

## MEMORANDUM

**TO:** NAIOP  
**FROM:** GrayRobinson  
**DATE:** March 15, 2020  
**SUBJECT:** 2020 Legislative Session – Week 9 (March 9-13)

---

The new coronavirus dominated the final full week of the Legislative Session. The virus, now a global pandemic, shut down nearly every major sport and Florida's major tourist draws, including Disney and Universal. It also led the House to — briefly — shut down over concerns that some members could be infected.

Concerns over the virus also took its toll on the Legislature's only mandate: passing a budget. As the economic impacts continued to mount, the Legislature vastly increased the amount of money they sought to set aside in state reserves. What was originally pitched as an approximately \$20 million preparation ballooned tenfold, forcing lawmakers to reconsider some spending priorities.

Budget writers were determined not to raid teacher and state employee pay raises, the former of which was a major priority of Governor Ron DeSantis. It did take a slight cut throughout the negotiation process, moving from at one point more than \$600 million down to \$500 million. A major chunk of the reserve money will come by way of substantial cuts to the 2020 tax package.

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

#### **Key Issues for 2020 As Determined at the NAIOP Summit**

- Enacting the FAST Act;
- Phasing out the Business Rent Tax;
- Removing the Witness Requirement for Commercial Leases;
- Maintaining a Commercial Building Representative on Florida Building Commission;

March 15, 2020  
Page 2

- Improving the State Fire Code; and
- Reining in Excessive Linkage Fees

**Business Rent Tax** – The House published and passed its proposed tax package weeks ago and it included a reduction of the business rent tax from 5.5% to 5.4%. On Wednesday of this week, the Senate amended the tax package and kept the reduction. However, in the midst of economic concerns over the coronavirus, all but the back-to-school sales tax holiday were removed.

**FAST Act** – Based on request/advice from House and Senate leadership, we are seeking to draft legislation over the summer.

**Lease Signatory Changes** – The House bill passed the bill on Wednesday, February 4. The Senate bill passed its final committee on Tuesday, February 4. The Senate bill was taken up on Wednesday, and the House bill was substituted for it. The bill passed and is now headed to the Governor.

**Florida Building Commission** – The deregulation bill passed both chambers and kept the commercial real estate seat on the building commission.

**Fire Code** – We are following the lead of House Commerce Chair Mike La Rosa to get this finalized in one of his committee bills. The Senate Department of Financial Services legislation (SB 1404) was amended to extend the deadline to comply with enhanced radio signals to 2023, and the deadline to have any demonstration of compliance to January 1, 2022. This removes the permit requirement that originally required a permit application by December 2019 is now completed removed. **UPDATE:** Unfortunately, this bill died during the final week of session due to other issues related to insurance.

**Linkage Fees** – As expected, linkage fees was added to a bill late in session. House Bill 1339, in the last week of session, added a “full offset” through incentives by a local government if it requires linkage fees. This effectively will eliminate linkage fees.

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

The following are bills filed that impact (positively and/or negatively) the commercial real estate industry. **Highlighted text** means the bill was newly filed since the last memo publication.

#### **Promoting Business Friendly CRE Regulations**

**Legislative Review of Occupational Regulations – HB 707 (Renner) and SB 1124 (Diaz) - DIED**

Key Take Away

March 15, 2020  
Page 3

If passed, would create the “Occupational Regulation Sunset Act”; establish a schedule for the systematic review of occupational regulatory programs; provide for the abolition of units or subunits of government and personnel positions responsible for repealed programs; provide for the reversion of certain unexpended funds and the refund of certain unencumbered revenue of a repealed program; require the Department of Legal Affairs to prosecute or defend certain pending causes of actions, etc.

