB 883 (Overdorf)**

#### Key Take Away

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If passed, would prohibit code inspectors designated by boards of county commissioners from initiating investigations of potential violations of codes and ordinances by way of anonymous complaints; require persons who report potential violations of codes and ordinances to provide specified information to the board before an investigation occurs; prohibit code inspectors designated by governing bodies of municipalities from initiating investigations of potential violations of codes and ordinances by way of anonymous complaints, etc.

**House Approval Milestones** – Bill filed February 10.

Local Administration & Veterans Affairs Subcommittee – Committee agenda for March 9.

Public Integrity & Elections Committee – N/A.

State Affairs Committee – N/A.

**Senate Approval Milestones** – Bill filed January 5.

Community Affairs – Committee Substitute passed by vote of 6-3 on February 2.

Governmental Oversight and Accountability – Approved by vote of 4-1.

Rules – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Home-Based Businesses – SB 266 (Perry) and HB 403 (Giallombardo)**

Key Take Away

If passed, would specify conditions under which a business is considered a home-based business; authorize a home-based business to operate in a residential zone under certain circumstances; preempt to the state the ability to regulate or license home-based businesses; prohibit a local government from certain actions relating to the licensure and regulation of home-based businesses, etc.

**House Approval Milestones** – Bill filed January 25.

Regulatory Reform Subcommittee – Approved by vote of 10-6 on February 18.

Commerce Committee – On Committee Agenda for March 9.

**Senate Approval Milestones** – Bill filed on December 14.

Community Affairs – On committee Agenda for March 9.

Commerce & Tourism – N/A

Rules – N/A

**Weekly Roundup:** N/A.

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**Current Call to Action: No action needed at moment.**

**Engineers – SB 572 (Baxley) and HB 931 (Toledo)**

Key Take Away

Prohibiting a person who is not licensed as an engineer from using a specified name or title; prohibiting, after a specified date, a person who is not a licensed professional structural engineer from using specified names and titles or practicing professional structural engineering; authorizing the Board of Professional Engineers to refuse to certify an applicant for a professional structural engineer license for certain reasons; exempting certain applicants who apply for licensure before a specified date from having to pass a certain national examination, under certain conditions; specifying acts that constitute grounds for disciplinary action, including civil penalties, against a professional structural engineer, etc.

**House Approval Milestones – Bill filed February 11.**

Regulatory Reform Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

**Senate Approval Milestones – Bill filed on January 12**

Regulated Industries – Approved by vote of 9-0.

Commerce & Tourism – Awaiting Hearing.

Rules - N/A.

**Weekly Roundup:** N/A.

**Current Call to Action: No action needed at moment.**

**Florida Building Code – HB 401 (Fetterhoff) and SB 1146 (Brodeur)**

Key Take Away

Provides that assisting living facilities are exempt from certain compliance standards; authorizes substantially affected person to file petition with Florida Building Commission to review local government regulations; provides requirements for such petition; provides requirements for commission when considering petition; requires commission to issue nonbinding advisory opinion within specified timeframe; authorizes commission to issue errata to code; prohibits local government from requiring certain contracts for issuance of building permit; requires evaluation entities that meet certain criteria to comply with certain standards.

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**House Approval Milestones** – Bill filed January 25.

Regulatory Reform Subcommittee – Committee Substitute approved by vote of 18-0.  
Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.  
Professions & Public Health Subcommittee – N/A.  
Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed February 8.

Community Affairs – Awaiting Hearing.  
Appropriations – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Alcoholic Beverage Licenses – HB 329 (Tomkow) and SB 134 (Brandes)**

Key Take Away

Authorizes food service establishments to sell or deliver alcoholic beverages for off-premises consumption if requirements are met; revises provisions that authorize restaurant to allow patrons to remove partially consumed bottles of wine from restaurant for off-premises consumption; revises requirements for sale of alcoholic beverages by certain vendors.

**House Approval Milestones** – Bill filed January 19.

Regulatory Reform Subcommittee – Passed by vote of 14-0 on February 18.  
Commerce Committee – Awaiting Hearing.

**Senate Approval Milestones** – Bill filed December 4, 2020.

Regulated Industries – Awaiting Hearing.  
Commerce and Tourism – N/A  
Rules – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Tolling and Extension of Permits and Other Authorizations During States of Emergency–  
SB 912 (Albritton) and HB 859 (Grant)**

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Key Take Away

Adding consumptive use permits issued under part II of ch. 373, F.S., and specified development permits and development agreements to the list of permits and other authorizations that are tolled and extended during a state of emergency declared by the Governor for a natural emergency; providing for retroactive application.

