

## MEMORANDUM

**TO:** NAIOP

**FROM:** GrayRobinson

**DATE:** April , 25, 2021

**SUBJECT:** 2021 Legislative Session – Week 8 (April 19-23)

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Last week ended with a bombshell announcement that the State and the Seminole Tribe of Florida had hammered out a new gaming compact that would give the tribe exclusive rights to offer craps and roulette at its facilities and oversee sports betting at their Hard Rock locations, at pari-mutuel facilities, and through digital platforms.

The agreement, revealed Thursday and signed by Gov. **Ron DeSantis** and the Tribe on Friday in Tallahassee, would see the state collect an estimated \$2.5 billion in payments from the Tribe over the next five years.

The new compact still needs legislative approval, and lawmakers announced Friday that they won't be ratifying the deal during the Regular Legislative Session, which is scheduled to end this Friday, April 30.

Instead, lawmakers will take a two-week break before reconvening for a Special Session on gaming to begin on May 17. In the wake of the news, gaming bills focused on decoupling at pari-mutuel facilities have been put on hold until that time, to be considered concurrently with the compact. Meanwhile, the clock continues to tick on lawmakers' deadline to hammer out the 2021-22 state budget.

The chambers came closer together on most fronts last week, with the biggest questions being how lawmakers would spend the billions in funding the state is expected to receive through the federal American Rescue Plan.

The Senate initially took the more conservative tack, allocating just \$3.3 billion of the \$10.2 billion headed to Florida. Senate Budget Chief **Kelli Stargel** said that the chamber favors placing a portion of the money in the bank.

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The House initially proposed spending nearly \$8 billion of the federal funds, but on Friday attempted to meet the Senate partway, lowering its American Rescue Plan allocations to \$6.2 billion.

Though near double the Senate’s offer, House Budget Chief **Jay Trumbull** matched Stargel’s rhetoric.

“Not knowing exactly what the fiscal outlook is going to be next year, we’ll just park some money, have the ability to use that if need be or keep it in reserves if the economy continues to improve,” he said. As negotiations progressed, the last offer, which came from the House on Friday was as follows:

<b>Issue</b>	<b>Amount</b>
Florida Forever – Wildlife Corridor	\$300,000,000
Piney Point	\$100,000,000
African American Cultural and Historic Grant Program	\$30,000,000
State Emergency Operations Center	\$100,000,000
PECO Supplement – Higher Education Construction	\$263,785,546
New Worlds Reading Initiative	\$125,000,000
Beach Management Funding Assistance Program	\$50,000,000
Coastal Mapping Services	\$100,000,000
Derelict Vessel Removal Program	\$25,000,000
Reemployment Assistant Program	\$56,400,000
Workforce IT System	\$100,000,000
Resilient Florida Trust Fund (Grants)	\$500,000,000
Water Protection and Sustainability Trust Fund (Septic to Sewer)	\$500,000,000
State Transportation Trust Fund	\$2,000,000,000
Inland Protection Trust Fund	\$50,000,000

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Emergency Preparedness and Response Fund	\$1,000,000,000
Budget Stabilization Fund	\$350,000,000
Deferred Building Maintenance Program	\$350,000,000
PECO Supplement – K12 Special Facilities Construction Projects	\$210,300,889
<b>Total Issues</b>	<b>\$6,210,486,435</b>

There is still work to do though. The chambers’ budgets will need to align by Tuesday night in order for the Legislative Session to end on time, due to the required 72-hour “cooling off” period before lawmakers can vote to approve the budget.

As for the pandemic, one in 10 Floridians have now tested positive for COVID-19 since the pandemic began 13 months ago. Of those, about 35,000 have died. But the vaccination marches on, with doses administered routinely surpassing six-figures a day. About 8.4 million Floridians have received at least one dose of vaccine, while nearly 5.6 million are fully vaccinated.

All of [these](#), a preview of [Week 9](#), 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 collectively passed this bill and it was signed by the Governor last week. As a reminder, the bill will enforce the online sales tax (bills summarized below). As well, the initial proceeds of the online sales tax will offset unemployment tax for businesses. When the unemployment fund has collected \$4.017 billion, the Business Rent Tax will be reduced from 5.5 to 2.0% with revenue gained from the online sales tax. We expect that to take place sometime in 2023 or 2024.

