

MEMORANDUM

TO: NAIOP
FROM: GrayRobinson
DATE: March 31, 2019
SUBJECT: 2019 Legislative Session – Week Four Summary

As lawmakers approach the midpoint of the 2019 Legislative Session, one of Senate President Bill Galvano's top priorities is taking shape in the Florida House. The Bradenton Republican's plan to kickstart three major highway projects surfaced as a House committee bill during Week 4 — a sign that the other chamber is willing to consider Galvano's ambitious transportation agenda.

The legislation in part would authorize and require the Legislature to start saving money to extend the Suncoast Parkway to the Florida-Georgia line, connect the Florida Turnpike to the Suncoast Parkway, and construct the Southwest-Central Florida Connector between Polk and Collier counties.

The House Transportation and Tourism Appropriations Subcommittee last week advanced a bill identical to the Senate's plan, which was created by the Senate Committee on Infrastructure and Security. If signed into law, \$45 million from General Revenue would be transferred in the next fiscal year's budget to a series of transportation trust funds. More money would be transferred each year afterward.

By 2022, an estimated \$100 million would be available for the three corridor projects. Meanwhile, \$32.5 million would be peppered across other funds, including the Small County Road Assistance Program, the Small County Outreach Program and the Transportation Disadvantaged Trust. A recurring amount of \$140 million starting in the 2022-2023 fiscal year would be set aside to the trusts to help see the projects through, which would be completed no later than the end of 2030.

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House Speaker Jose Oliva has expressed a mild openness to the infrastructure plans but has concerns about recruiting bonds to complete them. Galvano has identified the highways as part of his vision to better the state's infrastructure.

It's certainly a top issue to follow as negotiations and trading unfold in the later days of Session. The above issues as well as your priorities are covered below.

Activities and Bills related to NAIOP

Lobbying Activities –

Business Rent Tax – The House Ways & Means Committee meets for three weeks during Week 5. They are expected to take testimony and comments from legislators and the public on a potential tax package. We are happy to report that our lobbying, along with those of the coalition, has paid off. We expect the House to offer the largest reduction of the BRT since cuts began. Stay tuned as this exciting development evolves.

FAST Act – Our focus is on the Senate to keep the bill moving. Below is a breakdown of next steps needed in order for the FAST Act to reach the finish line this legislative session.

Senate: The Senate bill has three committee references, the first being Community Affairs. Your GR team is working with the sponsor (Keith Perry) to get the bill heard in that committee. It is not on the Week 5 agenda, and thus, we must work towards a Week 6 agenda. As detailed previously, the issue is that the chair of that committee, Anitere Flores, has been resistant in the past to passing laws that infringe on home rule. We are working to get her “there,” with us. If we don't think we are gaining traction, we will activate the NAIOP members to email Senator Flores. That may occur later this week.

House: The House bill has made it through two of its three committee references. The final committee is State Affairs. We have every expectation that this bill will be heard in State Affairs within the next few weeks.

Compromise Language: We are actively working with the League of Cities to find language that can still accomplish our goals, yet not be as onerous to the cities. If/when we reach this compromise, the bill will move much easier in the Senate. We will keep you posted on what compromises can be reached.

Lease Signatory Changes – We continue to work with the Florida Bar's Real Property, Probate, and Trust Law (RPPTL) section on our commercial lease carve out. The House and Senate sponsors have agreed to our language, but we are now finding that the RPPTL Section wants to vet the language.

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Bills of Interest

How A Bill Becomes A Law

As a guide to reading the report below, please reference the following guide to how the Florida Legislature files and passes legislation.

Either chamber (House or Senate) may originate any type of legislation; however the processes differ slightly between chambers.

A legislator sponsors a bill, which is referred to one or more committees related to the bill's subject. The committee studies the bill and decides if it should be amended, pass, or fail. If passed, the bill moves to other committees of reference or to the full chamber. The full chamber then votes on the bill.

If it passes in one chamber, it is sent to the other chamber for review. A bill goes through the same process in the second chamber as it did in the first. A bill can go back and forth between chambers until a consensus is reached. Of course, the measure could fail at any point in the process.

If a bill is passed by both chambers, it is then sent to the Governor to be approved or vetoed. Typically, the Governor has 15 days to act on legislation. If the Governor receives a bill during session, but before Day 53 of Legislative Session, he has seven (7) days to act on the legislation.