**House Approval Milestones** – Bill filed November 19.  
Commerce – Passed 22-1 on January 16.  
Health & Human Services – Passed 12-4 on February 6  
House – Passed 85-29 on February 26

**Senate Approval Milestones** – Bill filed December 13.  
Govt Oversight and Accountability – Passed 3-1 on February 17  
Appropriations – Awaiting hearing  
Rules – N/A  
Senate – Indefinitely postponed and withdrawn from consideration

**Weekly Roundup:** N/A

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

## **Impact Fees – HB 637 (DiCeglie) and SB 1066 (Gruters) - PASSED**

### Key Take Away

If passed, would revise conditions that counties, municipalities, & special districts must satisfy before enacting an ordinance or passing resolution; provide that impact fee credits are assignable & transferrable under certain conditions; require certain counties & municipalities to establish impact fee review committees; provide for membership; provide procedures for meetings & establishing quorums; provides committee duties.

**House Approval Milestones** – Bill filed November 14.  
Local, Federal & Veterans Affairs – Passed 13-1 on January 15  
Ways & Means – Passed 12-2 on February 3  
State Affairs – Passed 20-0 on February 20  
House – Passed 81-37 on March 11

**Senate Approval Milestones** – Bill filed November 26.  
Community Affairs – Passed 5-0 on February 10  
Finance & Tax – Passed 7-1 on February 18

March 15, 2020  
Page 4

Appropriations – Passed 18-0 on March 3  
Senate – Passed 40-0 on March 9

**Weekly Roundup: Senate bill and House bill passed chamber votes.**

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

**Florida Building Code – SB 710 (Albritton) - DIED**

Key Take Away

If passed, would require in the Florida Building Code that the entire envelope of certain buildings being constructed or rebuilt be impact resistant and constructed with high wind-resistant construction materials; require that all parts or systems of a building or structure envelope meet impact test criteria or be protected with an external protection device that meets such criteria; providing exceptions, etc.

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

**Senate Approval Milestones** – Bill filed October 30.

Community Affairs – N/A

Infrastructure and Security – N/A

Rules – N/A

**Weekly Roundup: N/A**

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

**Real Estate Conveyances – HB 469 (Duggan) and SB 1224 (Simmons) – PASSED**

Key Take Away

If passed, would provide that witnesses are not required to validate certain instruments conveying leasehold interests in real property.

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

Civil Justice Subcommittee – Passed 12-0 on December 12

Business & Professions – Passed 13-0 on January 15

Judiciary – Passed 16-0 on January 23.

House – Passed 117-0 on February 5, order enrolled

**Senate Approval Milestones** – Bill filed December 12.

Banking and Insurance – Passed 8-0 on January 21

March 15, 2020  
Page 5

Judiciary – Passed 6-0 on January 28  
Rules – Passed 16-0 on January 5  
Senate – Passed 40-0 on March 5

**Weekly Roundup:** N/A

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

**Home-Based Businesses – HB 537 (Donalds) and SB 778 (Perry) - DIED**

Key Take Away

If passed, would 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 on November 5.

Business & Professions Subcommittee – Passed 7-3 on February 4  
State Affairs – Passed 13-7 on February 20  
Commerce – Passed 17-7 on February 27  
House – Placed on Calendar, on 2<sup>nd</sup> reading

**Senate Approval Milestones** – Bill filed on November 5.

Community Affairs – N/A  
Commerce & Tourism – N/A  
Rules – N/A

**Weekly Roundup:** House bill entered the floor.

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

**Uniform Commercial Real Estate Receivership Act – 2020 – HB 783 (Beltran) and SB 660 (Berman) - PASSED**

Key Take Away

If passed, would create chapter 714, F.S., as the Uniform Commercial Real Estate Receivership Act; specifying that a court has exclusive jurisdiction to direct receivers and determine controversies under certain circumstances; providing requirements and authorizations relating to the appointment of a receiver; providing for defenses and immunities of a receiver; authorizing the court to enter certain orders if the court concludes

March 15, 2020  
Page 6

that receivership property is likely to be insufficient to satisfy certain claims; requiring a receiver to file a final report containing certain information upon completion of the receiver's duties, etc..

