

## MEMORANDUM

**TO:** NAIOP

**FROM:** GrayRobinson

**DATE:** March 14, 2021

**SUBJECT:** 2021 Legislative Session – Week 2 (March 8-12)

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The second week of the 2021 Legislative Session provided a few hints on the state of the state budget.

Notably, Senate President Wilton Simpson delivered some good news for lawmakers and lobbyists with appropriation requests in the hopper — the Trilby Republican wants to use money heading to Florida through the recently passed federal stimulus package to fund one-time projects rather than use it to fill budget gaps in recurring programs.

Florida is expected to receive about \$8 billion from the plan.

Meanwhile, Gov. Ron DeSantis suggested using some of the funding to pay for a proposed bonding program, Resilient Florida, which would provide grants to local governments to help them complete projects that address sea-level rise or nuisance flooding.

This week also brought progress on COVID-19 liability protections, which the Senate is merging into one bill after previously splitting health care and business shields into separate bills. “It’s easier to defend one fortress than to guard two. I think it’s important that we have both the business community and the health care community rowing with us together in the same ship,” said Sen. Jeff Brandes, who is carrying the liability bills in the upper chamber.

Gov. DeSantis also announced this week that Adrian Lukis would take over as Chief of Staff, replacing Shane Strum, who announced last month that he would leave the position to take a job as CEO of Broward Health. Lukis, previously one of Strum’s top deputies, starts Monday.

On the COVID-19 front, the vaccine rollout continued outpacing the virus’ spread, and the total number of Floridians who are fully inoculated has now eclipsed the number who have been

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diagnosed with COVID-19. At the end of the week, Florida had recorded just under 2 million cases over the past year, while more than 2.1 million received either both doses of a two-dose vaccine or the single-dose Johnson & Johnson vaccine.

All of [these](#), a preview of [Week 3](#), our [Federal Spotlight](#) and current [Session Statistics](#) are detailed below.

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

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

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

**Business Rent Tax** – The Senate and House have both filed bills to enforce the online sales tax (bills summarized below). A deal was struck on the online sales tax with unemployment tax being the offset. There still, however, remains an opportunity for the annual tax package to include a reduction in the BRT.

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

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

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

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

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communication enhancement systems to comply with minimum radio signal strength requirements; extending the deadline to comply with minimum radio strength for fire department communications from 2019 to 2024 for permitting and from 2022 to 2027 for installation; providing an exception to the prohibition against installing or transporting certain radio equipment using law enforcement or fire rescue frequencies, etc.

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

Insurance & Banking Subcommittee – Awaiting hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

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

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

Banking & Insurance – Awaiting hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

**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.

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Rules – N/A

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

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

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

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

House Floor – Placed on Calendar for 2nd Reading.

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

Community Affairs – On Committee Agenda for March 16.

Regulated Industries – N/A

Rules – N/A

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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.

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**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 – Awaiting Hearing.

State Affairs Committee – N/A.

**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.

Senate Floor – Placed on Calendar for second reading.

**Weekly Roundup:** N/A.

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

**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 – Placed on Calendar for second reading.

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

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

Commerce and Tourism – Awaiting Hearing.

Rules – N/A

**Weekly Roundup:** N/A

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

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

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Key Take Away

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

**House Approval Milestones** – Bill filed February 11.  
Regulatory Reform Subcommittee – Awaiting Hearing.  
State Administration & Technology Appropriations Subcommittee – N/A.  
Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed on January 12  
Regulated Industries – Approved by vote of 9-0.  
Commerce & Tourism – **On Committee Agenda for March 15.**  
Rules - N/A.