Promote Business Friendly CRE Regulations

Permit Fees – SB 142 (Perry) and HB 127 (Williamson) –These identical bills would require the governing bodies of counties and municipalities to post their permit and inspection fee schedules and building permit and inspection utilization reports on their websites; require certain governing bodies of local governments to post their building permit and inspection utilization reports on their websites by a specified date.

Notes: This is the same bill filed last year. If not for Parkland and the ensuing legislation that followed, this bill would have passed.

Senate Committee References: Community Affairs; Innovation, Industry, and Technology; and Rules

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House Committee References: Local, Federal & Veteran Affairs Subcommittee; Business & Professions Subcommittee; and State Affairs Committee

UPDATE: On Wednesday, the Senate took up the House bill (passed the previous week) and passed it by a vote of 40-0. The bill will now be sent to the Governor for action.

STATUS/PROSPECTS: The bill has passed the Legislature. Soon, the bill will be sent to the Governor for action and he will have seven (7) days to act, assuming he receives the bill before Day 53 of Legislative Session. If he receives after Day 53, the Governor will have 15 days to act.

Impact Fees – SB 144 (Gruters) and HB 207 (Donalds) –These similar bills would require that the earliest a government can collect impact fees is the issuance of the building permit for the property. This bill would exempt water and sewer connection fees from the Florida Impact Fee Act. The effective date is July 1, 2019.

Notes: This bill is nearly identical to the legislation filed by former Senator Dana Young last session. The addition of the water and sewer connection exemption is new. Also like the Permit Fees legislation, this bill had momentum and likely would have passed if not for Parkland last session.

Senate Committee References: Community Affairs; Finance & Tax; Appropriations

House Committee References: Local, Federal & Veterans Affairs Subcommittee; Commerce Committee; and State Affairs

UPDATE: On Wednesday, the full House voted in favor of the bill 101-12. Also on Wednesday, the Senate Appropriations Committee approved the bill by a vote of 19-0. The Senate bill has now been placed on the floor calendar.

STATUS/PROSPECTS: With the House passing the bill on Wednesday, it will now be in messages to the Senate. It is expected the Senate will take up the Senate bill on special order either week 5 or week 6. At that point, the full Senate will take up and pass the House bill and send to the Governor.

Open and Expired Building Permits – HB 447 (Diamond) and SB 902 (Perry) would provide pro-builder requirements related to open & expired permits, including permit requirements, closing of permits and notice thereof, amendment of Florida Building Code to acknowledge changes, and restrict powers of local governmental entities to close permits. The effective date is October 1, 2019.

House Committee References: Business and Professions Subcommittee; Local, Federal & Veterans Affairs Subcommittee; and Commerce Committee.

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Senate Committee References: Community Affairs; Innovation, Industry, and Technology; and Rules.

UPDATE: The Senate Innovation, Industry and Technology Committee passed the bill on Tuesday, March 26. On Tuesday, the Local, Federal & Veterans Affairs Subcommittee passed the bill unanimously.

House Version: In the House Business and Professions Subcommittee, a proposed committee substitute was adopted. It revamps the House bills as follows.

The bill requires local governments to send written notice, by mail or e-mail, to the owner of the property listed on a building permit, and the contractor who was issued the permit, that is about to expire. The local government must send the notice no less than 30 days before the permit expires. The notice must identify the permit that is about to expire and the date the permit expires.

The bill provides that local governments may only charge a person one search fee for identifying the building permits for units or sub-units that are assigned to one parcel of property.

The bill provides that a local government may close an expired building permit issued for the alteration, improvement, modification, or repair of a one-family or two-family dwelling, townhome, accessory structure of a one-family or two-family dwelling or townhome, individual condominium unit, or individual residential cooperative unit if:

- The permit has been expired for at least 6 years; and
- The local building official determines the building, accessory structure, or unit for which the permit was issued has no apparent safety hazards.

STATUS/PROSPECTS: Both the House and Senate bills are awaiting their final committee stops. In the House, Commerce committee is what remains. In the Senate, Rules Committee is final destination. Once each bill has passed the final committee, they will be eligible for floor votes. The prospects of this legislation is somewhat in doubt due to the House and Senate versions being so different, at the moment. It is expected they will match up in last committee, but have not yet.