**House Approval Milestones** – Bill filed on November 26.

Civil Justice – Passed 13-0 on January 22  
Justice Appropriations – Passed 12-0 on February 4  
Judiciary – Passed 18-0 on February 12  
House – Passed 114-0 on March 9, order enrolled

**Senate Approval Milestones** – Bill filed on October 24.

Judiciary – Passed 5-0 on December 10  
Commerce and Tourism – Passed 4-0 on February 4  
Rules – Passed 16-0 on March 2  
Senate – Passed 39-0 on March 11

**Weekly Roundup:** House bill and Senate bill passed chamber votes.

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

**Nonservice Animals – HB 243 (Antone) and SB 1814 (Powell) - DIED**

Key Take Away

If passed, would prohibit nonservice animals from entering specified public food service establishments or places of business; require DBPR to create & maintain publicly accessible website for complaints; provides penalties.

**House Approval Milestones** – Bill filed on September 30.

Business & Professions – Awaiting hearing  
Government Operations & Technology Appropriations – N/A  
Commerce – N/A

**Senate Approval Milestones** – January 10.

Commerce & Tourism – N/A  
Innovation, Industry and Technology – N/A  
Appropriations – N/A

**Weekly Roundup:** N/A

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

March 15, 2020  
Page 7

**Deregulation of Professions and Occupations – HB 1193 (Ingoglia) and SB 474 (Albritton) - PASSED**

Key Take Away

If passed, would significantly revise the Florida Building Commission membership, however, it would not remove the commercial real estate representative. Additionally, this 77 page bill would, among other things, delete the requirement that a yacht broker maintain a separate license for each branch office; specify that the failure to repay certain student loans is not considered a failure to perform a statutory or legal obligation for which certain disciplinary action can be taken; revise licensure requirements for engineers who hold specified licenses in another state; provide that certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances, etc.

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

Business & Professions – Passed 12-3 on January 21

Government Ops & Technology Appropriations – Passed 10-2 on January 28

Commerce – Passed 23-0 on February 20

House – Concurred with amendment, passed 103-11, order enrolled

**Senate Approval Milestones** – Bill filed October 7.

Innovation, Industry and Technology – Passed 8-0 on January 21

Commerce and Tourism – Passed 4-0 on February 4

Appropriations – Passed 20-1 on February 20

Senate – Passed 38-0 on March 12

**Weekly Roundup:** House bill and Senate bill passed chamber votes.

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

**Stormwater Management Systems – HB 405 (Good) and SB 686 (Gruters) - DIED**

Key Take Away

If passed, would direct water management districts, with DEP oversight, to adopt rules for standards relating to new development & redevelopment projects specifically focusing on removal of nutrients from stormwater discharges; directs DEP to incorporate such rules for district use; directs DEP & districts to amend such rules into applicant's handbook; provides rebuttable presumption relating to water quality standards for certain systems; revises requirements for construction of certain systems; requires specified staff training; directs DEP & districts to initiate rulemaking..

**House Approval Milestones** – Bill filed on October 18.

March 15, 2020  
Page 8

Agriculture & Natural Resources – Awaiting hearing  
Ag & Natural Resources Appropriations – N/A  
State Affairs – N/A

**Senate Approval Milestones** – Bill filed October 28.  
Environment and Natural Resources – N/A  
Appropriation Subcommittee on Agriculture, Environment and Gen Gov – N/A  
Appropriations – N/A

**Weekly Roundup:** N/A

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

<b>Promote Feasible Sustainability Initiatives</b>
--

**Clean Energy Programs – HB 225 (Zika) and SB 824 (Hooper) - DIED**

Key Take Away

If passed, would authorize property owner to apply to approved PACE administrator for loan; authorize local governments to enter into agreements with PACE administrators; provides requirements for PACE loan contracts; provides certain prohibitions; provides remedies.