**House Approval Milestones** – Bill filed February 9.

Pandemics & Public Emergencies Committee – On Committee Agenda for March 9.

Commerce Committee - N/A.

State Affairs Committee – N/A.

**Senate Approval Milestones** – Bill filed January 28.

Community Affairs – Approved by vote of 9-0 on March 3.

Environment and Natural Resources – Awaiting Hearing.

Rules – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Public Safety Emergency Communications Systems– HB 587 (Snyder) and SB 1902 (Rodrigues)**

Key Take Away

Revises requirements for minimum radio signal strength for fire department communications; requires State Fire Marshal to adopt minimum radio coverage design criteria for public safety emergency communications systems & minimum standards for interior radio coverage & signal strength in buildings; requires local jurisdiction's public safety emergency communications system be certified as meeting or exceeding certain criteria before new & existing buildings are required to install, or to be assessed for, two-way radio communications enhancement systems; requires local jurisdictions to produce radio coverage heatmaps; prohibits local jurisdictions from withholding certificates of occupancy under certain circumstances.

**House Approval Milestones** – Bill filed January 29.

Insurance & Banking Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed February 26.



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Banking and Insurance – Awaiting Hearing.  
Appropriations – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

### **Building Inspections – HB 667 (Mooney) and SB 1382 (Perry)**

#### Key Take Away

Requires certain counties & enforcement agencies allow requests for inspections to be submitted electronically; provides acceptable methods of electronic submission; authorizes enforcement agencies to perform virtual inspections; requires refund of fees in certain circumstances; requires surcharges be recalculated under certain conditions.

#### **House Approval Milestones** – Bill filed February 1.

Regulatory Reform Subcommittee – Committee Substitute Approved by vote of 17-0 on March 2.

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

#### **Senate Approval Milestones** – Bill filed February 17.

Community Affairs – On Committee Agenda for March 10.

Governmental Oversight and Accountability – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Application for and Issuance of Building Permits – HB 1059 (Robinson) and SB 1788 (Boyd)**

#### Key Take Away

Application for and Issuance of Building Permits: Requires county that issues building permits & local enforcement agency to post certain information on their websites; authorizes all components to completed application be submitted electronically or in person; requires local enforcement agency, local government, or local building department to reduce permit fee by specified amount for failing to meet certain deadlines; prohibits

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authority that issues building permit from requiring applicant to provide specified contracts as part of application for certain construction.

**House Approval Milestones** – Bill filed February 17.

Regulatory Reform Subcommittee – Committee Substitute passed by vote of 17-0 on March 2.

Commerce Committee – Awaiting Hearing.

**Senate Approval Milestones** – Bill filed February 26.

Community Affairs – Awaiting Hearing.

Governmental Oversight and Accountability - N/A.

Rules – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Department of Financial Services – SB 1408 (Burgess) and HB 1209 (Fetterhoff)**

Key Take Away

Requires State Risk Management Trust Fund to provide insurance for certain firefighter cancer-related benefits; prohibits persons from acting or advertising themselves as funeral directors, embalmers, authorizes contractor repairing certain existing fire alarm systems to begin work after filing application for required permit; revises continuing education requirements for certain persons licensed to solicit, sell, or adjust insurance; provides exemption from diligent-effort requirement for surplus lines agents exporting contracts or endorsements providing flood coverage; extends deadline for certain buildings to comply with minimum radio signal strength requirement under Florida Fire Prevention Code; provides that certain persons serving as volunteer firefighters may serve as regular or permanent firefighters for limited period.

**House Approval Milestones** – Bill filed February 22.

Insurance & Banking Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed February 18.

Banking and Insurance – On Committee Agenda for March 10.

Judiciary – N/A.

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Appropriations Subcommittee on Agriculture, Environment, & General Government – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

### Licensure Requirements for Land Surveyors – HB 821 (Mariano) and SB 1342 (Perry)

#### Key Take Away

Authorizing an exiled professional to substitute specified lawful practice of profession for education requirement for examination; revises education requirements for licensure; provides that specified work experience or completion of specified apprenticeship program may be substituted for education requirements for licensure as land surveyor or mapper; provides applicant who holds license from other state, jurisdiction, or territory, & has certain experience in practice of surveying & mapping may take licensure examination to practice as land surveyor or mapper in this state.