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

**House Approval Milestones** – Bill filed January 25.  
Regulatory Reform Subcommittee – Committee Substitute approved by vote of 18-0.  
Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

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Professions & Public Health Subcommittee – N/A.  
Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed February 8.  
Community Affairs – Awaiting Hearing.  
Appropriations – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

**House Approval Milestones** – Bill filed January 19.  
Regulatory Reform Subcommittee – Passed by vote of 14-0 on February 18.  
Commerce Committee – **On Committee Agenda for March 16.**

**Senate Approval Milestones** – Bill filed December 4, 2020.  
Regulated Industries – Awaiting Hearing.  
Commerce and Tourism – N/A  
Rules – N/A

**Weekly Roundup:** N/A.

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

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

#### 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

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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 – **Awaiting Hearing.**

State Affairs Committee – N/A.

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

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

Environment and Natural Resources – Awaiting Hearing.

Rules – N/A.

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

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

Insurance & Banking Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

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

Banking and Insurance – Awaiting Hearing.

Appropriations – N/A.

Rules – N/A.



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**Weekly Roundup:** N/A

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

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

#### Key Take Away

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

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

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

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

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

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

Governmental Oversight and Accountability – **Awaiting Hearing.**

Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

Commerce Committee – Awaiting Hearing.

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

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

Governmental Oversight and Accountability - Awaiting Hearing.

Rules – N/A.

**Weekly Roundup:** N/A.

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

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

### Key Take Away

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

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

Insurance & Banking Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

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

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

Judiciary – Awaiting Hearing.

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

Appropriations – N/A.

**Weekly Roundup:** N/A

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

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

#### Key Take Away

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

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

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

Agriculture & Natural Resources Appropriations Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

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

Regulated Industries – **Awaiting Hearing.**

Commerce and Tourism – N/A.

Rules – N/A.

**Weekly Roundup:** N/A

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

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

#### Key Take Away

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

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

Regulatory Reform – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

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**Senate Approval Milestones** – Bill filed February 26.  
Regulated Industries – Awaiting Hearing.  
Appropriations – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A

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

### Promote Feasible Sustainability Initiatives

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

##### Key Take Away

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

**House Approval Milestones** – Bill filed January 19.  
Environment, Agriculture & Flooding Subcommittee – Awaiting Hearing.  
Appropriations Committee – N/A.  
State Affairs Committee – N/A

**Senate Approval Milestones** – Bill filed January 8.  
Environment and Natural Resources – Passed by vote of 6-0 on February 15.  
Appropriations Subcommittee on Agriculture, Environment, & General Government – Awaiting Hearing.  
Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

##### Key Take Away

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

**House Approval Milestones** – Bill filed February 4.  
Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.  
State Administration & Technology Appropriations Subcommittee – N/A.  
Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed December 7, 2020.  
Regulated Industries – Awaiting Hearing.  
Commerce and Tourism – N/A  
Rules – N/A

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

**House Approval Milestones** – Bill filed January 28.  
Tourism, Infrastructure & Energy Subcommittee – Approved by vote of 17-0 on March 9.  
Environment, Agriculture & Flooding Subcommittee – Awaiting Hearing.  
Commerce Committee – N/A.

**Senate Approval Milestones** – Bill filed January 28.  
Regulated Industries – On Committee agenda for March 16.  
Environment and Natural Resources – N/A.  
Rules – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

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

Environment and Natural Resources – Awaiting Hearing.

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

Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

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

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

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

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

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Community Affairs – On Committee Agenda for March 16.  
Rules – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

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

**Weekly Roundup:** N/A

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

### **Promote Fair Taxation**

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

#### Key Take Away

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

**House Approval Milestones** – Bill filed on November 30, 2020.  
Ways & Means Committee – Committee Substitute passed by vote of 16-2 on March 11.  
Commerce – Awaiting Hearing.

**Senate Approval Milestones** – Bill filed on December 18, 2020.  
Commerce and Tourism – Approved by vote 11-0 on January 25.

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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 - Placed on Special Order Calendar.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

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

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

Finance and Tax – Approved by vote of 8-0 on February 11.

Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A

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

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

#### Key Take Away

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

**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.



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

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A.

State Affairs Committee – N/A.

**Senate Approval Milestones** – Bill filed January 15.

Community Affairs – Awaiting Hearing.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

Local Administration & Veterans Affairs Subcommittee – On Committee Agenda for March 16.