**House Approval Milestones** – Bill filed on September 25.  
Energy & Utilities – Awaiting hearing  
Ways & Means – N/A  
State Affairs – N/A

**Senate Approval Milestones** – Filed on November 7.  
Community Affairs – N/A  
Innovation, Industry and Technology – N/A  
Rules – N/A

**Weekly Roundup:** N/A

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

**Renewable Energy – SB 446 (Brandes) - DIED**

Key Take Away



March 15, 2020  
Page 9

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** – No house bill filed yet.

**Senate Approval Milestones** – Bill filed October 4.  
Innovation, Industry and Technology – N/A  
Commerce and Tourism – N/A  
Rules – N/A

**Weekly Roundup:** N/A

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

## Promote Fair Taxation

### Taxation of Real Property – HB 1141 (Caruso) and SB 1778 (Gruters) - **DIED**

#### Key Take Away

If passed, would exempt from the sales and use tax certain property that is rented, leased, subleased, or licensed to a specified small business (less than nine employees); requiring the Department of Revenue to approve or deny such application within a specified time period, etc.

**House Approval Milestones** – Bill filed January 7.  
Ways & Means – Awaiting hearing  
Commerce – N/A  
Appropriations – N/A

**Senate Approval Milestones** – Bill filed on January 10.  
Commerce and Tourism – N/A  
Finance & Tax – N/A  
Appropriations – N/A

**Weekly Roundup:** N/A

March 15, 2020  
Page 10

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

**Communications Services Tax – HB 701 (Fischer) and SB 1174 (Hutson) - DIED**

Key Take Away

If passed, would revise legislative intent regarding local communications services tax rates; revising downward the tax rate on the retail sale of communications services to 5%; delete a provision that specifies where proceeds of a communications services tax must be deposited and disbursed; require dealers to collect and remit local communications services taxes under certain conditions; authorizing the Legislature to appropriate moneys to offset specified direct reductions of the local communications services tax by certain counties and municipalities, etc..

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

Ways & Means – Awaiting hearing

Energy & Utilities – N/A

Appropriations – N/A

**Senate Approval Milestones** – Bill filed on December 9.

Innovation, Industry and Technology – Passed 10-0 on February 3

Community Affairs – Awaiting hearing

Appropriations – N/A

**Weekly Roundup:** N/A

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

**Small Business Saturday Sales Tax Holiday – SB 1052 (Taddeo) - DIED**

Key Take Away

If passed, would define 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; authorize the Department of Revenue to adopt emergency rules, etc.

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

**Senate Approval Milestones** – Bill filed on November 25.

Commerce and Tourism – N/A

Finance and Tax – N/A

Appropriations – N/A

March 15, 2020  
Page 11

**Weekly Roundup:** N/A

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

**Affordable Housing Tax Reduction – SB 856 (Pizzo) - DIED**

Key Take Away

If passed, would provide a reduction in certain property taxes to taxpayers building or renovating certain affordable, elderly, or workforce housing projects; specify the calculation of property assessments over the reduction term; authorize certain counties to limit the total number of qualifying projects, subject to certain requirements; specify a taxpayer's liability for back taxes, penalties, interest, and certain remedies under certain circumstances, etc..

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

**Senate Approval Milestones** – Bill filed on November 12.

Community Affairs – Passed 5-0 on February 3

Finance & Tax – Awaiting hearing

Appropriations – N/A

**Weekly Roundup:** N/A

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

**Sales and Use Tax – HB 159 (Clemons) and SB 126 (Gruters) - DIED**

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 September 12.

Ways & Means Committee – Awaiting hearing

Commerce – N/A

Appropriations – N/A

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

Commerce and Tourism – Passed 5-0 on October 15

Finance and Tax – Passed 8-0 on February 13

Appropriations – Awaiting hearing

March 15, 2020  
Page 12

**Weekly Roundup:** N/A

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

### Collaborative Growth Management

#### Regional Planning Council Meetings – HB 1097 (Geller) and SB 1398 (Flores) - **PASSED**

##### Key Take Away

Provides requirements for establishing quorum for meetings of certain councils when voting member appears via telephone, real-time videoconferencing, or similar real-time electronic or video communication.

