

MEMORANDUM

TO: NAIOP
FROM: GrayRobinson
DATE: May 2, 2021
SUBJECT: 2021 Legislative Session – Week 9 (April 26 – April 30)

The traditional hankie drop signaling the 2021 Legislative Session has adjourned *sine die* occurred at 2:41 p.m. on Friday. This session, and the final week specifically, was anything but normal. The Legislature and those in the process dealt with new COVID procedures; the Governor approved a gaming compact for the first time since 2015 (not ultimately approved); the Senate Democrats ousted their leader Sen. Gary Farmer in the last week replacing him with [Sen. Lauren Book](#); and the House and Senate passed a [\\$101.5 billion budget](#), by a significant margin the largest in state history.

One normalcy in the final week was bills rapidly dying as the clock ticked down to sine die. Among the most noteworthy of the unresolved bills session was a rewrite of the state's data privacy laws. [House Bill 969/Senate Bill 1734](#), which would have allowed consumers to opt out of companies selling their personal data and would have required companies to disclose the data they collected and what they intended to do with it, died in the final days. Florida's business community was against the legislation, as they said it could have the unintended consequences of leading to massive class action lawsuits and carried with it a significant regulatory and implementation cost.

Now, all eyes turn to Governor Ron DeSantis to see what legislation he signs into law, and what he vetoes. Many of the bills heading to his desk priorities of his, and consistent with his agenda. From this point on (outside of the session), the Governor will have 15 days to act on bills once they are presented to him by the legislature. To date, he has [signed seven bills](#) into law, which includes the Right to Farm bill – a major priority of the Senate President - that he signed this past Thursday. On Friday, he was also presented with the Emergency Management bill, on which he has until May 15 to act.

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House Speaker Chris Sprowls and Senate President Wilton Simpson have also called a [Special Session](#) for the week of May 17 to address the [2021 Gaming Compact](#). After months of negotiations, [Governor DeSantis](#) and the Seminole Tribe of Florida executed a historic 30-year gaming compact that will need to be ratified by the Legislature. The Special Session will give lawmakers more time to vet what is in the compact.

On the COVID front, the Governor extended the declared State of Emergency yet again by signing [Executive Order 21-94](#) on Tuesday. The extension is for another 60 days. The order stated, “The impact of COVID-19 poses a continuing threat to the health, safety, and welfare of the State of Florida and its residents.” However, the Governor hinted that this may be the last extension as his executive order noted the state should “prepare to resume non-emergency operations.”

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

Activities and Bills related to NAIOP – Summary List

Key Issues for 2021 As Determined at the NAIOP Summit

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

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

FAST Act – HB 1059 which increases time by which cities/counties must react to permits passed the Legislature and will be sent to the Governor.

Fire Code – CFO Jimmy Patronis has included our language regarding in his official package (summarized below). As well, we are in a standalone package dealing directly with the radio communication antennae. This standalone package passed the House Commerce last week and did not ultimately receive a Senate vote. The CFO’s package passed the full Legislature this week and will be sent to the Governor.

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Detailed Activities and Bills related to NAIOPFL

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

Promoting Business Friendly CRE Regulations

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

Key Take Away

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

House Approval Milestones – Bill filed January 25.

Insurance & Banking Subcommittee – Committee Substitute passed by vote of 17-0 on March 17.

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

House Floor – Placed on Calendar for Second Reading.

Senate Approval Milestones – Bill filed December 21.

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

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

Appropriations – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

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served with a notice to serve a copy of the notice to specified persons under certain circumstances, etc.

House Approval Milestones – Bill filed November 30, 2020.

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

Regulatory Reform Subcommittee – Committee Substitute passed by vote of 18-5 on March 8.

Judiciary Committee – Awaiting Hearing.

Senate Approval Milestones – Bill filed December 21.

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

Community Affairs – Awaiting Hearing.

Rules – N/A

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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 – **Passed by vote of 89-24 and sent to Senate.**

Senate Approval Milestones – Bill filed on January 11.

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

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

Rules – Awaiting Hearing.

Weekly Roundup: N/A.

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Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed February 10.

Local Administration & Veterans Affairs Subcommittee – Committee Substitute passed by vote of 13-4 on March 9.

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

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

House Floor – **Substituted for SB 60.**

Senate Approval Milestones – Bill filed January 5.