#### **House Approval Milestones** – Bill filed March 1.

Regulatory Reform – Committee Substitute Approved by vote of 13-5.

Agriculture & Natural Resources Appropriations Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

#### **Senate Approval Milestones** – Bill filed February 26.

Regulated Industries – On committee agenda for March 9.

Commerce and Tourism – N/A.

Rules – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

### Department of Business and Professional Regulation – HB 1517 (Duggan) and SB 1966 (Diaz)

#### Key Take Away

Revises & provides requirements relating to electronic reporting, application fee schedules, weight of boxing gloves, fingerprint processing procedures, proof of occupancy of premises, food service establishment audit schedules, delinquency of payment conditions, rules related to submission of certain complaints, & location of Office of the Condominium Ombudsman.

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**House Approval Milestones** – Bill filed March 1.

Regulatory Reform – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed February 26.

Regulated Industries – Awaiting Hearing.

Appropriations – N/A.

Rules – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

**Promote Feasible Sustainability Initiatives**

**Resiliency – SB 514 (Rodrigues) and HB 315 (LaMarca)**

Key Take Away

Establishing the Statewide Office of Resiliency within the Executive Office of the Governor; creating the Statewide Sea-Level Rise Task Force adjunct to the office; authorizing the Department of Environmental Protection to contract for specified services, upon request of the task force; requiring the Environmental Regulation Commission to take certain action on the task force's recommendations, etc.

**House Approval Milestones** – Bill filed January 19.

Environment, Agriculture & Flooding Subcommittee – Awaiting Hearing.

Appropriations Committee – N/A.

State Affairs Committee – N/A

**Senate Approval Milestones** – Bill filed January 8.

Environment and Natural Resources – Passed by vote of 6-0 on February 15.

Appropriations Subcommittee on Agriculture, Environment, & General Government – Awaiting Hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

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## Renewable Energy – SB 208 (Brandes) and HB 775 (Omphroy)

### Key Take Away

If passed, would authorize owners of commercial or industrial businesses, or third parties contracted by such owners, to install, maintain, and operate a renewable energy source device on or about the structure in which the business operates or on a property the business owns or leases; authorizes owners or contracted third parties to sell electricity generated from the device to certain businesses regardless of whether the device is located in a utility's service territory, etc.

### **House Approval Milestones** – Bill filed February 4.

Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

### **Senate Approval Milestones** – Bill filed December 7, 2020.

Regulated Industries – Awaiting Hearing.

Commerce and Tourism – N/A

Rules – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

## Renewable Energy – HB 539 (Byrd) and SB 896 (Brodeur)

### Key Take Away

Provides definitions of terms "biogas" & "renewable natural gas"; revises definition of term "renewable energy" to include certain energy created to displace traditional fuel sources.

### **House Approval Milestones** – Bill filed January 28.

Tourism, Infrastructure & Energy Subcommittee – On Committee agenda for March 9.

Environment, Agriculture & Flooding Subcommittee – N/A.

Commerce Committee – N/A.

### **Senate Approval Milestones** – Bill filed January 28.

Regulated Industries – On Committee agenda for March 9.

Environment and Natural Resources – N/A.

Rules – N/A.

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**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Brownfield Site Rehabilitation –SB 1054 (Broxen)**

#### Key Take Away

Requiring the Department of Environmental Protection to make information relating to areas of PFAS contamination available to certain governmental entities; requiring the department to provide constructive notice to local governmental entities and to certain property owners and residents when the department issues a site rehabilitation completion order that relies on intuitional controls not recorded in public records; requiring the department to adopt rules for statewide cleanup target levels for PFAS in soils and groundwater; providing that a person who executes a PFAS voluntary site rehabilitation agreement with the department is immune from and has no liability for certain claims under certain circumstances.

**House Approval Milestones** – No bill filed.

**Senate Approval Milestones** – Bill filed February 2.

Environment and Natural Resources – Awaiting Hearing.

Appropriations Subcommittee on Agriculture, Environment, and General Government – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **State Preemption of Energy Infrastructure Regulation – SB 856 (Hutson) and HB 839 (Fabricio)**

#### Key Take Away

Prohibits local government from regulating energy infrastructure; preempts such regulation to state.