##### **House Approval Milestones** – Bill filed on January 6.

Local, Federal & Veterans Affairs – Passed 14-0 on January 21

State Affairs – Passed 23-0 on January 30

House – Passed 113-0 on March 11, order enrolled

##### **Senate Approval Milestones** – Bill filed on January 6.

Community Affairs – Passed 3-0 on January 21

Govt Oversight and Accountability – Passed 5-0 on February 3

Rules – Passed 16-0 on February 12

Senate – Passed 39-0 on March 3

**Weekly Roundup:** House bill passed chamber vote.

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

#### Private Property Rights Protection – HB 519 (Grant) - **DIED**

##### Key Take Away

If passed, would revise notice of claim requirements for property owners; revises procedures for determination of compensation; create presumption that certain settlements of claims apply to all similarly situated residential properties within political subdivision under certain circumstances; authorize property owners to bring claims against governmental entities in certain circumstances; provide that property owners are not required to submit formal development applications or proceed through formal application processes to bring claims in specified circumstances; authorize property owners to bring

March 15, 2020  
Page 13

actions to declare prohibited exactions invalid; requires DOT to afford right of first refusal to previous property owner before disposing of property in certain circumstances.

**House Approval Milestones** – Bill filed on November 4.  
Civil Justice Subcommittee – Passed 10-5 on January 16  
Commerce – Passed 13-8 on January 30  
Judiciary – Passed 11-5 on February 6  
House – Passed 83-36 on March 9  
Senate – Indefinitely postponed, withdrawn from consideration

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

**Weekly Roundup:** House bill passed chamber vote.

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

**Community Development Districts – HB 493 (Cortes) and SB 1434 (Torres, Jr.) - DIED**

Key Take Away

If passed, would authorize certain entities to petition court to dissolve community development district with outstanding financial obligations or operating or maintenance responsibilities; provides procedures to be used by court in appointing receivers; specify court authorities in issuing orders concerning duties of receiver. Effective Date: July 1, 2020.

**House Approval Milestones** – Bill filed on October 29.  
Local, Federal & Veterans Affairs Subcommittee – Awaiting hearing  
Civil Justice – N/A  
State Affairs – N/A

**Senate Approval Milestones** – Bill filed January 6.  
Community Affairs – N/A  
Judiciary – N/A  
Rules – N/A

**Weekly Roundup:** N/A

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

**State Funds – HB 381 (Silvers) and SB 306 (Mayfield) - DIED**

March 15, 2020  
Page 14

Key Take Away

If passed, there would no longer be trust fund “sweeps” of the Sadowski Fund.

**House Approval Milestones – Filed on October 16.**

Transportation & Tourism Appropriations Subcommittee – Awaiting hearing

State Affairs – N/A

Appropriations – N/A

**Senate Approval Milestones – Bill Filed September 17.**

Infrastructure and Security – Passed 8-0 on February 3

Appropriations Sub on Transportation, Tourism and Economic Dev: Awaiting hearing

Appropriations – N/A

**Weekly Roundup:** N/A

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

**Development Order Attorney Fees – HB 6019 (Casello) and SB 250 (Berman) - **DIED****

Key Take Away

If passed, would delete the entitlement for prevailing party to recover reasonable attorney fees and costs in challenge or defense of development order.

**House Approval Milestones – Filed September 10.**

Commerce – Awaiting hearing

Judiciary – N/A

State Affairs – N/A

**Senate Approval Milestones – Filed September 10.**

Community Affairs Committee: N/A

Judiciary: N/A

Rules: N/A

**Weekly Roundup:** N/A

**Current Call to Action:** Both bills are filed by Democrats and are an attack on the Republican-led legislation of 2019. It is unexpected this bill will move.