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

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

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

Senate Floor – **Enrolled.**

Weekly Roundup: N/A.

Chances of Passage: The bill passed in both the House and Senate.

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.

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Commerce Committee – Committee Substitute Approved by vote of 14-8 on March 9.
House Floor – **Enrolled, Senate requested House to return.**

Senate Approval Milestones – Bill filed on December 14.
Community Affairs – Committee Substitute passed by vote of 6-3 on March 10.
Commerce and Tourism – Passed by vote of 9-2 on March 22.
Rules – Committee Substitute approved by vote of 12-2 on April 14.
Senate Floor – **Substituted for HB 403.**

Weekly Roundup: N/A

Chances of Passage: The bill passed in both the House and Senate.

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

Key Take Away

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

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

Senate Approval Milestones – Bill filed on January 12
Regulated Industries – Approved by vote of 9-0.
Commerce & Tourism – Approved by vote of 11-0 on March 15.
Rules – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

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Key Take Away

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

House Approval Milestones – Bill filed January 25.

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

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

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

House Floor – **Enrolled**.

Senate Approval Milestones – Bill filed February 8.

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

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

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

Senate Floor – Substituted for HB 401.

Weekly Roundup: N/A.

Chances of Passage: Bill has passed in both the House and the Senate.

Alcoholic Beverage Licenses – HB 329 (Tomkow) and SB 148 (Bradley)

Key Take Away

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

House Approval Milestones – Bill filed January 19.

Regulatory Reform Subcommittee – Passed by vote of 14-0 on February 18.

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

House Floor – Substituted for SB 148.

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Senate Approval Milestones – Bill filed December 4, 2020.
Regulated Industries – Committee Substitute approved by vote of 9-0 on February 16.
Commerce and Tourism – Passed by vote of 11-0 on March 9.
Rules – Passed by vote of 15-2 on March 25.
Senate Floor – **Enrolled**.

Weekly Roundup: N/A.

Chances of Passage: The bill has passed in both the House and Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed February 9.
Pandemics & Public Emergencies Committee – Approved by vote of 16-0 on March 9.
Commerce Committee – Passed by vote of 22-0 on March 29.
State Affairs Committee – Committee Substitute approved by vote of 21-0 on April 6.
House Floor – **Substituted for SB 912**.

Senate Approval Milestones – Bill filed January 28.
Community Affairs – Approved by vote of 9-0 on March 3.
Environment and Natural Resources – Committee Substitute approved by vote 6-0 on March 22.
Rules – Passed by vote of 15-0 on March 31.
Senate Floor – **Enrolled**.

Weekly Roundup: N/A.

Chances of Passage: The bill has passed in both the House and the Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed January 29.
Insurance & Banking Subcommittee – Awaiting Hearing.
State Administration & Technology Appropriations Subcommittee – N/A.
Commerce Committee – N/A.

Senate Approval Milestones – Bill filed February 26.
Banking and Insurance – Awaiting Hearing.
Appropriations – N/A.
Rules – N/A.

Weekly Roundup: N/A

Chances of Passage: This legislation did not pass this session..

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

Key Take Away

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

House Approval Milestones – Bill filed February 1.
Regulatory Reform Subcommittee – Committee Substitute passed by vote of 17-0 on March 2.
Local Administration & Veterans Affairs Subcommittee – Committee Substitute approved by vote of 17-0 on April 1.
Commerce Committee – Passed by vote of 22-0 on April 14.
House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed February 17.
Community Affairs – Committee Substitute Approved by vote of 9-0 on March 10.

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

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

Senate Floor – **Substituted for HB 667.**

Weekly Roundup: N/A.

Chances of Passage: The bill has passed in both the House and the Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed February 17.

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

Commerce Committee – Committee Substitute approved by vote 21-0 on March 24.

House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed February 26.

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

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

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

Senate Floor – **Substituted for HB 1059.**

Weekly Roundup: N/A.

Chances of Passage: The bill has passed in both the House and Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed February 22.

Insurance & Banking Subcommittee – Committee Substitute approved by vote of 17-0 on March 17.

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

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

House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed February 18.

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

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

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

Senate Floor – **Substituted for HB 1209.**

Weekly Roundup: N/A

Chances of Passage: Bill has passed in both the House and the Senate.