**House Approval Milestones** – Bill filed February 9. No Committee References yet.

Tourism, Infrastructure & Energy Subcommittee - **On Committee agenda for March 9.**

Local Administration & Veterans Affairs Subcommittee – N/A.

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Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed January 27.  
Regulated Industries – On Committee agenda for March 9.  
Community Affairs – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### Public Financing of Potentially At-risk Structures – SB 1550 (Rodriguez)

#### Key Take Away

Providing that coastal building zones are areas at risk due to sea level rise and coastal structures within those areas are potentially at-risk structures; requiring state-financed constructors to include certain flood mitigation strategies in sea level impact projection studies.

**House Approval Milestones** – No Bill filed.

**Senate Approval Milestones** – Bill filed February 23.  
Environment and Natural Resources – Awaiting Hearing.  
Community Affairs – N/A.  
Appropriations – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

### Promote Fair Taxation

#### Internet Sales Tax Enforcement – SB 50 (Gruters) and HB 15 (Clemons)

#### Key Take Away

If passed, would revise definitions for “retail sale” and “mail order sale” to capture internet sales, and thus enforce the sales tax on internet sales.

**House Approval Milestones** – Bill filed on November 30, 2020.  
Ways & Means Committee – Awaiting Hearing

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Commerce – N/A

**Senate Approval Milestones** – Bill filed on December 18, 2020.

Commerce and Tourism – Approved by vote 11-0 on January 25.

Finance and Tax – Committee Substitute passed by vote of 8-0 on February 18.

Appropriations – Committee Substitute Approved by vote of 18-0 on March 4.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Back-to-School Sales Tax Holiday – SB 598 (Perry)**

#### Key Take Away

Providing exemptions from the sales and use tax on the retail sale of certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a specified timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements, etc.

**House Approval Milestones** – No bill filed yet.

**Senate Approval Milestones** – Bill filed on January 13.

Commerce and Tourism – Committee Substitute passed by vote of 11-0 on February 15.

Finance and Tax – Awaiting Hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

### **Sales Tax Holiday for Disaster Preparedness Supplies – SB 734 (Gruters)**

#### Key Take Away

Providing exemptions from the sales and use tax for specified disaster preparedness supplies during a specified timeframe; requiring purchasers of certain items to furnish a specified affidavit and information to the selling dealer; providing a criminal penalty for furnishing a false affidavit with certain intent; authorizing the Department of Revenue to adopt emergency rules. APPROPRIATION: \$70,072

**House Approval Milestones** – No bill filed.



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**Senate Approval Milestones** – Bill filed January 22.  
Commerce and Tourism – Committee Substitute passed by vote of 11-0 on February 15.  
Finance and Tax – Awaiting Hearing.  
Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Tax Exemption for Affordable Housing – HB 563 (Anthony Rodriguez) and SB 674 (Ana Maria Rodriguez)**

Key Take Away

Authorizing counties and municipalities to adopt ordinances to grant ad valorem tax exemptions to property owners whose properties are used for the governmental or public purpose of providing affordable housing to certain persons or families; specifying procedures in the event property is transferred for other purposes; specifying procedures in the event an exemption is improperly granted as a result of certain acts by the property appraiser, etc.

**House Approval Milestones** – Bill filed January 28.  
Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.  
Ways & Means Committee – N/A.  
State Affairs Committee – N/A.

**Senate Approval Milestones** – Bill filed January 15.  
Community Affairs – Awaiting Hearing.  
Finance and Tax – N/A.  
Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Impact Fees – HB 337 (DiCeglie) and SB 750 (Gruters)**

Key Take Away

Specifies instances when local government or special district may collect impact fee; requires local governments & special districts to credit against collection of impact fee any

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contribution related to public facilities; provides annual limitations on impact fee increases; requires school districts to report specified items regarding impact fees; requires specified entities to file affidavit attesting that impact fees were appropriately collected & expended.

**House Approval Milestones** – Bill filed January 19.

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A.

State Affairs Committee – N/A.

**Senate Approval Milestones** – Bill filed January 8.

Community Affairs – Awaiting Hearing.

Finance and Tax – N/A

Appropriations – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Small Business Saturday Sales Tax Holiday – HB 637 (DiCeglie) and SB 302 (Taddeo)**

Key Take Away

Defining the term “small business”; providing that small businesses are not required to collect the sales and use tax on the retail sale of certain items of tangible personal property during a specified timeframe; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation.