Ways & Means Committee – N/A.

State Affairs Committee – N/A.

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

Community Affairs – Awaiting Hearing.

Finance and Tax – N/A

Appropriations – N/A

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

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

Ways & Means Committee – Awaiting Hearing.

Commerce Committee – N/A.

Appropriations – N/A.

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

Commerce and Tourism – On Committee Agenda for March 15.

Finance and Tax – N/A.

Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

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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 – Awaiting Hearing.  
Appropriations – N/A.

**Weekly Roundup:** N/A.

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

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

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

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

Key Take Away

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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 – On Committee Agenda March 15.

Ways & Means Committee – N/A

State Affairs Committee – N/A.

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

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

Finance and Tax – Awaiting Hearing.

Appropriations – N/A.

**Weekly Roundup:** N/A

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

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

##### Key Take Away

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

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

Ways & Means – Approved by vote of 16-0 on March 11.

Appropriations – Awaiting Hearing.

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

**Weekly Roundup:** N/A

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

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## Collaborative Growth Management

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

#### Key Take Away

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

**House Approval Milestones** – Bill filed November 30.  
Infrastructure & Tourism Appropriations Subcommittee – Awaiting hearing.  
Appropriations Committee – N/A

**Senate Approval Milestones** – Bill filed January 8.  
Community Affairs – Passed by vote of 9-0 on February 2.  
Finance & Tax – Passed by vote of 7-1 on February 18.  
Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

**House Approval Milestones** – Filed on December 10, 2020.  
Local Administration & Veterans Affairs Subcommittee – Committee Substitute passed by vote of 12-6 on February 4.

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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.

**Senate Approval Milestones** – Filed on January 7.  
Community Affairs – Committee Substitute approved by vote of 9-0 on March 3.  
Judiciary – On Committee Agenda for March 15.  
Rules – N/A

**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

**House Approval Milestones** – Bill filed January 27.  
Local Administration & Veterans Affairs Subcommittee – Approved by vote of 17-1 on March 3.  
Commerce Committee – Approved by vote of 22-1 on March 9.  
State Affairs Committee - Awaiting Hearing.

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

**Weekly Roundup:** N/A.

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

### **Promote Economic Prosperity**

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

#### Key Take Away

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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 – Passed on March 5 (Vote Count: 83-31).

**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.**

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

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

Civil Justice & Property Rights Subcommittee – **Approved by vote of 14-1 on March 12.**

Pandemics & Public Emergencies Committee – **Awaiting Hearing.**

Judiciary Committee – N/A.

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

**Weekly Roundup:** N/A.

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

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

Key Take Away

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

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

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

Local Administration & Veterans Affairs Subcommittee – Awaiting hearing.

Judiciary Committee- N/A.

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

**Weekly Roundup:** N/A.

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

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

### Key Take Away

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

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

Civil Justice & Property Rights Subcommittee – Awaiting hearing.

Commerce Committee – N/A.

Judiciary Committee- N/A.

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

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

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

Rules – Awaiting Hearing.



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**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

Infrastructure & Tourism Appropriations Subcommittee – Awaiting Hearing.

Tourism, Infrastructure & Energy Subcommittee – N/A.

Appropriations Committee – N/A.

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

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

Appropriations Subcommittee on Transportation, Tourism, and Economic Development –

**Subcommittee Recommendation approved by vote of 10-0 on March 10.**

Appropriations – Awaiting Hearing.

**Weekly Roundup:** N/A.

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

### **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.**

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

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**Weekly Roundup:** N/A.

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

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

#### Key Take Away

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

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

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Commerce Committee – N/A.

State Affairs Committee – N/A.

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

**Weekly Roundup:** N/A.

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

### **Summary of Session Week 2 (March 8-12)**

#### **Tallahassee Week in Review**

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

**Revamped Clemency Rules** — Gov. DeSantis and the Florida Cabinet adopted an “automatic process” to speed up the restoration of rights for felons who have completed all terms of their sentence, including paying fines and fees. The process also eliminates the five-year waiting period before felons can apply for restoration.