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**FAST Act** – HB 1059 which increases time by which cities/counties must react to permits passed the House on April 1. In the Senate, the bill is on Special Order agenda Monday.

**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. This standalone package passed the House Commerce last week and now awaits a vote on the Senate Floor. The CFO's package passed the House and the Senate bill is on Special Order this week.

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

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 – Committee Substitute passed by vote of 17-0 on March 17.

Commerce Committee – Committee Substitute approved by vote of 20-1 on April 6.

House Floor – Placed on Calendar for Second Reading.

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

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

Banking & Insurance – Passed by vote of 9-0 on March 30.

Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

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**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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.

**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 – Committee Substitute passed by vote of 18-5 on March 8.

Judiciary Committee – Awaiting Hearing.

**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.

**Chances of Passage:** The bill hasn’t moved much. Its chances of passage are slim, but it could be part of an amendment later.

### **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.

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Local Administration & Veterans Affairs Subcommittee – Approved by vote of 12-6 on March 3.

Commerce – Committee Substitute passed by vote of 18-5 on March 9.

House Floor – **Placed on Third Reading for April 26.**

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

Community Affairs – Committee Substitute passed by vote of 6-3 on March 16.

Regulated Industries – Passed by vote of 8-1 on March 23.

Rules – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

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

#### Key Take Away

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 Substitute passed by vote of 13-4 on March 9.

Public Integrity & Elections Committee – Committee Substitute approved by vote of 16-1 on April 15.

State Affairs Committee – Committee Substitute approved by vote of 19-0 on March 29.

House Floor – Placed on Calendar for Second Reading.

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

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

Governmental Oversight and Accountability – Approved by vote of 4-1 on March 3.

Rules – Approved by vote of 11-4 on March 11.

Senate Floor – Passed by vote of 27-11 on March 25.

**Weekly Roundup:** N/A.

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**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **Home-based Business – SB 266 (Perry) and HB 403 (Giallombardo)**

#### Key Take Away

If passed, would provide legislative findings and intent; 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 – Committee Substitute Approved by vote of 14-8 on March 9.

House Floor – **Passed by vote of 78-38 on April 20.**

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

Community Affairs – Committee Substitute passed by vote of 6-3 on March 10.

Commerce and Tourism – Passed by vote of 9-2 on March 22.

Rules – Committee Substitute approved by vote of 12-2 on April 14.

Senate Floor – **Placed on Calendar for Second Reading.**

**Weekly Roundup:** N/A

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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.**

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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 – Approved by vote of 11-0 on March 15.  
Rules – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the Senate, but is stalled in the House. If the House bill doesn't start moving next week, it is likely dead.

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

#### 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.

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

Regulatory Reform Subcommittee – Committee Substitute approved by vote of 19-0 on March 2.

Local Administration & Veterans Affairs Subcommittee – Passed by vote of 14-0 on April 1.

Commerce Committee – Committee Substitute approved by vote of 21-0 on April 14.

House Floor – Passed 118-0, Sent to Senate and placed on Third Reading for April 26.

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

Community Affairs – Committee Substitute approved by vote of 9-0 on March 30.

Appropriations – Committee Substitute approved by vote of 20-0 on April 15.

Rules – Committee Substitute approved by vote of 10-6 on April 20.

Senate Floor – Substituted fir HB 401.

**Weekly Roundup:** N/A.



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**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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 – Committee Substitute passed by vote of 24-0 on March 16.

House Floor – Substituted for SB 148.

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

Regulated Industries – Awaiting Hearing.

Commerce and Tourism – N/A

Rules – N/A

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the House, but is stalled in the Senate. If the Senate bill doesn't start moving next week, it is likely dead.

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

#### 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 – Approved by vote of 16-0 on March 9.

Commerce Committee – Passed by vote of 22-0 on March 29.

State Affairs Committee – Committee Substitute approved by vote of 21-0 on April 6.

House Floor – Placed on Calendar for Second Reading.