**House Approval Milestones** – Bill filed February 1.

Ways & Means Committee – Awaiting Hearing.

Commerce Committee – N/A.

Appropriations – N/A.

**Senate Approval Milestones** – Bill filed December 18.

Commerce and Tourism – Awaiting Hearing.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

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## **Tax Refund Program for Qualified Target Industry Businesses – SB 982 (Gruters) and HB 6071 (LaMarca)**

### Key Take Away

Deleting a provision prohibiting the certification of applicants after a specified date.

### **House Approval Milestones** – Bill filed February 10.

Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A.

Commerce Committee – N/A.

### **Senate Approval Milestones** – Bill filed February 1.

Commerce and Tourism – On Committee agenda for March 9.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

## **Government Property Tax Exemptions – HB 1555 (Harding) and SB 1702 (Huts on)**

### Key Take Away

Revising the types of lessees whose purposes and functions are deemed to be governmental, municipal, or public purposes or functions; providing exemptions from ad valorem taxes for certain real property.

### **House Approval Milestones** – Bill filed March 1.

Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A.

Commerce Committee – N/A.

### **Senate Approval Milestones** – Bill filed February 25.

Community Affairs – Awaiting Hearing.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

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## **Limitation on Assessment of Real Property Used for Residential Purposes – HB 1377 (Chaney) and SB 1182 (Brandes)**

### Key Take Away

Proposes amendment to State Constitution to authorize Legislature to prohibit consideration of changes or improvements made to real property used for residential purposes to improve property's resistance to flood damage in determining assessed value of such property for ad valorem taxation purposes.

### **House Approval Milestones** – Bill filed February 22.

Environment, Agriculture & Flooding Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A

State Affairs Committee – N/A.

### **Senate Approval Milestones** – Bill filed February 18.

Community Affairs – On Committee Agenda for March 10.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A

**Current Call to Action:** No action needed at moment.

## **Tax Administration – HB 1241 (Stevenson)**

### Key Take Away

Requires tax collectors to accept late payments of prepaid property taxes; specifies severance tax rate for titanium; revises conditions for sales tax exception for tangible personal property exported out of state; specifies application requirements & procedures for forwarding agent; specifies procedures regarding forwarding agents and reporting tax; provides criminal penalties for certain violations; revises recordkeeping requirements for dealers collecting sales & use tax; provides that stolen sales tax revenue may be aggregated for purposes of determining grade of criminal offenses; authorizes DOR to publish list of forwarding agents' addresses on its website.

### **House Approval Milestones** – Bill filed February 24.

Ways & Means – Awaiting Hearing.

Appropriations – N/A.

**Senate Approval Milestones** – No Bill filed.

**Weekly Roundup:** N/A

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**Current Call to Action:** No action needed at moment.

### Collaborative Growth Management

#### State Housing Funds – SB 510 (Hooper) and HB 13 (Killebrew)

##### Key Take Away

If passed, would protect Housing Trust funds by exempting State Housing Trust Fund & Local Government Housing Trust Fund from provision authorizing Legislature, in GAA, to transfer unappropriated cash balances from specified trust funds to Budget Stabilization Fund & General Revenue Fund

##### **House Approval Milestones** – Bill filed November 30.

Infrastructure & Tourism Appropriations Subcommittee – Awaiting hearing.  
Appropriations Committee – N/A

##### **Senate Approval Milestones** – Bill filed January 8.

Community Affairs – Passed by vote of 9-0 on February 2.  
Finance & Tax – Passed by vote of 7-1 on February 18.  
Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

#### Growth Management – HB 59 (McClain) and SB 496 (Perry)

##### Key Take Away

Requires local governments to include property rights element in their comprehensive plans; provides statement of rights that local government may use; requires local government to adopt property rights element by specified date; prohibits local government's property rights element from conflicting with statutorily provided statement of rights; provides that certain property owners are not required to consent to development agreement changes; prohibits municipality from annexing specified areas; requires DOT to afford right of first refusal to certain individuals; provides requirements & procedures for right of first refusal; authorizes certain developments of regional impact agreements to be amended.

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**House Approval Milestones** – Filed on December 10, 2020.

Local Administration & Veterans Affairs Subcommittee – Committee Substitute passed by vote of 12-6 on February 4.

Civil Justice & Property Rights Subcommittee – Committee Substitute passed by vote of 12-6 on February 17.

State Affairs – Awaiting Hearing.