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.

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Agriculture & Natural Resources Appropriations Subcommittee – Passed by vote of 11-4 on April 1.
Commerce Committee – Awaiting Hearing.

Senate Approval Milestones – Bill filed February 26.
Regulated Industries – TP'd in committee on March 9.
Commerce and Tourism – N/A.
Rules – N/A.

Weekly Roundup: N/A

Chances of Passage: This legislation did not pass this session.

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 – Committee Substitute approved by vote 14-0 on March 24.
State Administration & Technology Appropriations Subcommittee – Committee Substitute approved by vote of 14-0 on April 7.
Commerce Committee – Committee Substitute approved by vote of 17-0 on April 14.
House Floor – **Substituted for SB 1966.**

Senate Approval Milestones – Bill filed February 26.
Regulated Industries – Committee Substitute approved by vote of 7-0 on March 30.
Appropriations – Committee Substitute approved by vote of 20-0 on April 15.
Senate Floor – **Enrolled.**

Weekly Roundup: N/A

Chances of Passage: Bill has passed in both the House and the Senate.

Promote Feasible Sustainability Initiatives
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Resiliency – SB 514 (Rodrigues) and HB 315 (LaMarca)

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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.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed February 4.

Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.

State Administration & Technology Appropriations Subcommittee – N/A.

Commerce Committee – N/A.

Senate Approval Milestones – Bill filed December 7, 2020.

Regulated Industries – Passed by vote of 9-0 on March 23.

Commerce and Tourism – Awaiting Hearing.

Rules – N/A

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Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed January 28.

Tourism, Infrastructure & Energy Subcommittee – Approved by vote of 17-0 on March 9.
Environment, Agriculture & Flooding Subcommittee – Committee Substitute approved by vote 17-1 on March 23.

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

House Floor – **Substituted for SB 896.**

Senate Approval Milestones – Bill filed January 28.

Regulated Industries – Committee Substitute approved by vote 7-1 on March 16.

Environment and Natural Resources – Passed by vote of 3-2 on March 29.

Rules – Committee Substitute approved by vote of 11-5 on April 20.

Senate Floor – **Enrolled.**

Weekly Roundup: N/A.

Chances of Passage: The Bill has passed both the House and the Senate.

Soil and Groundwater Contamination – SB 1054 (Broxen)

Key Take Away

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

House Approval Milestones – No bill filed.

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Senate Approval Milestones – Bill filed February 2.

Environment and Natural Resources – Committee Substitute approved by vote 6-0 on March 22.

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

Appropriations – N/A.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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 – Committee Substitute approved by vote of 15-0 on April 1.

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

House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed January 27.

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

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

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

Senate Floor – **Substituted for HB 0839.**

Weekly Roundup: N/A.

Chances of Passage: The Bill has passed both the House and the Senate.

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

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constructors to include certain flood mitigation strategies in sea level impact projection studies.

House Approval Milestones – No Bill filed.

Senate Approval Milestones – Bill filed February 23.
Environment and Natural Resources – Passed by vote of 6-0 on March 22.
Community Affairs – Awaiting Hearing.
Appropriations – N/A.

Weekly Roundup: N/A

Chances of Passage: This legislation did not pass this session.

Promote Fair Taxation

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

Key Take Away

If passed, would revise definitions for “retail sale” and “mail order sale” to capture internet sales, and thus enforce the sales tax on internet sales. Amended to require certain amounts to be deposited into the Unemployment Compensation Trust Fund during specified periods and to offset the Business Rent Tax through a reduction from 5.5 to 2.0%.

House Approval Milestones – Bill filed on November 30, 2020.
Ways & Means Committee – Committee Substitute passed by vote of 16-2 on March 11.
Commerce – Committee Substitute approved by vote of 23-0 on March 29.
House Floor – Substituted for SB 50.

Senate Approval Milestones – Bill filed on December 18, 2020.
Commerce and Tourism – Approved by vote 11-0 on January 25.
Finance and Tax – Committee Substitute passed by vote of 8-0 on February 18.
Appropriations – Committee Substitute approved by vote of 18-0 on March 4.
Senate Floor - Enrolled.

Weekly Roundup: N/A.

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

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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 March 11.

Appropriations – Awaiting Hearing.

Weekly Roundup: N/A

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – No bill filed.

