

SHUMAKER

ADVISORS

2022 FLORIDA LEGISLATIVE SESSION

WEEKLY NEWSLETTER

Week of February 28th - March 4th

HIGHLIGHTS

Only one week remains in this year's Legislative Session in Florida. A focal point of the penultimate week of session was on budget negotiations, with joint conference committees holding their first meetings on Tuesday morning. Conference meetings continued through Thursday, and remaining points of contention within budget silos are now the responsibility of the budget committee chairs. Aside from the budget, lawmakers spent the entirety of their work days on the chamber floors this week, debating and taking votes on legislation in its final stages of the process. Being an election year, members who have reached their term limit were also celebrated during floor sessions this week. Final meetings of the chambers' largest committees, such as Appropriations and State Affairs, were held on Monday and Tuesday. Next week will be largely the same, with only five business days remaining to pass legislation and the budget through both chambers before Sine Die.



Governor Ron DeSantis speaks at a press conference at USF this week. The Chief Executive pledged to sign a bill restricting abortions past 15 weeks at another press conference this week. Photo via FloridaPolitics.

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ON THE GOVERNOR'S DESK

In the waning days of session, both chambers have been rapidly forwarding bills to the Governor's desk for approval. As of today, many more will be sent to the Governor, including one of the most controversial measures of the year to restrict abortions beyond 15 weeks ([HB 5](#)). Other noteworthy bills ready for approval will:

- Regard religious institutions as essential businesses under emergency orders ([SB 254](#))
- Allow counties and municipalities to ban smoking on public beach and park land ([HB 105](#))
- Provide for the use of peer specialists in mental health and substance abuse counseling ([SB 282](#))

- Update protocols for children in foster care ([HB 893](#))
- Provide new school safety standards ([HB 1421](#))
- Expand the use of floating solar facilities ([HB 1411](#))
- Enhance criminal penalties for tampering with evidence ([HB 287](#))
- Modify protocols for students with seizure disorders in schools ([HB 173](#))

A number of other bills also await approval, and a full list can be viewed [here](#). Once presented to the Governor, he has 14 days to sign or veto each piece of legislation.

IN THE BUDGET

Throughout the week, joint budget committees met to negotiate budget proposals for each silo. Final conference meetings were held Thursday, and remaining disagreements will now be the responsibility of House and Senate Appropriations Committee Chairs. Once negotiations conclude, the final General Appropriations Act will be sent to the Governor for a final nod of approval where he will have the ability to veto certain line items as he sees fit.

REDISTRICTING

Thursday morning, the House began debate on their congressional map proposal, which was approved by the House Redistricting Committee last week. The Florida Supreme Court also granted final approval to state House and Senate maps on Thursday, making them law across the state. A final vote was taken on the House congressional maps Friday, where they were approved by a 67-47 vote. Now, the Senate must concur with amendments added by the House before the map is sent to the Governor for final review, where he will either approve or veto the proposal.

ADVISORS NEWS

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Former Shumaker Of Counsel and Business-to-Business Senior Advisor Melanie Griffin has been appointed by Governor DeSantis to serve as the Secretary of the Department of Business and Professional Regulation (DBPR). The Senate Ethics and Elections Committee recommended on Monday that the chamber confirm her appointment. Griffin received her undergraduate degree, J.D., and M.B.A. from Florida State University, and she has worked previously in the Governor's office and DBPR. [Florida Politics](#)



LEGISLATIVE UPDATES

HEALTH CARE In Monday's meeting of the Senate Appropriations Committee, members passed [SB 1950](#) proposing a number of updates to the state's Medicaid managed care plan. Six amendments were added to the bill, altering managed care regions and the number of health plans in each region that can be awarded multi-year contracts.

In the midst of a health care worker shortage, a measure ([HB 1239/SB 804](#)) approved by the House this week would revise nursing home staffing requirements to provide more flexibility in resident care. Required Certified Nursing Assistant patient care hours per resident would be decreased from 2.5 to two hours under the proposal, which awaits consideration on the Senate floor.

EDUCATION School Board member salaries will likely remain intact across Florida's 67 school districts, although members could be subject to 12-year term limits instead. Under Representative Sam Garrison's [HB 1467](#), local school boards would be given term limits, and school library materials would be subject to enhanced reporting and transparency standards.

Approved in its final committee stop on Monday, [HB 865](#) would create the Charter School Review Commission within the Department of Education, hindering the ability of local school boards to have final say over charter applications. It's now ready for a vote on the House floor.

On Monday, the Senate Appropriations Committee approved [HB 1557](#), also known as the "Don't Say Gay" bill, along party lines after rejecting an amendment from Senator Jeff Brandes that would have generalized the language of the bill to prohibit all "human sexuality" instruction for students through grade three. The bill, which maintains a prohibition on conversations regarding sexual orientation or gender identity, is now positioned to be heard on the Senate floor.