**Senate Approval Milestones** – Filed on January 7.

Community Affairs – Committee Substitute passed by vote of 9-0 on March 3.

Judiciary – Awaiting hearing.

Rules – N/A

**Weekly Roundup:** N/A.

**Current Call to Action:** N/A.

**Small Scale Development Amendments – HB 487 (Duggan)**

Key Take Away

Revises acreage thresholds adopting an amendment using a small scale development amendment.

**House Approval Milestones** – Bill filed January 27.

Local Administration & Veterans Affairs Subcommittee – Approved by vote of 17-1 on March 3.

Commerce Committee – On Committee agenda for March 9.

State Affairs Committee – N/A.

**Senate Approval Milestones** – No bill filed.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Promote Economic Prosperity**

**Civil Liability for Damages Relating to COVID-19 – HB 7 (McClure) and SB 72 (Brandes)**

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Key Take Away

Provides requirements for civil action based on COVID-19-related claim; provides that plaintiff has burden of proof in such action; provides statute of limitations; provides retroactive applicability.

**House Approval Milestones – Filed on January 6.**

Civil Justice & Property Rights Subcommittee – Approved by vote 11-6 on January 13.

Pandemics & Public Emergencies Committee – Passed by vote 11-6 on February 3.

Judiciary Committee - Committee Substitute approved by vote of 14-7 on February 16.

Third House reading passed by vote of 83 – 31 on March 5.

**Senate Approval Milestones – Filed on January 6.**

Judiciary – Approved by vote 7-4 on January 25.

Commerce and Tourism Committee – Approved by vote of 7-4 on March 2.

Rules – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Evidentiary Standards for Actions Arising During an Emergency – HB 579 (Melo)**

Key Take Away

Provides that specified actions taken by business during declared emergencies may not be used as evidence in certain civil causes of action.

**House Approval Milestones – Bill filed January 29.**

Civil Justice & Property Rights Subcommittee – Awaiting Hearing.

Pandemics & Public Emergencies Committee – N/A.

Judiciary Committee – N/A.

**Senate Approval Milestones – No bill filed.**

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

**Governmental Actions Affecting Private Property Rights – HB 421 (Tuck)**

Key Take Away

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Revises notice of claim requirements for property owners; creates presumption that certain settlement offers protect public interest; specifies property owners retain option to have court determine awards of compensation; authorizes property owners to bring claims against governmental entities in certain circumstances; authorizes property owners to bring actions to declare prohibited exactions invalid; provides for resolution of disputes concerning comprehensive plan amendments under Florida Land Use & Environmental Dispute Resolution Act.

**House Approval Milestones** – Bill filed January 26.

Civil Justice & Property Rights Subcommittee – Approved by vote of 15-3 on March 4.

Local Administration & Veterans Affairs Subcommittee – Awaiting hearing.

Judiciary Committee- N/A.

**Senate Approval Milestones** – No bill filed.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

## Electronic Legal Documents – HB 483 (Altman) and SB 848 (Powell)

### Key Take Away

Clarifies that supervising witnessing of electronic record by online notary public is notarial act; specifies applicability of online notarization procedures to supervision of witnessing of electronic record; modifies witnessing procedures; revises statutory forms for affidavit for acceptance of & reliance upon power of attorney, for notice of election relating to descent of homestead property, for self-proof of will or codicil, for disposition of certain assets at death, & for petition of summary relief for sale or transfer of property owned by absentee, to reflect means of notarization.

**House Approval Milestones** – Bill filed January 27.

Civil Justice & Property Rights Subcommittee – Awaiting hearing.

Commerce Committee – N/A.

Judiciary Committee- N/A.

**Senate Approval Milestones** – Bill filed January 27.

Commerce and Tourism – Approved by vote of 11-0 on March 2.

Judiciary – On Committee Agenda for March 9.

Rules – N/A.



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**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Tourism Marketing Entities – HB 675 (Plasencia) and SB 778 (Hooper)**

#### Key Take Away

Authorizes Florida Tourism Industry Marketing Corporation to carry forward unexpended state appropriations into succeeding fiscal years; abrogates repeal of provisions establishing Florida Tourism Industry Marketing Corporation, direct-support organization of Enterprise Florida, Inc., & Division of Tourism Marketing within Enterprise Florida.

#### **House Approval Milestones** – Bill filed February 2.

Infrastructure & Tourism Appropriations Subcommittee – Awaiting Hearing.