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**Senate Approval Milestones** – Bill filed January 28.  
Community Affairs – Approved by vote of 9-0 on March 3.  
Environment and Natural Resources – Committee Substitute approved by vote 6-0 on March 22.  
Rules – Passed by vote of 15-0 on March 31.  
Senate Floor – **Passed Senate by 40-0. Now on House Special Order Calendar for April 26.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills have passed all committees. Bill will likely be sent to governor.

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

**Weekly Roundup:** N/A

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes.....dead.

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## **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 passed by vote of 17-0 on March 2.

Local Administration & Veterans Affairs Subcommittee – Committee Substitute approved by vote of 17-0 on April 1.

Commerce Committee – Passed by vote of 22-0 on April 14.

House Floor – **Passed by vote of 118-0 on April 21.**

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

Community Affairs – Committee Substitute Approved by vote of 9-0 on March 10.

Governmental Oversight and Accountability – Committee Substitute approved by vote of 5-0 on March 31.

Appropriations – Committee Substitute approved by vote of 20-0 on April 15.

Senate Floor – **Placed on Special Order Calendar for April 26.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

## **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 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.

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Commerce Committee – Committee Substitute approved by vote 21-0 on March 24.  
House Floor – Sent to Senate and Referred to Rules.

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

Community Affairs – Committee Substitute passed by vote of 9-0 on March 10.

Governmental Oversight and Accountability – Committee Substitute approved by vote of 5-0 on March 31.

Rules – Passed by vote of 16-0 on April 6.

Senate Floor – **Placed on Special Order Calendar for April 26.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. Bill will likely be sent to Governor.

### **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 – Committee Substitute approved by vote of 17-0 on March 17.

State Administration & Technology Appropriations Subcommittee – Committee Substitute approved by vote of 14-0 on April 7.

Commerce Committee – Committee Substitute approved by vote of 20 -0 on April 14.

House Floor – **Passed by 119-0. Sent to Senate and Referred to Rules.**

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

Banking and Insurance – Committee Substitute approved by vote of 11-0 on March 10.

Appropriations – Passed by vote of 19-1 on April 15.

Rules – **Passed by vote of 16-0 on April 20.**

Senate Floor – **On Special Order Calendar.**

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**Weekly Roundup:** N/A

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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 – Passed by vote of 11-4 on April 1.

Commerce Committee – Awaiting Hearing.

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

Regulated Industries – TP'd in committee on March 9.

Commerce and Tourism – N/A.

Rules – N/A.

**Weekly Roundup:** N/A

**Chances of Passage:** The bill hasn't moved much. Its chances of passage are slim, but it could be part of an amendment later.

### **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 – Committee Substitute approved by vote 14-0 on March 24.

State Administration & Technology Appropriations Subcommittee – Committee Substitute approved by vote of 14-0 on April 7.

Commerce Committee – Committee Substitute approved by vote of 17-0 on April 14.

House Floor – **Temporarily Postponed on Second Reading.**

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

Regulated Industries – Committee Substitute approved by vote of 7-0 on March 30.

Appropriations – Committee Substitute approved by vote of 20-0 on April 15.

Senate Floor – **Passed by vote of 40-0 on April 22.**

**Weekly Roundup:** N/A

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

**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.

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**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes....dead.

### **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 – Passed by vote of 9-0 on March 23.

Commerce and Tourism – Awaiting Hearing.

Rules – N/A

**Weekly Roundup:** N/A.

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes....dead.

### **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 – Approved by vote of 17-0 on March 9.

Environment, Agriculture & Flooding Subcommittee – Committee Substitute approved by vote 17-1 on March 23.

Commerce Committee – Passed by vote of 22-0 on April 6.

House Floor – **Temporarily Postponed on Second Reading.**

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**Senate Approval Milestones** – Bill filed January 28.  
Regulated Industries – Committee Substitute approved by vote 7-1 on March 16.  
Environment and Natural Resources – Passed by vote of 3-2 on March 29.  
Rules – Committee Substitute approved by vote of 11-5 on April 20.  
Senate Floor – Placed on Third Reading for April 26.

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **Soil and Groundwater Contamination – 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 – Committee Substitute approved by vote 6-0 on March 22.  
Appropriations Subcommittee on Agriculture, Environment, and General Government – Awaiting Hearing.  
Appropriations – N/A.