The Senate approved a bill ([SB 1048](#)) Thursday that will begin replacing Florida Standards Assessment (FSA) testing with computer-based progress monitoring tests to enhance tailored curriculum and reduce testing time.

Aiming to prohibit instruction that promotes racial guilt to students, controversial [HB 7](#) was approved by Senate Rules on Monday. The bill essentially is aimed at banning Critical Race Theory in Florida classrooms, and must be granted final approval on the Senate floor.

ENVIRONMENT Updates to how Florida regulates rooftop solar panels could become law under [HB 741/SB 1024](#). The House approved their version of the

CONTINUED LEGISLATIVE UPDATES

bill on Wednesday, which would limit discounts for users of solar energy and maintain lower rates for non-solar users, requiring the Public Service Commission to develop new net metering requirements by 2023. The Senate bill, scheduled for consideration on the floor, requires the same by 2028.

Soil and Water Conservation District board members would be required to have 15 years of experience working for an agricultural producer and earn more than a half-a-million dollars per year under a bill ([SB 1078](#)) approved by Senate Appropriations on Monday. Concerns were raised over the extreme restrictions the bill would create for board candidates, but it will head to a vote on the Senate floor nonetheless.

[SB 7012](#) was also approved during the all-day Senate Appropriations meeting, calling for the Department of Environmental Protection to develop standards for the cleanup of Perfluoroalkyl and Polyfluoroalkyl Substances in soils and groundwater. The harmful man-made substances are used primarily in firefighting, but are also present in a number of other industries and household products. Although their production is banned in the U.S., they can still be imported. The substances do not break down naturally, and thus accumulate in the environment. The Senate bill awaits a floor vote, and the House version ([HB 1475](#)) is also set for consideration on the floor.

The state will have a codified Office of Resilience within the Executive Office of the Governor led by an appointed Chief Resilience Officer under [HB 7053](#), passed on the House floor on Wednesday. The bill also creates a number of other requirements related to statewide resilience and flooding reporting and assessment. The Senate is set to consider their version ([SB 1940](#)) on the floor next week.

TAX CUTS Regarded as the largest collection of tax cuts in Florida's history, [HB 7071](#) was unanimously approved on the House floor this week. It approves four tax holidays for the upcoming year and makes cuts to property taxes for certain homeowners, businesses, and consumers.

A proposal ([HB 1563](#)) providing more than \$80 million in property tax breaks for teachers, first responders, military members, and child welfare professionals was unanimously approved in Senate Appropriations on Monday. Next, it will be heard on the Senate floor.

CONSUMER DATA PRIVACY Seeking to increase data privacy in Florida, a measure ([HB 9](#)) sponsored by Sarasota Representative Fiona McFarland was approved on the House floor this week. The bill would allow consumers to access information on how their data is collected, shared, and sold online, as well as to

opt out of the sale of their data. Florida TaxWatch estimates that the measure could incur nearly \$21 billion in startup and compliance costs for businesses, raising major concerns about the bill. Similar legislation fell just short of success last year, and [HB 9](#) requires consideration by Senate Judiciary before final consideration on the Senate floor.

STATE DESSERT Once signed by the Governor, the state will adopt the strawberry shortcake as its official state dessert under [SB 1006](#), approved unanimously by the House this week and by the Senate earlier this month. The key lime pie will remain the official state pie.

UNIONS Under [HB 1197](#), approved on the House floor Friday, rules for unions regarding their certifying and decertifying, member recruitment, and payment collection would be updated. Unions would no longer be able to deduct dues from paychecks, except for organizations that represent law enforcement officers. The Senate version of the bill has not moved, and similar legislation failed to succeed last year.

IMMIGRATION Companies that aid in transporting undocumented immigrants would be prohibited from contracting with the state under [SB 1808](#), which was approved on the Senate floor along party lines Thursday night. The measure is a priority for the Governor, and is seen as a vehicle to send a message to the federal government on the need for immigration policy updates. The House version of the bill ([HB 1355](#)) awaits consideration on the floor.

PROPERTY INSURANCE Seeking to address extreme inflation in Florida's property insurance market, SB 1728 suggests a number of changes to the Citizens Property Insurance Corporation and property insurance protocols. It passed the Senate floor on a 28-11 vote this week, and now awaits approval by the House. Similar measures also await final consideration- [SB 186](#) must be approved by Senate Appropriations, and [HB 1307](#) awaits approval by the House.

VOTER FRAUD House and Senate voter fraud bills ([HB 7061/SB 524](#)) are geared up for floor votes as of this week. The measures would establish an "Elections Security Force" to monitor allegations of voter fraud, and increase requirements for mail-in voting.

QUESTIONS?

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