**State Preemption of Seaport Regulations Legislation** ([HB 267 by Rep. Roach/SB 426 by Sen. Boyd](#)) — The bills would preempt local government ordinances that “restrict or regulate commerce” at Florida seaports, including restrictions on the size or type of ships that can dock at port. The provision targets a Key West ordinance aimed at keeping cruise ships away from the island. The House version cleared its first committee earlier this month. The Senate version was approved by the Senate Transportation Committee last week with a 6-2 vote.

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**Construction Defects Legislation** ([HB 21 by Rep. Andrade/SB 270 by Sen. Perry](#)) The bills would change the procedure for property owners taking action against contractors for construction defects. It would require the owner to first seek a claim under warranty and notify the contractor of the alleged defect. The House version passed the House Regulatory Reform Subcommittee this week on a party-line vote.

**Resilient Florida Legislation** ([HB 7019 by Rep. Busatta Cabrera](#)) — The House Environment, Agriculture and Flooding Subcommittee voted unanimously to introduce proposed committee bills that would create the Resilient Florida Grant Program to help local governments address the impact of sea-level rise and nuisance flooding. The first bill (previously [PCB EAF 21-01](#)) creates the program. A second bill ([HB 7021](#), previously [PCB EAF 21-02](#)) creates the Resilient Florida Trust Fund within the Department of Environmental Protection.

**Grandparent Tuition Waiver Legislation** ([HB 1273 by Rep. Maney/SB 1728 by Sen. Baxley](#)) — The bills allow students from out of state to pay in-state college tuition rates if their grandparents are Florida residents. The student must also score in the 89th percentile or higher on the ACT or SAT. The House bill cleared its second of three committees last 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 Department of Education would also create a media library “including first-person accounts of victims of other nations’ governing philosophies.” Last week, the House version passed its second committee, and the Senate version passed its first.

**Beverage Law Legislation** ([SB 148 by Sen. Bradley](#)) — The bill would allow restaurants to continue selling alcoholic beverages to-go after the pandemic ends, as long as they are purchased alongside food. The bill is headed to its final committee stop after clearing the Senate Commerce and Tourism Committee with a unanimous vote.

**Online Sales Tax Legislation** ([HB 15 by Rep. Clemons/SB 50 by Sen. Gruters](#)) — The bills would harness the 2017 U.S. Supreme Court decision in *South Dakota v. Wayfair* to 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. The House version passed its first committee this week, while the Senate bill is now ready for a floor vote. Also this week, House Speaker Sprowls and Senate President Simpson announced plans to use the additional revenues to refill the state’s unemployment trust fund.

**Election Administration Legislation** ([SB 90 by Sen. Baxley](#)) — The bill would change several election laws, including shortening the length of time a vote-by-mail ballot request is valid from two election cycles to one. The bill cleared the Senate Governmental Oversight and Accountability

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Committee over protest from Democratic lawmakers and public speakers, including former Sen. Alan Hays, who called the legislation a “travesty.”

**Senate Transportation Package** ([SB 1126 by Sen. Harrell/SB 1500 by Sen. Harrell](#)) — The Senate began work on this year’s transportation package. The bills are packed with changes to state transportation laws, including provisions to raise the bonding cap for right-of-way acquisition and provide the Florida Department of Highway Safety and Motor Vehicles subpoena powers in odometer fraud, title fraud, or driver’s license fraud investigations.

### **Preview of Week 3 (March 15-19)**

**Agency Presentations** — The Senate Select Committee on Pandemic Preparedness will hear presentations from the Central Florida Behavioral Health Network, Department of Veterans Affairs, and the Department of Children and Families when it meets at 1 p.m. on Monday.

**Member Projects** — The House Higher Education Appropriations Subcommittee will consider two-dozen appropriations projects bills when it meets on Monday at 3 p.m. A full listing is available on the committee [meeting notice](#).