FAST Act – HB 1139 (Plakon) and SB 1752 (Perry) - Requires county or municipality that imposes inspection fees to establish expedited inspection process that provides priority processing for such inspections; authorizes county or municipality to charge additional fee up to specified amount for expedited inspection process; requires such local governments to establish expedited permitting process that provides priority processing for such permits; authorizes local government to charge additional fee for expedited inspection process; provides that local

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government must require applicant to pay only specified percentage of fees due upon receipt of application; provides for reduction of outstanding fees due; provides for refund of fees; specifies that certain procedures apply to building permit applications for any nonresidential buildings. Effective Date: July 1, 2019

Senate Committee References: Community Affairs; Innovation, Industry and Technology; and Rules

House Committee References: Local, Federal & Veterans Affairs Subcommittee; Business & Professions Subcommittee; and State Affairs Committee

UPDATE: Waiting on Senate to agenda the bill.

STATUS/PROSPECTS: As discussed above, the bill's prospects rests on whether the Senate will agenda the bill. If so, we can begin to move it through the process.

Electronic Legal Documents – HB 409 (Perez) and SB 548 (Brandes) would authorize online notarizations; specify requirements & standards for performance of such online notarizations; require the Department of State to adopt rules by January 1, 2020. The effective date is January 1, 2020.

NAIOP Effect: This legislation will serve as the vehicle for changes in the commercial lease witness requirements. Sponsor has agreed to work with NAIOP on potential solutions.

House Committee References: Civil Justice Subcommittee; Transportation & Tourism Appropriations; and Judiciary.

Senate Committee References: Judiciary; Government Oversight and Accountability; and Rules.

UPDATE: The House Transportation & Tourism Appropriations Committee passed the bill by a vote of 11-1. The Senate bill is set for Judiciary Committee agenda on Monday, April 1.

STATUS/PROSPECTS: The House bill has one more committee stop (Judiciary) before the floor. The Senate will be heard in its first committee this week (Judiciary) and will have two stops following that. At this stage, there is plenty of time for the bill to pass, but it must keep moving. The bigger issues, as discussed above, is whether the Florida Bar's Real Property, Probate and Trust Law Section will accede to it.

Community Redevelopment Agencies – HB 9 (LaMarca) and SB 1054 (Lee) – these comparable bills prohibits a person from lobbying a community redevelopment agency until he

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or she has registered as a lobbyist with that agency. As well, the House Bill prohibits the establishment of any new CRA after October 1, 2019, unless by a county-wide referendum. Finally, the bill would terminate all CRAs as of September 2039, unless approved by governing body by a two-thirds vote. The effective date is July 1, 2019.

House Committee References: Local, Federal & Veteran Affairs Subcommittee; Ways & Means Committee; State Affairs Committee

Senate Committee References: Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development and Appropriations

UPDATE: The House bill has passed all of its committees and is now ready for the Floor. The Senate Community Affairs Committee passed the bill on Tuesday. It is now waiting for a hearing in Appropriations Subcommittee on Transportation, Tourism and Economic Development.

STATUS/PROSPECTS: The House bill will pass. The Senate bill still has two committee stops and a floor vote. Given the controversy surrounding the bill, it is difficult to say whether it will pass. We rate it as 50/50 odds.

Florida Building Code Enforcement – HB 715 (Robinson) and SB 1036 (Gruters) – would prohibit local governments from carrying forward balances resulting from its enforcement of the Florida Building Code which exceed the average of its operating budget, not including reserve amounts, for the previous two fiscal years; requiring local governments to use any excess funds to increase services or provide funding to entities designated as not for profit, etc. The effective date is July 1, 2019.

House Committee References: Local, Federal & Veterans Affairs Subcommittee; Business & Professions Subcommittee; and State Affairs Committee

Senate Committee References: Community Affairs; Innovation, Industry, and Technology; and Rules

UPDATE: The House bill awaits a hearing in its final committee, State Affairs. The Senate bill is still awaiting its first hearing.

STATUS/PROSPECTS: The House bill has stalled a bit, but it still likely to move forward towards the House floor. The Senate bill has not yet moved and it unlikely to do so at this point. We would rate this bill is 30/70 for pass/fail.

Job Growth Grant Fund - Governor's proposed budget sought renewal of the \$85 million grant fund.

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UPDATE: Neither the House nor the Senate budget includes funding for the Job Growth Grant Fund. It is early in the budget process, but this creates a challenge for the Governor to gain these funds.