Tourism, Infrastructure & Energy Subcommittee – N/A.

Appropriations Committee – N/A.

#### **Senate Approval Milestones** – Bill filed January 25.

Commerce and Tourism – Passed by vote of 10-1 on February 15.

Appropriations Subcommittee on Transportation, Tourism, & Economic Development –

**On Committee agenda for March 10.**

Appropriations – N/A.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

### **Health Care Civil Liability – HHS1 (PCB Bill by Health & Human Services Committee)**

#### Key Take Away

Provides protections for COVID-19 related claims for Health Care providers.

#### **House Approval Milestones** – Bill filed February 5.

Health & Human Services Committee – Passed by vote of 17-3 on February 17.

**Senate Approval Milestones** – No bill filed yet.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

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## Repeal of Developer Incentive Requirements – HB 6067 (Eskamani)

### Key Take Away

Removes provisions requiring counties & municipalities to provide incentives to fully offset costs of certain affordable housing contributions or linkage fees.

### **House Approval Milestones** – Bill filed February 9.

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

State Affairs Committee – N/A.

**Senate Approval Milestones** – No bill filed yet.

**Weekly Roundup:** N/A.

**Current Call to Action:** No action needed at moment.

## Summary of Session Week 1 (March 1-5)

In case you missed it, here is an update on last week's legislation to watch:

**Vaccine Fraud Prevention Legislation** ([HB 9 by Rep. Zika](#)/[SB 1608 by Sen. Bean](#)) — The bill would increase penalties for vaccine-related schemes, such as fraudulently advertising access to COVID-19 vaccines in exchange for money. The bill became the first measure to pass the House this session, earning a unanimous vote. Committees have not yet heard the Senate companion.

**COVID Liability Protections Legislation** – The Senate version of the business protections bill ([HB 7 by Rep. McClure](#)/[SB 72 by Sen. Brandes](#)) passed the Senate Commerce and Tourism Committee and is awaiting a hearing by the Senate Rules Committee, its final committee. The House version cleared the full chamber Friday with a 83-31 vote. The Senate Health Policy Committee advanced the Senate version of the health care protections bill ([HB 7005 by Rep. Burton](#)/[SB 74 by Sen. Brandes](#)), which now heads to the Senate Rules Committee. The House bill cleared the House Pandemics and Public Emergencies Committee and now heads to the House Judiciary Committee.

**Cooperative Advertising Agreements Legislation** ([HB 73 by Rep. Tomkow](#)/[SB 1062 by Sen. Brodeur](#)) — The bills would allow beer companies to enter advertising agreements with theme parks, such as sponsorship of a concert held in a park. Last week, SB 1062 went before the Senate Regulated Industries Committee but it was temporarily postponed.

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**COVID-19 Impact on School Accountability Legislation** ([SB 886 by Sen. Thurston/](#)[HB 359 by Rep. Bartleman](#)) — The bills would protect schools from the consequences for subpar standardized test scores. The current rules use standardized test scores to determine school funding levels, teacher bonuses, and the necessity for a school to implement a “turnaround” plan. Under this legislation, which has bipartisan support, students would still take standardized tests this year, but low scores would not trigger any consequences. SB 886 favorably passed the Senate Education Committee this past week.

**State Preemption of Seaport Regulations Legislation** ([HB 267 by Rep. Roach/](#)[SB 426 by Sen. Boyd](#)) — The bills would preempt local government ordinances that “restrict or regulate commerce” at Florida seaports, including restrictions on the size or type of ships that can dock at the port. The provision targets a Key West ordinance aimed at keeping cruise ships away from the island. The House Tourism, Infrastructure and Energy Subcommittee adopted an amendment that stripped the effect of the legislation down to city-owned ports and ultimately approved the HB 267 with a 12-6 vote. After the amendment, the bill applies to just three ports (Key West, Pensacola, and St. Petersburg).

## **Preview of Week 2 (March 8-12)**

**Construction Defects Legislation** ([HB 21 by Rep. Andrade/](#)[SB 270 by Sen. Perry](#)) — The bills would change the procedure for property owners taking action against contractors for construction defects. It would require the owner to first seek a claim under warranty and notify the contractor of the alleged defect. The notice must include a picture and any repair estimates the property owner has received. Under penalty of perjury, the owner must sign the notice stating they have personal knowledge of the defect and that all statements in the notice are factual. The House Regulatory Reform Subcommittee will hear HB 21 at 10 a.m. on Monday.