**Weekly Roundup:** N/A.

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes.....dead.

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



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Key Take Away

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

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

Tourism, Infrastructure & Energy Subcommittee – Committee Substitute Approved by vote of 12-6 on March 9.

Local Administration & Veterans Affairs Subcommittee – Committee Substitute approved by vote of 15-0 on April 1.

Commerce Committee – Passed by vote of 17-3 on April 14.

House Floor – **Passed 79-38, Sent to Senate and Placed on Third Reading for April 26.**

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

Regulated Industries – Committee Substitute Approved by vote of 7-2 on March 9.

Community Affairs – Committee Substitute Approved by vote of 6-3 on March 16.

Rules – **Passed by vote of 11-5 on April 20.**

Senate Floor – **Substituted for 839.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

**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 – Passed by vote of 6-0 on March 22.

Community Affairs – Awaiting Hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes....dead.

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## Promote Fair Taxation

### **Internet Sales Tax Enforcement – SB 50 (Gruters) and HB 15 (Clemons), Approved by Governor; Chapter No. 2021-002**

#### 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. Amended to require certain amounts to be deposited into the Unemployment Compensation Trust Fund during specified periods and to offset the Business Rent Tax through a reduction from 5.5 to 2.0%.

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

Ways & Means Committee – Committee Substitute passed by vote of 16-2 on March 11.

Commerce – Committee Substitute approved by vote of 23-0 on March 29.

House Floor – Substituted for SB 50.

#### **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.

Senate Floor - Enrolled.

#### **Weekly Roundup:** N/A.

**Chances of Passage:** The bill has passed, the Senate version was signed into law by the Governor on April 19.

### **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.

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Finance and Tax – Approved by vote of 8-0 on March 11.  
Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A

**Chances of Passage:** The bill is moving in the Senate, but is stalled in the House. If a House bill doesn't start moving next week, it is likely dead.

### **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.

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

**Senate Approval Milestones** – Bill filed January 22.

Commerce and Tourism – Committee Substitute passed by vote of 11-0 on February 15.  
Finance and Tax – Committee Substitute passed by vote of 8-0 on March 11.  
Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the Senate, but is stalled in the House. If a House bill doesn't start moving next week, it is likely dead.

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

#### Key Take Away

If passed, would authorize 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.

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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.

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes....dead.

#### **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 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 – Committee Substitute passed by vote of 13-5.  
Ways & Means Committee – Committee Substitute approved by vote of 15-2 on March 31.  
State Affairs Committee – Committee Substitute approved by vote of 12-8 on April 15.  
State Affairs Committee – Committee Substitute approved by vote of 12-8 on April 15.  
House Floor – **Placed on Third Reading in the Senate for April 26.**

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

Community Affairs – Committee Substitute approved by vote 5-3 on March 24.  
Finance and Tax – Committee Substitute approved by vote of 6-2 on March 31.  
Appropriations – Committee Substitute approved by vote of 18-2 on April 15.  
Senate Floor – **Substituted for HB 337.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

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## **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 –Committee Substitute approved by vote of 11-0 on March 15.

Finance and Tax – Passed by vote of 7-0 on March 25.

Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the Senate, but is stalled in the House. If the House bill doesn't start moving next week, it is likely dead.

## **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 – Approved by vote of 10-0 on March 9.

Finance and Tax – Approved by vote of 8-0 on March 18.

Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

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**Chances of Passage:** The bill hasn't moved much, its chances of passage are slim.

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

#### 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

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes.....dead.

### **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 – Approved by vote of 17-0 on March 15.

Ways & Means Committee – Passed by vote of 14-0 on April 8.

State Affairs Committee – Passed by vote of 19-0 on April 15.

House Floor – **Passed by 118-0. Received by Senate and Referred to Appropriations.**

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

Community Affairs – Approved by vote of 9-0 on March 10.

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Finance and Tax – Passed by vote of 8-0 on April 14.  
Appropriations – Passed by vote of 20-0 on April 22.  
Senate Floor – Placed on Special Order Calendar for April 26.