Senate Approval Milestones – Bill filed January 22.

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

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

Appropriations – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

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Key Take Away

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

House Approval Milestones – Bill filed January 28.

Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.

Ways & Means Committee – N/A.

State Affairs Committee – N/A.

Senate Approval Milestones – Bill filed January 15.

Community Affairs – Awaiting Hearing.

Finance and Tax – N/A.

Appropriations – N/A.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

Specifies instances when local government or special district may collect impact fee; requires local governments & special districts to credit against collection of impact fee any contribution related to public facilities; provides annual limitations on impact fee increases; requires school districts to report specified items regarding impact fees; requires specified entities to file affidavit attesting that impact fees were appropriately collected & expended.

House Approval Milestones – Bill filed January 19.

Local Administration & Veterans Affairs Subcommittee – Committee Substitute passed by vote of 13-5.

Ways & Means Committee – Committee Substitute approved by vote of 15-2 on March 31.

State Affairs Committee – Committee Substitute approved by vote of 12-8 on April 15.

State Affairs Committee – Committee Substitute approved by vote of 12-8 on April 15.

House Floor – **Enrolled.**

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Senate Approval Milestones – Bill filed January 25.
Community Affairs – Committee Substitute approved by vote 5-3 on March 24.
Finance and Tax – Committee Substitute approved by vote of 6-2 on March 31.
Appropriations – Committee Substitute approved by vote of 18-2 on April 15.
Senate Floor – **Substituted for HB 337.**

Weekly Roundup: N/A.

Chances of Passage: The bill has passed both the House and the Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed February 1.
Ways & Means Committee – Awaiting Hearing.
Commerce Committee – N/A.
Appropriations – N/A.

Senate Approval Milestones – Bill filed December 18.
Commerce and Tourism – Committee Substitute approved by vote of 11-0 on March 15.
Finance and Tax – Passed by vote of 7-0 on March 25.
Appropriations – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed February 10.
Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.
Ways & Means Committee – N/A.

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Commerce Committee – N/A.

Senate Approval Milestones – Bill filed February 1.
Commerce and Tourism – Approved by vote of 10-0 on March 9.
Finance and Tax – Approved by vote of 8-0 on March 18.
Appropriations – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed March 1.
Tourism, Infrastructure & Energy Subcommittee – Awaiting Hearing.
Ways & Means Committee – N/A.
Commerce Committee – N/A.

Senate Approval Milestones – Bill filed February 25.
Community Affairs – Awaiting Hearing.
Finance and Tax – N/A.
Appropriations – N/A.

Weekly Roundup: N/A

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed February 22.

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Environment, Agriculture & Flooding Subcommittee – Approved by vote of 17-0 on March 15.

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

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

House Floor – Enrolled.

Senate Approval Milestones – Bill filed February 18.

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

Finance and Tax – Passed by vote of 8-0 on April 14.

Appropriations – Passed by vote of 20-0 on April 22.

Senate Floor – Substituted for HB 1377.

Weekly Roundup: N/A

Chances of Passage: The bill has passed both the House and the Senate.

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

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

Senate Approval Milestones – Bill filed March 22.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

Revising and deleting distributions of the documentary stamp tax; providing that specified distributions may not be transferred to the General Revenue Fund; revising the purposes for which distributions may be made from the Water Protection and Sustainability Program Trust Fund.

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

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

Weekly Roundup: N/A.

Chances of Passage: Passed the House and Senate.

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.

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Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Filed on December 10, 2020.

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

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

State Affairs – Committee Substitute passed by vote of 20-3 on March 10.

House Floor- Enrolled.

Senate Approval Milestones – Filed on January 7.

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

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

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

Senate Floor – Substituted for HB 59.

Weekly Roundup: N/A.

Chances of Passage: Passed the House and Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed January 27.

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Local Administration & Veterans Affairs Subcommittee – Passed by vote of 17-1 on March 3.
Commerce Committee – Passed by vote of 22-1 on March 9.
State Affairs Committee – Passed by vote of 20-3 on March 17.
House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed February 12.
Community Affairs – Committee Substitute approved by vote of 7-2 on March 30.
Rules – Passed by vote of 17-0 on April 20.
Senate Floor – **Substituted for HB 487.**

Weekly Roundup: N/A.