Deregulation of Professions and Boards – HB 27 (Ingoglia) and SB 1640 (Albritton) - Among many things, these bills reduce the size of the Florida Building Commission, including the removal of the building owners' representative. Effective Date: July 1, 2019

Senate References: Infrastructure & Security; Commerce and Tourism; and Rules

House References: Business & Professions Subcommittee; Government Operations & Technology Appropriations Subcommittee; and Commerce Committee

UPDATE: The House Government Operations and Technology Appropriations Subcommittee passed the bill 8-3 on Tuesday. It is now waiting for a hearing in Commerce, its final committee. The Senate bill is set for a hearing in Innovation, Industry and Technology Committee on Tuesday, April 2.

STATUS/PROSPECTS: The House bill will likely pass. It has one more committee stop and then will be on the floor. The Senate version will begin to move this week. Depending on how close the vote is in its first stop will dictate whether it makes it to the Senate floor. We rate this as 50/50.

NEW COMMITTEE BILL - Property Development – COM1 (House Commerce Committee) - The bill makes changes to property development regulations by:

- Restricting counties and municipalities from adopting or imposing certain mandatory affordable housing ordinances.
- Imposing time limits for a county or municipality to review a development order or permit application and providing procedures for addressing deficiencies.
- Entitling either party of a development order challenge to invoke summary proceedings under s. 50.011, F.S., unless a party shows that summary procedure is inappropriate.
- Expanding the scope of a private provider by allowing services involving the review of site plans and site work engineering plans.
- Reducing the time period building departments have to review a permit application when a private provider approves the plans, from 30 business days to five business days.
- Limiting the building department's authority to audit a private provider to four times annually.
- Prohibiting a building official from replicating plan reviews or inspections performed by a private provider.

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- Allowing a person who hires a private provider to petition the court for a writ of injunctive or other equitable relief if the person believes the building department is not complying with the law.

UPDATE: The bill has been converted to House Bill 7103 and is referenced to Judiciary and State Affairs.

STATUS/PROSPECTS: The bill has two committee stops before a floor vote. It is likely that it will pass through all of those committees, as this is a leadership bill. The bigger question is whether the Senate will pass a comparable piece of legislation.

Promote Feasible Sustainability Initiatives

Wetland Mitigation – SB 532 (Lee) would allow local governments to provide mitigation credits for a project if alternative mitigation credits are not available from a mitigation bank. In theory, this project would allow local governments and developers to be more creative in approving a project. Another bill, **HB 521 (McClure)** would make clear that the mitigation statute does not affect current wetland mitigation sequencing under state or federal law, and thus, delete all provisions related to the other mitigation regulations. It is unclear whether the two bills will merge eventually, or get their own companions in the respective chambers. We have it tagged and will monitor. The effective date is July 1, 2019.

Senate Committee References: Community Affairs; Appropriations Subcommittee on Agriculture, Environment and General Government; and Appropriations.

House Committee References: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; and State Affairs Committee.

UPDATE: Senate Appropriations committee passed the bill on Wednesday, March 27. It is now ready for Senate floor. The House State Affairs committee passed the bill on Thursday. It is now also eligible for its House floor.

STATUS/PROSPECTS: Both bills are now passed through all their committee and ready for floor votes. It is expected that they will pass both chambers and be sent to the Governor.

Renewable Energy on Commercial Buildings – SB 222 (Rodriguez) would exempt from the definition of “public utility” property owners who own and operate a renewable energy source device with a capacity of up to 2.5 megawatts, produce renewable energy from that device, and provide or sell the renewable energy to users on that property. This bill, if passed, would allow

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large scale commercial buildings to produce and sell renewable energy. The effective date is July 1, 2019.

Senate Committee References: Innovation, Industry, and Technology; Infrastructure and Security; Community Affairs; and Rules

House Committee References: No House bill filed yet.

UPDATE: No movement yet.

Promote Fair Taxation

Business Rent Tax Reduction – SB 618 (Perry) would exempt from sales tax the first \$10,000 of total rent in year 2020, the first \$20,000 in year 2021, and continues up to \$90,000 in 2028. This is the same “stair step” approach that Senator Perry has proposed in previous sessions.

Senate Committee References: Commerce and Tourism; Finance and Tax; Appropriations

UPDATE: No movement. Bill has been deferred to the ultimate tax package.

