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Client Alert: Special Session 2021B

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November 15th through November 19th, the Florida Legislature will convene for 2021 Special Session B to address proposed legislation regarding employer vaccine mandates, government mandates, the Occupational Health and Safety Administration (OSHA), and parental choice. Governor Ron DeSantis issued a proclamation calling the Special Session on October 29th, expressing intent to address overreaches by the federal government through legislative action and [litigation](#). Senate President Wilton Simpson and Speaker of the House Chris Sprowls announced their “Keep Florida Free” legislative agendas on Monday, November 8th detailing the pieces of legislation that each chamber will tackle during the session.

So far, four bills have been filed within each chamber for consideration during the special session. The first is [HB 1B/SB 2B](#) by Rep. Grall and Senator Burgess, which would ban vaccine mandates for local governments, educational institutions, and private employers. Private employers may enforce a mandate so long as they provide exemptions for religious or medical reasons, with proof of prior COVID-19 infection, or if the employee agrees to regular testing or to wearing protective equipment such as a mask. Employees denied exemptions may file a complaint with the Attorney General, and anyone that is fired as a result of vaccination status can receive unemployment benefits under the bill. Additionally, the bill includes an expansion of the Parents’ Bill of Rights, giving parents full discretion over whether their children wear a mask to school.

Other measures include [HB 3B/SB 4B](#) by Representative Massullo and Senator Burgess, which blocks employee exemption information from public record in the midst of an investigation, and [HB 5B/SB 6B](#) by Representative Zika and Senator Hutson, which addresses the state’s plan regarding OSHA. The bill would require Governor DeSantis’ administration to develop a plan for exiting OSHA and to create a state workforce safety enforcement agency for which the bill provides \$1 million. The process of creating an agency and gaining approval from OSHA could take several years. The final bills, [HB 7B/SB 8B](#) by Representative Andrade and Senator Bean, seek to prohibit the state health officer from mandating vaccines or quarantines.

The Legislature will convene on November 15th, when they were previously scheduled to meet for Interim Committee Week 5, and will meet according to the approved calendars ([House/Senate](#)). Lawmakers will return to Tallahassee on November 29th for the sixth and final committee week prior to the start of the 2022 Regular Session on January 11, 2022.

Please reach out to us individually should you have any questions:

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