Chances of Passage: Passed the House and Senate.

Promote Economic Prosperity

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

Key Take Away

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

House Approval Milestones – Filed on January 6.

Civil Justice & Property Rights Subcommittee – Approved by vote 11-6 on January 13.
Pandemics & Public Emergencies Committee – Passed by vote 11-6 on February 3.
Judiciary Committee - Committee Substitute approved by vote of 14-7 on February 16.
House Floor – Sent to Senate and Referred to Rules.

Senate Approval Milestones – Filed on January 6.

Judiciary – Approved by vote 7-4 on January 25.
Commerce and Tourism Committee – Approved by vote of 7-4 on March 3.
Rules – Committee Substitute passed by vote of 10-5 on March 11.
Senate Floor – Enrolled.

Weekly Roundup: N/A.

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

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

Key Take Away

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

House Approval Milestones – Bill filed January 29.

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

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

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

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

Senate Approval Milestones – No bill filed.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

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

Key Take Away

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

House Approval Milestones – Bill filed January 26.

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

Local Administration & Veterans Affairs Subcommittee – Committee Substitute approved by vote of 15-2 on April 1.

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

House Floor – **Enrolled.**

Senate Approval Milestones –Bill filed February 26.

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

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Community Affairs – Passed by vote of 6-3 on March 30.
Rules – Committee Substitute approved by vote of 10-6 on April 20.
Senate Floor – **Substituted for HB 421.**

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

Chances of Passage: The bill passed in both the House and the Senate.

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

Key Take Away

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

House Approval Milestones – Bill filed January 27.

Civil Justice & Property Rights Subcommittee – Passed by vote of 16-0 on March 30.
Commerce Committee – Passed by vote of 22-0 on April 6.
Judiciary Committee- Passed by vote of 17-0 on April 15.
House Floor – **Enrolled.**

Senate Approval Milestones – Bill filed January 27.

Commerce and Tourism – Approved by vote of 11-0 on March 2.
Judiciary – Approved by vote of 10-0 on March 9.
Rules – Passed by vote of 17-0 on April 16.
Senate Floor – **Substituted for HB 483.**

Weekly Roundup: N/A.

Chances of Passage: The bill passed in both the House and the Senate.

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

Key Take Away

Authorizes Florida Tourism Industry Marketing Corporation to carry forward unexpended state appropriations into succeeding fiscal years; abrogates repeal of provisions

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establishing Florida Tourism Industry Marketing Corporation, direct-support organization of Enterprise Florida, Inc., & Division of Tourism Marketing within Enterprise Florida.

House Approval Milestones – Bill filed February 2.
Infrastructure & Tourism Appropriations Subcommittee – Awaiting Hearing.
Tourism, Infrastructure & Energy Subcommittee – N/A.
Appropriations Committee – N/A.

Senate Approval Milestones – Bill filed January 25.
Commerce and Tourism – Passed by vote of 10-1 on February 15.
Appropriations Subcommittee on Transportation, Tourism, and Economic Development – Subcommittee Recommendation approved by vote of 10-0 on March 10.
Appropriations – Awaiting Hearing.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

Health Care Civil Liability – HB 7005 (Formerly HHS1 Bill by Health & Human Services Committee)

Key Take Away

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

House Approval Milestones – Bill filed February 5.
Health & Human Services Committee – Passed by vote of 17-3 on February 17.
Pandemics & Public Emergencies - Committee Substitute passed by vote of 12-6 on March 2.
Judiciary– Committee Substitute passed by vote of 15-5 on March 10.
House Floor – Placed on Calendar for Second Reading.

Senate Approval Milestones – No bill filed yet.

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

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

Repeal of Developer Incentive Requirements – HB 6067 (Eskamani)

Key Take Away

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

House Approval Milestones – Bill filed February 9.
Local Administration & Veterans Affairs Subcommittee – Awaiting Hearing.
Commerce Committee – N/A.
State Affairs Committee – N/A.

Senate Approval Milestones – No bill filed yet.

Weekly Roundup: N/A.

Chances of Passage: This legislation did not pass this session.