General Taxation – SB 1112 (Gruters) would, among other reductions, cut the business rent tax from 5.7 to 4.2.

Senate References: Commerce and Tourism; Finance and Tax and Appropriations

UPDATE: Now waiting for Finance & Tax hearing.

Sales Tax on Commercial Property Rentals – SB 1642 (Gainer) – would cut the business rent tax from 5.7 to 5.5.

Senate References: Commerce & Tourism; Finance & Tax; and Appropriations

UPDATE: No movement. Bill has been deferred to the ultimate tax package.

Intentionally Collaborative Growth Management

Affordable Housing Trust Fund – SB 70 (Mayfield) and HB 1103 (Silvers) – The bill would exempt the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature, in the General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and the General Revenue Fund, etc. If passed, there would no longer be trust fund “sweeps” of the Sadowski Fund. The effective date July 1, 2019.

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Senate Committee References: Community Affairs; Infrastructure & Security; Appropriations Subcommittee on Transportation, Tourism and Economic Development; and Appropriations.

House Committee References: Transportation & Tourism Appropriations Subcommittee; State Affairs Committee; and Appropriations.

UPDATE: No movement yet.

Impact Fees on Affordable Housing – SB 350 (Hutson) and HB 1155 (Plasencia) would prohibit local governments from charging impact fees on affordable housing projects. The effective date is July 1, 2019. No committee references yet.

Senate References: Community Affairs, Infrastructure and Security; and Appropriations.

House References: Local, Federal & Veterans Affairs Subcommittee; Transportation & Tourism Appropriations Subcommittee and State Affairs Committee.

UPDATE: Senate bill waiting on hearing in Infrastructure and Security. House bill has not yet moved.

STATUS/PROSPECTS: With the House bill yet to move in any committees, this bill is likely dead. The Senate bill could still move and pass, but unlikely with the House bill stalled.

Property Rights Inserted into Growth Management – HB 291 (McClain) and SB 428 (Perry) would require a comprehensive plan to include property rights element; provide statement of rights that local government may use; require local government to adopt property rights element by July 1, 2020; and provide that local government's property rights element may not conflict with statutorily provided statement rights. Essentially, this bill, if passed, would make clear that a property owner's rights to develop his/her/its property must be honored by a local government. The effective date is July 1, 2019.

Senate Committee References: Community Affairs, Judiciary and Rules.

House Committee References: Local, Federal & Veterans Affairs Subcommittee; Commerce Committee; and State Affairs Committee.

UPDATE: House Commerce Committee passed the bill 12-8. The House adopted an amendment that required that previously approved development orders must be recognized by municipality incorporated after January 2019. Senate Community Affairs passed the bill on Tuesday, March 26. It is now waiting on a hearing in Judiciary.

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STATUS/PROSPECTS: The House bill has one more committee before the floor. The Senate has two more committee stops before the floor. While this isn't impossible, the House bill has some controversy around it and that may slow it down in the Senate. We rate this as 50/50.

Statewide Environmental Resource Permitting Rules – SB 1344 (Cruz) and HB 1343 (Good) would clarify the duty of the Department of Environmental Protection to adopt, in coordination with the water management districts, specified statewide environmental resource permitting rules; directs the water management districts, with department oversight, to adopt rules for specified design and performance standards relating to new development and redevelopment projects, etc. The effective date is July 1, 2019.

Senate References: Environmental and Natural Resources; Appropriations Subcommittee on Agriculture, Environment, and General Government; and Appropriations

House References: Agriculture & Natural Resources Subcommittee; Agriculture & Natural Resources Appropriations Subcommittee; and State Affairs Committee

UPDATE: Neither bill is moving and likely dead for this session.

Growth Management – SB 1730 (Lee) would prohibit a county or city from adopting or imposing a requirement in any form relating to affordable housing which has specified effects; would require that a county or city review the application of a development order within 30 days after receipt; and would impose standards surrounding impact fees, including the requirement that they be proportional to the project, have a nexus to the project and not be collected prior to the issuance of a permit.

Senate References: Community Affairs; Infrastructure and Security; and Rules

House References: No House bill yet.

UPDATE: Waiting on next stop in Infrastructure and Security. This bill will likely marry up to HB 7103 at some point.

STATUS/PROSPECTS: The bill has two committee stops left. The next stop is the sponsor's (Lee) committee. Its bigger issue is finding a house bill to match up with. We rate this as 30/70.