**Weekly Roundup:** N/A

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **Tax Administration – HB 1241 (Stevenson) and SB 7068 (Finance and Tax Committee)**

#### 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 – Approved by vote of 16-0 on March 11.

Appropriations – Committee Substitute approved by vote 27-0 on March 22.

House Floor – Read Third Times, Passed by vote of 115-0 on March 31.

**Senate Approval Milestones** – Bill filed March 22.

Finance and Tax – Passed by vote of 7-0 on March 25.

Appropriations – On Committee Agenda for April 19.

**Weekly Roundup:** SB 7068 now amended to contain Senate Tax Package.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **Documentary Stamp Tax Distributions – SB 2512 (PCB bill by Appropriations) and HB 5401 (Tomkow)**

#### Key Take Away

Revising and deleting distributions of the documentary stamp tax; providing that specified distributions may not be transferred to the General Revenue Fund; revising the purposes

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for which distributions may be made from the Water Protection and Sustainability Program Trust Fund.

**House Approval Milestones** – Bill filed March 25.  
Appropriations – Passed by vote of 19-10 on March 31.  
House Floor – Read Third time, substituted for SB 2512.

**Senate Approval Milestones** – Bill filed March 26.  
Appropriations – Passed by vote of 12-8 on March 31.  
Senate Floor – Enrolled.

**Weekly Roundup:** N/A.

**Chances of Passage:** Passed the House and Senate. Bill will be sent to Governor.

### 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.

**Chances of Passage:** The bill hasn't moved much. Its chances of passage are slim, but it could be part of an amendment later.



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## **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.

### **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 – Committee Substitute passed by vote of 20-3 on March 10.

House Floor- Enrolled.

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

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

Judiciary – Committee Substitute approved by vote of 11-0 on March 15.

Rules – Committee Substitute approved by vote 17-0 on March 25.

Senate Floor – Substituted for HB 59.

**Weekly Roundup:** N/A.

**Chances of Passage:** Passed the House and Senate. Bill will be sent to Governor.

## **Small Scale Development Amendments – HB 487 (Duggan) and SB 1274 (Perry)**

### 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 – Passed by vote of 17-1 on March 3.

Commerce Committee – Passed by vote of 22-1 on March 9.

State Affairs Committee – Passed by vote of 20-3 on March 17.

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House Floor – Sent to Senate and Referred to Rules.

**Senate Approval Milestones** – Bill filed February 12.

Community Affairs – Committee Substitute approved by vote of 7-2 on March 30.

Rules – Passed by vote of 17-0 on April 20.

Senate Floor – Placed on Special Order Calendar for April 26.

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### Promote Economic Prosperity

**Civil Liability for Damages Relating to COVID-19 – HB 7 (McClure) and SB 72 (Brandes) - Approved by Governor, Chapter No. 2021-001, on March 29**

#### 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.

House Floor – Sent to Senate and Referred to Rules.

**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 3.

Rules – Committee Substitute passed by vote of 10-5 on March 11.

Senate Floor – Enrolled.

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill has passed, the Senate version was signed into law by the Governor on March 29.

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

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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 – Approved by vote of 14-1 on March 12.

Pandemics & Public Emergencies Committee – Passed by vote of 17-1 on March 24.

Judiciary Committee – Passed by vote of 19-0 on March 29.

House Floor – **Passed by vote of 115-0, Sent to Senate and Referred to Rules.**

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

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the House, but does not have a bill in the Senate. If a Senate bill doesn't start moving next week, it is likely dead.

**Governmental Actions Affecting Private Property Rights – HB 421 (Tuck) and SB 1876 (Albritton)**

Key Take Away

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 – Committee Substitute approved by vote of 15-2 on April 1.

Judiciary - Committee Substitute approved by vote of 14-5 on April 15.

House Floor – **Passed by 90-29, Sent to Senate and referred to Rules.**

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

Judiciary - Committee Substitute approved by vote of 7-4 on March 22.

Community Affairs – Passed by vote of 6-3 on March 30.

Rules – **Committee Substitute approved by vote of 10-6 on April 20.**

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Senate Floor – **Placed on Special Order Calendar.**

**Weekly Roundup:** House Local Administration & Veterans Affairs Committee Substitute combines this bill with HB 1101.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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 – Passed by vote of 16-0 on March 30.