**Resilient Florida Legislation** — The House Environment, Agriculture and Flooding Subcommittee will meet at 3:45 p.m. on Monday to consider a pair of proposed committee bills that would create the Resilient Florida Grant Program to help local governments address the impact of sea-level rise and nuisance flooding. It is a priority of Gov. DeSantis and Speaker Sprowls. The first bill ([PCB EAF 21-01](#)) creates the program, while the second bill ([PCB EAF 21-02](#)) creates the Resilient Florida Trust Fund within the Department of Environmental Protection.

**Grandparent Tuition Waiver Legislation** ([HB 1273 by Rep. Maney/](#)[SB 1728 by Sen. Baxley](#)) — The bills allow students from out of state to pay in-state college tuition rates if their grandparents are Florida residents. The student must also score in the 89th percentile or higher on the ACT or SAT. HB 1273 cleared its first committee last week and will go before the House Higher Education Appropriations Subcommittee at 3:45 p.m. on Monday.

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**Appointments Considered** — The Senate Ethics and Elections Committee will decide whether to advance more than two dozen [gubernatorial appointees](#) to state boards when it meets on Tuesday at 9 a.m.

**Civic Education Curriculum Legislation** ([HB 5 by Rep. Zika/SB 1450 by Sen. Rodriguez](#)) — The bills would require high school government classes to include a comparative discussion of political ideologies, including communism. The bills would also require the Department of Education to create a media library “including first-person accounts of victims of other nations’ governing philosophies.” The House proposal, endorsed by House Speaker Chris Sprowls, passed its first committee last week. SB 1450 will go before the Senate Education Committee at 3:30 p.m. on Monday.

**Beverage Law Legislation** ([SB 148 by Sen. Bradley](#)) — The bill would allow restaurants to continue selling alcoholic beverages to-go after the pandemic ends, as long as they are purchased alongside food. The bill passed its first committee with a unanimous vote. It will go before the Senate Commerce and Tourism Committee at 12:30 p.m. on Tuesday.

## **Federal Spotlight**

### **U.S. Senate Considers Revised Rescue Plan**

The U.S. Senate will be voting well into the weekend on amendments to [H.R. 1319](#), the American Rescue Plan Act. Senate Democrats have agreed to a number of changes to the U.S. House bill, including:

- an increase in emergency rental assistance for high-need grantees to \$2.5 billion, from \$1.2 billion in the House bill;
- an increase in the minimum state allocation for the Homeowner Assistance fund to \$50 million, from \$40 million in the House bill;
- an increase in the share of the \$3 billion for the Economic Development Administration to be set aside for communities suffering economic injury from job losses in travel, tourism, or outdoor recreation, to 25% from 15% in the House bill;
- phasing out the direct payments to individuals and households earning more than \$75,000-\$80,000 for individuals, \$112,500-\$120,000 for heads of household, and \$150,000-\$160,000 for joint filers;
- a prohibition on states using CARES Act relief funding to cut taxes;
- a new \$10 billion Critical Infrastructure Projects program for states, territories, and tribal governments to carry out critical capital projects in response to COVID-19; and
- a provision to allow eligible applicants to seek funding from both the Shuttered Venue Operators Grant and the Paycheck Protection Program.

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Although the move to a \$15/hour federal minimum wage is not part of the bill the U.S. Senate is considering, U.S. Senate Budget Committee Chairman Bernie Sanders (I-VT) offered an amendment to include it, which failed by a vote of 58-42.

To read more updates from our federal lobbying team, read last week's "On the Record with the Golden Apple" [here](#).

## **Current Bill Statistics**

Total Bills Filed: 2,961 (1,954 House; 1,007 Senate)

Appropriations Bills Filed: 1,060

Total Appropriation Project Dollars Requested: \$1.174 billion

## **Session Weekly Schedules**

### **House Week 2:**

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2021&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%202%20March%208%20-%2012,%202021%20-%201st%20Amended.pdf>

### **House Week 3:**

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2021&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%203%20March%2015%20-%2019,%202021.pdf>

### **Senate Week 2:**

<https://www.flsenate.gov/Session/Calendar/2021/Weekly%20Schedules%202021-02-18%20142639.PDF>

### **Senate Week 3:**

<https://www.flsenate.gov/Session/Calendar/2021/Weekly%20Schedules%202021-03-05%20153716.PDF>