Promote Economic Prosperity

Renewing Visit Florida – SB 178 (Gruters) and HB 6031 (Ponder) would remove the scheduled sunset of Visit Florida's enabling statute and make it a permanent state agency. The effective date is July 1, 2019.

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Senate Committee References: Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

House Committee References: Workforce Development & Tourism Subcommittee; Transportation & Tourism Appropriations Subcommittee; and Commerce Committee

UPDATE: Senate bill awaits a hearing on the Senate floor. House bill has yet to move.

STATUS/PROSPECTS: The bill has become one of the trading pieces for the end of session. The Senate wants to renew Visit FLORIDA and the House speaker does not. It is difficult to say how either will do, as these are presiding officer negotiations.

Workers Compensation – SB 1636 (Perry) and HB 1399 (Byrd) would require panel to annually adopt statewide workers' compensation schedules of maximum reimbursement allowances; extend timeframes in which employees may receive certain workers' compensation benefits & in which carriers must notify treating doctor of certain requirements; provide conditions under which employees may receive permanent impairment benefits; and require good faith effort to resolve dispute. The effective date is July 1, 2019. **Note:** The Senate version addresses attorney fees related to good faith efforts to resolve claims and total amount owed compared to the effective hourly rate.

Senate Committee References: Banking & Insurance; Judiciary; and Rules

House Committee References: Insurance & Banking Subcommittee; Government Operations & Technology Appropriations Subcommittee; and Commerce Committee

UPDATE: Senate bill is on the Banking & Insurance Committee agenda for Monday, April 1 (was temporarily postponed last week). The House Insurance & Banking committee passed it 15-0 on Monday.

STATUS/PROSPECTS: This bill is a leadership priority. Thus, both are likely to move through their committees and onto the floors. The biggest question is whether the trial bar will weigh in on this.

Summary of Week Four (March 25-28)

Budgets Rounding Out

The House and Senate spending plans are expected to pass their respective chambers next week, setting the stage for budget conferencing. The House plan totals \$89.9 billion, a relatively conservative budget compared to the Senate's roughly \$90.3 billion spending proposal and Gov. Ron DeSantis' recommendation of \$91.3 billion.

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But DeSantis, speaking to reporters this week, suggested that he's content with the House and Senate budgets. He noted that the two chambers followed through on his environmental spending plan — one of his top priorities.

It appears that the sticking point between the House and Senate is education funding. Budget Chairs Rep. Travis Cummings and Sen. Rob Bradley have pointed out initial discrepancies in preK-12 and higher education spending. In the preK-12 portion of the budget, the Senate has proposed a \$1.1 billion increase to the Florida Education Finance Program, an operating funding source for Florida's 67 school districts. The increase is about \$520 million more than what the House has set aside.

The House has proposed a number of higher education cuts that were not in the Senate's budget. Among other reductions, the House wants to reduce university base funding by \$100 million.

But both budget chairs, who hail from Northeast Florida, are confident that any differences in the budget can quickly be resolved in conference. The roughly \$400 million sticker-price difference between the two spending places is “not a tremendous variance coming out of the gate,” Cummings said last week.

“These are all manageable differences between the two sides,” Bradley said on the budget as a whole. “I've seen the spread a lot greater than it is now.”

Hemp Bill Growing Support In House

A House bill that would provide a regulatory groundwork for the state's hemp industry was unanimously approved by its first committee today with more restrictive provisions than a similar measure moving through the Senate.

The House bill (HB 333) is sponsored by state Representative Ralph Massullo (R-Lecanto), who told the House Agriculture & Natural Resources Subcommittee the measure conforms with provisions of a federal law that legalized hemp late last year. Massullo's bill is similar to a Senate bill (SB 1020), which also calls on the Florida Department of Agriculture to create rules for the hemp industry that align with federal law. But the House measure also directs the agency to create specific rules for licenses to cultivate the plant.

Massullo told the committee his bill was a “good start” and there was still time to make changes in the coming weeks. “This bill is just the beginning of something that I hope will be beautiful for this state,” Massullo said.

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Like marijuana, hemp can be harvested for cannabidiol, which is used in dietary supplements and personal care products thought by some to have medicinal benefits. But unlike marijuana, hemp does not include THC, Massullo said.