Summary of Session Week 9 (April 26-30)

Emergency Management Legislation ([HB 7047 by House Pandemics and Public Emergencies Committee and Rep. Leek/SB 2006 by Sen. Burgess](#)) — The legislation would update the State Emergency Management Act to better address and minimize threats that arise due to pandemics or other public health emergencies. It would address planning and preparations; require greater transparency for emergency orders, delegated emergency powers, and emergency spending; and pull back the authority of local government emergency orders that restrict individual liberties, among other things. This priority legislation ultimately passed both chambers after ping-ponging between chambers. On Tuesday, the House took up the Senate version, amended it, and then on Wednesday passed it by a vote of 76-40, sending it back to the Senate. On Thursday, the Senate accepted the House's amendment, further amended the bill, and sent the bill back to the House by a vote of 23-15. That same day, the House approved of the bill by a vote of 78-36. On Friday, the bill was sent to the Governor, where he must act on it by May 15, 2021.

Impact Fees Legislation ([HB 337 by Rep. DiCeglie/SB 750 by Sen. Gruters](#)) — The bills include several provisions to restrict impact fees imposed by local governments or special districts, including a requirement that credits against the collection of impact fees any contribution related to public facilities. The legislation also specifies conditions under which local government, school districts, or special districts may increase impact fees. The House version passed last week with the support of Republicans and several Democrats, which is notable given the proposal's staunch opposition from local governments. The Senate took up the House bill on Monday and passed it by a vote of 28-12. The bill is now ready to be sent to the Governor.

Preemption Over Restriction of Utility Services Legislation ([HB 919 by Rep. Tomkow/SB 1128 by Sen. Hutson](#)) — The bills would block local ordinances restricting the types of fuel a

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utility may use, such as a ban on natural gas. The full House passed the bill with an 81-34 vote last week, sending the measure to the Senate. The Senate took up the House version and passed it on Monday by a 27-13 vote. The bill is now ready to be sent to the Governor.

Technology Transparency Legislation ([HB 7013 by Rep. Ingoglia/SB 7072 by Senate Governmental Oversight and Accountability Committee](#)) — The proposal, a Gov. DeSantis priority, would impose a series of requirements on social media companies aimed at ending the practice of “de-platforming” or “shadow banning” users. The bills would also require companies to spell out prohibited content that could lead to a ban and inform users of any changes to their terms of service. On Monday, the Senate passed its version of the bill by a vote of 22-17. On Tuesday, the House took up the Senate version, amended it, and voted it off the floor by a vote of 78-41 sending it back to the Senate. On Thursday, the Senate concurred with the House amendment, amended the bill even further, and passed the bill by a vote of 23-17, sending it back to the House. The House concurred with the Senate amendment and passed the Senate version of the bill by a vote of 77-38. The bill is now ready to be sent to the Governor.

Foreign Influence Legislation ([HB 7017 by Rep. Grall/SB 2010 by Sen. Diaz](#)) — The bills would require organizations seeking state funding to disclose any financial ties to adversarial countries or “foreign country of concern.” The list includes China, Cuba, Iran, North Korea, Russia, Syria, and Venezuela. The legislation is a priority of Gov. DeSantis and House Speaker Chris Sprowls. On Monday, the Senate took up the House version and unanimously voted in favor of passing the bill. The bill is now ready to be sent to the Governor.

Election Administration Legislation ([HB 7041 by Rep. Ingoglia/SB 90 by Sen. Baxley](#)) — The legislation would change several election laws, most notably requiring oversight of mail ballot drop boxes, either by camera or elections supervisor staff. A provision that would have changed ballot signature verification rules was removed from the bill. On Monday, the Senate passed the bill by a vote of 23-17, sending it to the House where it was amended on Tuesday and passed by a vote of 77-40 on Wednesday. On Thursday, the Senate concurred with the House amendment, added their own amendment, sent it back to the House by a favorable vote of 23-17. The House passed it by a vote of 77-40. The bill is now ready to be sent to the Governor.

Volunteer Ambulance Services Legislation ([HB 805 by Rep. Caruso/SB 1084 by Sen. Pizzo](#)) — The bills aim to assist faith-based, not-for-profit volunteer ambulance services by prohibiting local governments from charging them licensing fees or banning their operation. Though few such providers exist in the state, lawmakers say populations with religious sensitivities rely on their services. On Monday, the Senate took up the House version and unanimously passed it. The bill is now ready to be sent to the Governor.