Commerce Committee – Passed by vote of 22-0 on April 6.

Judiciary Committee- Passed by vote of 17-0 on April 15.

House Floor – **Enrolled.**

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

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

Judiciary – Approved by vote of 10-0 on March 9.

Rules – Passed by vote of 17-0 on April 16.

Senate Floor – **Substituted for HB 483.**

**Weekly Roundup:** N/A.

**Chances of Passage:** Both bills are moving. The chances of passage are better than 50/50.

### **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

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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, and Economic Development – Subcommittee Recommendation approved by vote of 10-0 on March 10.  
Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

**Chances of Passage:** The bill is moving in the Senate, but is stalled in the House. If the House bill doesn't start moving next week, it is likely dead.

### **Health Care Civil Liability – HB 7005 (Formerly HHS1 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.  
Pandemics & Public Emergencies - Committee Substitute passed by vote of 12-6 on March 2.  
Judiciary– Committee Substitute passed by vote of 15-5 on March 10.  
House Floor – Placed on Calendar for Second Reading.

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

**Weekly Roundup:** Added through an Amendment to COVID-19 Civil Liability bill, SB 72.

**Chances of Passage:** The contents of this bill was approved by the governor through SB 72.

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

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#### 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.

**Chances of Passage:** While nothing is officially dead yet, this legislation is for all intents and purposes....dead.

### **Summary of Session Week 8 (April 19-23)**

**Building Design Legislation** ([HB 55 by Rep. Overdorf/SB 284 by Sen. Perry](#)) — The bills would preempt local ordinances restricting home design elements, such as exterior colors, window placement, or the location of a garage. The Senate bill still needs approval from the Rules Committee. However, the House bill was read a second time and adopted a few amendments on Friday. It is now set for third reading on Monday, April 26.

#### **Combating Public Disorder Legislation** ([HB 1 by Rep. Fernandez-Barquin/SB 484 by Sen. Burgess](#))

The bill, arguably DeSantis' top priority this Session, would increase penalties for certain crimes committed during protests and would prevent local governments from cutting law enforcement budgets — sometimes referred to as “defunding the police.” The Senate passed the bill the week before after procedural maneuvering allowed it to skirt its first committee stop. On Monday, DeSantis signed it into law. It went into effect immediately. However, the Lawyers Matter Task Force — a civil rights group — has already filed a lawsuit challenging the constitutionality of the law in federal court.

**Impact Fees Legislation** ([HB 337 by Rep. DiCeglie/SB 750 by Sen. Gruters](#)) — The bills include several provisions to restrict impact fees imposed by local governments or special districts, including a requirement that credit against collection of impact fees any contribution related to public facilities. They also specify conditions under which local government, school districts, or special districts may increase impact fees. The House version passed last week with the support of

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Republicans and several Democrats, which is notable given the proposal's staunch opposition from local governments. The Senate could take it up as soon as Monday.

**Technology Transparency Legislation ([HB 7013/SB 7072](#))** — The proposal, a DeSantis priority, would impose a series of requirements on social media companies aimed at ending the practice of “de-platforming” or “shadow banning” users. The bills would also require companies to clearly spell out prohibited content that could lead to a ban and inform users of any changes to their terms of service. The House bill is on second reading. The Senate bill cleared its final committee last week and is on the Special Order Calendar for Monday.

**Preemption Over Restriction of Utility Services Legislation ([HB 919 by Rep. Tomkow/SB 1128 by Sen. Hutson](#))** — The bills would block local ordinances restricting the types of fuel a utility may use, such as a ban on natural gas. The full House OK'd the bill with an 81-34 vote last week, sending the measure to the Senate. It has been placed on third reading and could receive a vote early this week.

**Vacation Rental Preemption Legislation ([HB 219 by Rep. Fischer/SB 522 by Sen. Diaz](#))** The bills would have preempted the regulation of vacation rental platforms to the state, which has been a yearslong priority of major players in the industry, such as Airbnb and VRBO. After gaining traction early in the Legislative Session, the Senate bill died in the Rules Committee last week despite committee Chairwoman **Kathleen Passidomo** saying she “would love to hear” the bill. The House bill never made the agenda for its final committee.