Charter Schools Charter New Path to Approval

A bill that would give certain charter schools the ability to bypass school districts during the application process advanced in the Senate Education Committee today despite opposition from some Democrats. The bill (SB 1470), filed by committee Chairman Manny Diaz Jr. (R-Hialeah) also creates penalties for charter schools that close within three years of opening, or if employees or charter entities are charged with crimes such as fraud.

The legislation would ban charter operators from applying to open a school for five years if a charter is terminated, if a charter facility is closed before the end of a school year, or if a school is closed within three years after beginning operations. The penalties were backed by Democrats, but Sen. Janet Cruz (D-Tampa) took issue with a provision allowing high-performing charter schools to submit operating applications directly to a state panel instead of local school districts.

Under the proposal, high-performing charters and Schools of Hope operators could apply to the Charter School Commission, which the bill also retools from the current Charter School Appeal Commission. Cruz contested the provision to strip power from school districts. She, along with Sen. Lori Berman (D-Lantana) voted against the legislation. "I think we should keep our school districts in the process and allow them to approve charters of schools within their district," Cruz said.

No West Bank, No Preemption

A House bill that would subject vacation rentals to statewide regulation and preempt local ordinances passed its first committee today. The measure included a sanction against Airbnb. The bill (HB 987) by state Rep. Jamie Grant (R-Tampa) passed the House Business and Professions Subcommittee on a 10-5 vote. The measure would make the state Department of Business and Professional Regulation responsible for licensing, inspections and occupancy limits and forbid local zoning ordinances that apply only to vacation rentals.

The bill includes a provision from state Rep. Randy Fine (R-Palm Bay) that would exempt Airbnb from the preemption, a move that would force the online rental company to comply with hundreds of local rules and regulations. Fine's amendment was in response to the company's prohibition on listings in the West Bank, a decision he compared to German Nazis who decreed his family could no longer own property because they were Jewish.

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“I think we learned as a society we would never do that again,” Fine said. “Now Airbnb can deal with all of those local ordinances.” Gov. Ron DeSantis and the Florida Cabinet voted in January to place Airbnb on a list of companies prohibited from doing business with the state. DeSantis called for the sanctions after the state received a report in November from the Zachor Legal Institute. That report concluded Airbnb's decision to pull 200 listings from the West Bank was meant to support the Boycott, Divestment, Sanctions movement.

Airbnb has denied the claim, saying ongoing conflict in the region made the listings unsafe for visitors. The Senate companion (SB 824) was also scheduled for consideration by the Innovation, Industry, and Technology Committee, but the measure was not considered.

Issue Roundup

- **CRC Revision** - The Senate last week approved a resolution (SJR 74) that would prevent future Constitution Revision Commissions from “bundling” provisions together into single ballot items. The CRC, which meets every 20 years, has always included multiple changes in amendments to help curb voter fatigue and shorten the ballot. But lawmakers and others have criticized the practice, suggesting it's unfair to present voters with only one option on multiple provisions.
- **Grand Theft Raised** - The House Justice Appropriations Subcommittee last week advanced a bill that would increase the felony-theft threshold in the state, part of a series of legislative proposals to change the criminal justice system. The bill (HB 589) would increase the dollar amount of a stolen good that triggers a third-degree felony. It's currently at \$300. The bill would make that number \$1,000. A similar Senate plan (SPB 7072) would increase the threshold to \$750.
- **Canada Rx** - A House plan to authorize a program for importing prescription medicine from Canada is ready for the floor. The bill (HB 19) would allow the Agency for Health Care Administration to bring in pills from Health Canada. Gov. DeSantis has signaled support for the measure, suggesting it could drive down health care costs.

Preview of Session Week Five (April 1-5)

It's no joke. On Monday, April 1, the 2019 Legislative Session will be nearly halfway through.

The House and Senate have two floor sessions planned next week, when they're expected to debate and pass their budgets.

The Senate is scheduled to convene at 10 a.m. on Wednesday and at 2:30 p.m. on Thursday. The House has planned to meet at 1:30 p.m. on Wednesday and Thursday.

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The Senate session schedule for Week 5 can be found here:

https://www.flsenate.gov/Session/Calendar/2019/Weekly_Schedules_2019-03-21_155710.PDF

The House session schedule for Week 5 can be found here:

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2019&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%205%20April%201%20-%205,%202019%20-%201st%20Amended.pdf>