COVID-19 Impacts on Educational Institutions ([HB 1261 by Rep. Toledo/SB 7070 by Senate Education Committee](#)) — The bills would shield colleges and universities from lawsuits over

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decisions to close campuses because of the COVID-19 pandemic. The Senate bill would have provided the same protections to higher education institutions but would also have shielded K-12 schools from accountability measures based on standardized test scores this year. On Monday, the Senate took up the House version and amended the bill. On Tuesday, the Senate unanimously passed the bill, sending it back to the House where the amendments were accepted and the House passed the bill by a vote of 102-11. The bill is now ready to be sent to the Governor.

State Preemption of Seaport Regulations Legislation ([HB 267 by Rep. Roach/SB 426 by Sen. Boyd](#)) — The bills would preempt local government ordinances that “restrict or regulate commerce” at Florida seaports. Originally, the Senate bill would have impacted multiple ports; however, it was narrowed to the point that it would only apply to Key West — which was the primary goal from the start. The bill would undo referenda approved by Key West voters last year, limiting the size and type of ships, as well as the volume of tourists who disembark at the port. The Senate version cleared the chamber floor with a 25-14 vote. On Monday, the House took up the Senate version and temporarily postponed the bill on second reading. The bill was never rescheduled for a vote; therefore, it died when the gavel came down on sine die. However, as the saying goes, nothing is ever dead in the Florida Legislature. On Wednesday, the bill was sent back to the House where they concurred with the amendment and approved the bill by a vote of 75-40. The Senate amended a revised version of the language onto the annual transportation bill (SB 1194). This bill was

Building Design Legislation ([HB 55 by Rep. Overdorf/SB 284 by Sen. Perry](#)) — The bills would preempt local ordinances restricting home design elements, such as exterior colors, window placement, or the location of a garage. On Monday, the House passed its version of the bill by a vote of 89-24 and sent it to the Senate where it died in the Senate Rules Committee. Sticking with the theme of nothing ever really dies, this bill was amended onto to a building code bill (HB 401) by the Senate on Monday after some ping-pong between the Chambers ultimately passed the House on Wednesday (102-12) and Senate on Thursday (38-1).

Civic Education Curriculum Legislation ([HB 5 by Rep. Zika/SB 1450 by Sen. Rodriguez](#)) — The bills would require high school government classes to include a comparative discussion of political ideologies, including communism. The proposal, a priority of House Speaker Sprowls, cleared the Senate on Monday with a unanimous vote. The bill is now ready to be sent to the Governor.

School Choice Legislation ([HB 7045 by Rep. Fine](#)) — Billed by its backers as the largest school choice expansion in Florida history, the sweeping education bill would shutter the Gardiner Scholarship Program and McKay Scholarship Program and transition students currently receiving those scholarships into the Family Empowerment Scholarship Program. It also increases voucher amounts from 95% to 100% for students in the Florida Tax Credit Scholarship

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Program, Family Empowerment Scholarship, and Hope Scholarship Program. On Monday, the Senate passed the bill by a vote of 25-14. The bill is now ready to be sent to the Governor.

Home Book Delivery for Elementary Students ([HB 3 by Rep. Trabulsy/SB 1372 by Sen. Burgess](#)) — The bills would create the “New Worlds Reading Initiative,” providing free books to elementary school students reading below grade level. One of House Speaker Sprowls’ priorities, the Senate took up the House version of the bill and unanimously passed it. The bill is now ready to be sent to the Governor.

Federal Spotlight

Biden’s American Families Plan targets education, child care, paid leave - Reports about the contents of President Joe Biden’s American Families Plan (AFP) have been circulating for weeks, but the President provided details in his [address to a joint session of Congress](#) on Wednesday night. Among other provisions, the AFP would make a “generation-defining investment in rural America.” It would provide free universal preschool for all three- and four-year-olds and two years of free community college. It calls for additional funding for teacher education and training and more funding to train and recruit special education teachers. It would make child care more affordable and more accessible, especially in rural communities. It would create a comprehensive national paid family leave program and expand summer food access and school meal programs. It would extend the child tax credit, permanently increase tax credits for child care, and make the Earned Income Tax Credit permanent.