**Online Sales Tax Legislation ([HB 15 by Rep. Clemons/SB 50 by Sen. Gruters](#))** — The bills would require most out-of-state retailers to collect and remit sales tax. The legislation is expected to boost sales tax revenues by more than \$1 billion a year, with the proceeds heading to the state's unemployment trust fund and, later, to fund a cut to the commercial rents tax. DeSantis signed the bill into law last week. It goes into effect July 1, 2021.

**Home Book Delivery for Elementary Students ([HB 3 by Rep. Trabulsy/SB 1372 by Sen. Burgess](#))** — The bill would create the “New Worlds Reading Initiative,” which would provide free books to elementary school students who are reading below grade level. It is one of House Speaker **Chris Sprows**' priorities. The House bill passed with a unanimous vote last week. The Senate could OK the bill and send it to DeSantis as soon as Monday.

**Right to Farm Legislation ([SB 88 by Sen. Brodeur](#))** — The bill would expand Florida's Right to Farm Act by restricting the types of civil lawsuits that can be filed against farms and requiring that plaintiffs prove noncompliance with state or federal requirements to prevail. A priority of Senate President **Wilton Simpson**, the measure easily cleared the Senate last month and on Thursday the House voted 110-7 to send the bill to the Governor's desk.

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**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. Originally, the Senate bill would have impacted multiple ports, however, it was narrowed to the point that it would only apply to Key West — which was the primary goal from the start. The bill would undo referenda approved by Key West voters last year limiting the size and type of ships as well as the volume of tourists who disembark at the port. The Senate version cleared the chamber floor with a 25-14 vote. The House is expected to take up the bill next week.

**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 proposal, a priority of House Speaker **Chris Sprowls**, cleared the lower chamber earlier this month. Last week, the Senate bill was approved in the Rules Committee, teeing it up for a floor vote.

**Home-Based Businesses Legislation** ([HB 403 by Rep. Giallombardo/SB 266 by Sen. Perry](#)) — The bills would preempt local ordinances regulating most home-based businesses. The limitations specify that the business may have no more than two employees who do not live on the property, comply with local and state parking rules and the business must be “secondary to the to the property’s use as a residential dwelling.” The House bill passed on Wednesday with a 78-38 vote. The Senate version is awaiting a floor vote.

**Reclaimed Water Legislation** ([HB 263 by Rep. Maggard/SB 64 by Sen. Albritton](#)) — The legislation would set a five-year timeline to eliminate non-beneficial surface water discharges. The legislation would also create a permit structure for the use of reclaimed water, including for human consumption, a process colloquially referred to as “toilet-to-tap.” The House adopted an amendment to the Senate bill before passing it and kicking it back to the upper chamber. On Wednesday, the bill completed the return trip and was sent to the Governor with a unanimous vote.

**Consumer Data Privacy Legislation** ([HB 969 by Rep. McFarland/SB 1734 by Sen. Bradley](#)) — The bills would give Floridians the right to find out what personal information a company has on them, how the company got it, and what the company does with it. They would also be able to request the data be deleted or block it from being sold to others. The House OK’d the bill with a 118-1 vote and sent it to the Senate floor, where the companion bill is on second reading.

**COVID-19 Impacts on Educational Institutions** ([HB 1261 by Rep. Toledo/SB 7070 by Senate Education Committee](#)) — The bill would shield colleges and universities from lawsuits over decisions to shut campuses because of the COVID-19 pandemic. The Senate bill would provide the same protections to higher-ed institutions but would also shield K-12 schools from accountability measures based on standardized test scores this year. The House on Wednesday passed its bill with a 92-22 vote. The Senate bill is on the chamber’s Special Order Calendar for Monday.



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**Gaming Legislation** ([SPB 7076/SPB 7076/SPB 7080](#)) — The linked bills would set up a five-member Gaming Control Commission and decouple jai alai games and races from other forms of gambling at pari-mutuels. The bills had been moving quickly after a late-Session introduction, but appear to have stalled out, with the legislation likely dead for the regular Session, but likely to be revived in a Special Session on gaming next month.