**Unemployment System Legislation** ([HB 1463 by Rep. LaMarca/SB 1948 by Sen. Bean](#)) — The legislation would make numerous changes intended to improve Florida’s unemployment benefits system, including implementing a disaster preparedness plan and “continuous modernization initiatives.” The legislation comes after an inspector general investigation revealed the system, which crashed at the start of the pandemic, underwent little stress testing before it was rolled out to the public. The Senate Commerce and Tourism Committee will hear SB 1948 when it meets on Monday at 3:30 p.m.

**Technology Transparency Legislation** ([HB 7013 by Rep. Ingoglia](#)) — The House Appropriations Committee will take up Gov. DeSantis’ priority legislation to penalize social media companies for “deplatforming” users or changing terms of service without advance notice. The House Commerce Committee introduced the bill, formerly PCB COM 21-01, last week. It goes before the House Appropriations Committee at 3:45 p.m. on Monday.

**Vaccine Fraud Prevention Legislation** ([HB 9 by Rep. Zika/SB 1608 by Sen. Bean](#)) — The legislation would increase penalties for vaccine-related schemes, such as fraudulently advertising access to COVID-19 vaccines in exchange for money. Last week, HB 9 became the first measure to pass the House this session. The Senate companion will go before the Senate Criminal Justice Committee, its first stop, at 12:30 p.m. on Tuesday.

**Home Book Delivery for Elementary Students** ([HB 3 by Rep. Trabulsy/SB 1372 by Sen. Burgess](#)) — The legislation would create the “New Worlds Reading Initiative,” which would provide free books to elementary school students who are reading below grade level. It is a priority

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of House Speaker Chris Sprowls. The House version has cleared two committees. The Senate version will go before the Senate Education Committee at 12:30 p.m. on Tuesday.

**Appointments Considered** — The Senate Ethics and Elections Committee will decide whether to advance [a dozen gubernatorial appointees](#) to state boards when it meets on Tuesday at 3 p.m.

## **Federal Spotlight**

### **American Rescue Plan Signed into Law**

On Wednesday, the U.S. House of Representatives approved [HR 1319](#), the American Rescue Plan Act, by a vote of 220-211. U.S. Rep. Jared Golden (D-ME) was the only Democrat to vote against it; no Republicans voted for it. President Joe Biden signed the bill yesterday, saying the law was “about rebuilding the backbone of this country and giving people in this nation — working people and middle-class folks, the people who built the country — a fighting chance.” Direct payments to eligible households will start going out before the end of the month.

### **GR Resources**

If you have specific questions about the American Rescue Plan Act or would like more information about the \$1.9 trillion relief package, we invite you to join our DC lobbyists this Thursday, March 18, at 10 a.m. ET for a virtual briefing on the plan’s major elements. The invitation will be arriving in your inbox soon.

In addition, the GrayRobinson team has compiled a [summary of the state and local aid](#) coming to Florida through the American Rescue Plan Act.

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

## **Current Bill Statistics**

Total Bills Filed: 2,975 (1,963 House; 1,012 Senate)

Appropriations Bills Filed: 1,060

Total Appropriation Project Dollars Requested: \$1.174 billion

## **Session Weekly Schedules**

### **House Week 3:**

<https://www.myflorida.house.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2021&DocumentType=Session%20Weekly%20Schedules&FileName=>

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[Session%20Weekly%20Schedule%20for%20Week%203%20March%2015%20-%2019,%202021.pdf](#)

**House Week 4:**

[https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2021&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%204%20March%2022%20-%2026,%202021.pdf](#)

**Senate Week 3:**

[https://www.flsenate.gov/Session/Calendar/2021/Weekly%20Schedules%202021-03-05%20153716.PDF](#)

**Senate Week 4:**

[https://www.flsenate.gov/Session/Calendar/2021/Weekly%20Schedules%202021-03-11%20162007.PDF](#)