How to pay for it - The question, of course, is how the federal government can pay for the initiatives the President is proposing. President Biden outlined his recommendations for tax reform in Wednesday’s speech. They include:

- Increasing the top marginal income tax rate to 39.6% for the top 1% of earners
- Increasing the capital gains tax rate to 39.6% for those earning more than \$1 million
- Applying the 3.8% Medicare tax “consistently” for those making more than \$400,000 a year
- Repealing the “step-up in basis” rule above the first \$1 million passed to an heir
- Ending “like-kind” or 1031 exchanges that allow real estate investors to defer tax payments by rolling proceeds of real estate sales into future purchases
- Treating compensation from carried interest like wage income instead of like capital gains for tax purposes
- Permanently extending current limits on excess business losses

Biden promised not to raise taxes on anyone earning less than \$400,000, but to improve IRS collection of past due taxes and enforcement against tax cheats.

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Senator Warren has a plan - At a [hearing of the Senate Finance Subcommittee on Fiscal Responsibility and Economic Growth](#) on Tuesday, Subcommittee Chair Elizabeth Warren (D-MA) promoted three tax reform proposals of her own: a wealth tax of two cents on fortunes over \$50 million, a Real Corporate Profits Tax of 7% on companies that report profits of more than \$100 million to the shareholders and the public; and increasing tax enforcement against wealthy individuals and giant corporations. Senator Bill Cassidy (R-LA), the subcommittee's ranking member, said that Democratic tax proposals would pit Americans against each other and vilify success in business.

Treasury calls for broader IRS data collection, enforcement powers - Treasury Secretary Janet Yellen endorsed President Biden's proposed changes to the tax code, saying it would make the system more fair and help capture uncollected revenue. Treasury also [endorsed proposed reforms to the IRS](#) that it said would generate an additional \$700 billion in revenue without any increase in taxation rates. These reforms would provide the IRS with a sustained, multi-year stream of funding that would deliver about \$80 billion over a ten-year period. They would grant the IRS access to information financial institutions collect about the aggregate outflows and inflows of their customers' accounts. They would provide funding for the IRS to update its technology infrastructure, improve taxpayer service, and deliver tax credits. They would also give the IRS additional authority to regulate tax preparers.

Brown warns against partnerships between banks and predatory lenders - Senate Banking Committee Chairman Sherrod Brown (D-OH) said at a [hearing on Wednesday](#) that the Office of the Comptroller of the Currency's "true lender" rule had opened the door to predatory lenders to form partnerships with banks in order to evade state usury limits and victimize borrowers. Former Acting Comptroller of the Currency Brian Brooks said that the rule merely clarifies the language of existing law, and that bank-nonbank lending partnerships offer borrowers more protections than they would have if banks were not involved. Brown and other committee Democrats said they would seek to use the Congressional Review Act to overturn the rule. Brooks said that this would amount to imposing price controls on these loans, and that price controls would lead to shortages of credit available to small-dollar borrowers.

Water/wastewater infrastructure bill gets overwhelming Senate support Yesterday the Senate voted [89-2](#) to approve S. 914, the [Drinking Water and Wastewater Infrastructure Act of 2021](#). The legislation would reauthorize grants to state Clean Water and Drinking Water revolving funds and to programs funded under the Water Infrastructure Finance and Innovation Act. It would authorize the Environmental Protection Agency to make grants for improvements to drinking water and wastewater systems, including projects to replace lead drinking water pipes. It would also make more funding available for water infrastructure projects in rural and economically disadvantaged areas. The \$35 billion the legislation would provide is considerably below the \$56 billion included in President Biden's American Jobs Plan. On the House side, Energy and Commerce Committee Chairman Peter DeFazio (D-OR) has introduced

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his own bill, HR 1915, which would provide \$40 billion to the Clean Water State Revolving Fund and \$10 billion for other projects.

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

Final Bill Statistics

Total Bills Filed: 3,096 (2,034 House; 1,062 Senate)

Passed Both Chambers: 275 (248 General; 24 Local)

Appropriations Bills Filed: 1,060

Total Appropriation Project Dollars Requested: \$1.174 billion

Upcoming Expected Schedules

Gaming Compact Special Session: May 17 – May 21, 2021

Start of 2022 Committee Weeks: The Committee Week schedule is expected to begin the weeks of September 13 or September 20, 2021. There will likely be six (6) committee weeks before the start of the 2022 Legislative Session.

Start of 2022 Legislative Session: Tuesday, January 11, 2022