### **Preview of Week 9 (April 26 – April 30)**

**Foreign Influence Legislation** ([HB 7017 by Rep. Grall/SB 2010 by Sen. Diaz](#)) — The bills would require organizations seeking state funding to disclose any financial ties to adversarial countries, or “foreign country of concern.” The list includes China, Cuba, Iran, North Korea, Russia, Syria and Venezuela. The legislation is a priority of Gov. **Ron DeSantis** and House Speaker **Chris Sprowls**. The House has already approved its version. The Senate version passed its final committee last week and is listed on the Special Order Calendar for Monday.

**Election Administration Legislation** ([HB 7041 by Rep. Ingoglia/SB 90 by Sen. Baxley](#)) — The bill would change several election laws, most notably requiring oversight of mail ballot drop boxes, either by camera or by elections supervisor staff. A provision that would have changed ballot signature verification rules was removed from the bill. The full Senate is expected to vote on the bill as soon as Monday. Though not a direct analogue to the Senate bill, the House election law revamp is also poised for a floor vote next week. Where this bill ends, as Senate sponsor Dennis Baxley said, is “a mystery.”

**Volunteer Ambulance Services Legislation** ([HB 805 by Rep. Caruso/SB 1084 by Sen. Pizzo](#)) — The bills are aimed at fostering faith-based, not-for profit volunteer ambulance services by prohibiting local governments from charging them licensing fees or banning their operation. Though there are few such providers in the state, lawmakers say their services are desired among populations with religious sensitivities. The House passed its version of the bill Friday with a 98-12 vote. The Senate bill is on Monday’s Special Order Calendar.

**School Choice Legislation** ([HB 7045 by Rep. Fine](#)) — Billed by its backers as the largest school choice expansion in Florida history, the sweeping education bill would shutter the Gardiner Scholarship Program and McKay Scholarship Program and transition students who are currently receiving those scholarships into the Family Empowerment Scholarship Program. It also increases voucher amounts from 95% to 100% for students in the Florida Tax Credit Scholarship Program, Family Empowerment Scholarship and Hope Scholarship Program. The bill passed the House last week with a mostly party-line vote and has been placed on third reading in the Senate.

### **Federal Spotlight**

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**Senate moves toward comprehensive China legislation** - Senate work continued this week toward a massive package of bipartisan legislation that sets forth strategic, economic, and diplomatic responses to China's challenges to US and global security. The Senate Foreign Relations Committee [voted out its Strategic Competition Act](#), which includes diplomatic, financial, and military measures to strengthen international alliances, push back against predatory economic behavior, and boost American competitiveness in science, technology, and infrastructure. A day after the Senate Foreign Relations Committee acted, the [Senate Finance Committee heard from a panel of experts](#) about the challenges of aligning US corporate goals in China with national security interests, and the urgent need for more information about Chinese corporate and investment activity in the United States. The Finance Committee is developing its own legislation that will be combined with other committees' work into a proposal that may reach the Senate floor as early as next month.

**Senate Finance debates tax changes** - On Tuesday the [Senate Finance Committee had the first](#) of what Chairman Ron Wyden (D-OR) said would be several hearings on how to improve equity in economic opportunity through the tax code. Wyden said that policymakers need better information about how tax laws affect different demographic groups; the IRS does not collect information about taxpayer race, ethnicity, or gender. Senator Richard Shelby (R-AL), the Committee's ranking member, argued that the tax code reflects existing disparities but does not create them, and that many proposed changes would actually be regressive, particularly the proposal to repeal the cap on deductions for state and local taxes (SALT). With President Biden expected to discuss new tax laws in an address to Congress next week, Shelby said that any changes must be bipartisan. The Committee has already scheduled two additional hearings on the subject for next week.

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

## **Current Bill Statistics**

Total Bills Filed: 3,090 (2,034 House; 1,056 Senate)

Appropriations Bills Filed: 1,060

Total Appropriation Project Dollars Requested: \$1.174 billion

## **Session Weekly Schedules**

**House Week 9:**

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<https://www.myflorida.house.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2021&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%209%20April%2026%20-%2030,%202021.pdf>

**Senate Week 9:**

<https://www.flsenate.gov/Session/Calendar/2021/Weekly%20Schedules%202021-04-09%20150729.PDF>