**Property Rights Inserted into Growth Management – HB 203 (McClain) and SB 410 (Perry)  
– PASSED**

Key Take Away

March 15, 2020  
Page 15

Would make clear that a property owner's rights to develop his/her/its property must be honored by a local government.

**House Approval Milestones** – Filed on September 19.  
Local, Federal & Veterans Affairs – Passed 9-5 on October 23  
Commerce – Passed 16-6 on February 13  
State Affairs – Passed 15-7 on February 27  
House – Passed 71-43 on March 11

**Senate Approval Milestones** – Filed on October 1.  
Community Affairs – Passed 5-0 on January 27  
Judiciary – Passed 5-1 on February 11  
Rules – Passed 14-3 on March 2  
Senate – Passed 26-14 on March 5, order enrolled

**Weekly Roundup:** House bill passed chamber vote.

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

**Hurdles:** None yet. Although, it is worth noting that this same bill died in the House and Senate during 2019 session.

### Promote Economic Prosperity

#### **Brownfields – HB 1001 (Stone) and SB 1350 (Baxley) - DIED**

##### Key Take Away

Revising the definition of the terms “housing project” and “mixed-use project” for purposes of specifying the projects eligible for certain tax exemptions; revising the conditions under which an applicant that has rehabilitated a contaminated site may submit and claim certain tax credits; revising the criteria for determining applicants who are redeveloping brownfield sites who may be eligible for certain tax credits; specifying defenses to specified causes of action concerning certain discharges or other types of pollution resulting from certain discharges or pollution, etc.

**House Approval Milestones – Filed on December 18.**  
Agriculture & Natural Resources Subcommittee – Passed 12-0 on February 4  
Ways & Means – Passed 17-0 on February 11  
State Affairs – Passed 22-0 on March 2  
House – Placed on Calendar, on 2<sup>nd</sup> reading

March 15, 2020  
Page 16

**Senate Approval Milestones – Filed on January 2.**

Environment and Natural Resources – Passed 4-0 on February 17

Judiciary – Awaiting hearing

Appropriations – N/A

**Weekly Roundup:** N/A

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

**Job Growth Grant Fund Revisions – HB 71 (Santiago) and SB 130 (Hutson) - DIED**

Key Take Away

Would authorize the Governor to approve workforce training grants to certain charter schools under the Florida Job Growth Grant Fund.

**House Approval Milestones – Filed on August 20.**

Transportation & Tourism Appropriations Subcommittee – Awaiting hearing

Education Committee – N/A

Appropriations – N/A

**Senate Approval Milestones**

Commerce and Tourism Committee – Passed 5-0 on October 15

Education – Passed 8-0 on November 12

Appropriations – Awaiting hearing

**Weekly Roundup:** N/A

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

**Florida Tourism Marketing – HB 213 (Ponder) and SB 362 (Hooper) - PASSED**

Key Take Away

Would revise the scheduled repeal of the Florida Tourism Industry Marketing Corporation direct-support organization (aka Visit Florida) to the year 2028.

**House Approval Milestones – Filed on September 23.**

Workforce Development & Tourism – Awaiting hearing

Transportation & Tourism Appropriations – N/A

Commerce – N/A

**Senate Approval Milestones – Filed on September 23**



March 15, 2020  
Page 17

Commerce and Tourism – Passed 5-0 on November 5  
Appropriations Sub on Transportation, Tourism and Economic Dev -Passed 8-0 on January 29  
Appropriations - Passed 20-0 on February 5, 2020  
Senate – Concurred with amendment, passed 38-0 on March 12, order enrolled  
House – Passed 114-2 on March 11

**Weekly Roundup:** Senate bill passed through both chambers.

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

## **Summary of Committee Week 9 (March 9-13)**

### **The Florida House of Representatives**

- A bill allowing nurse practitioners to practice without a doctor's supervision cleared the Legislature and was signed hours later by Governor Ron DeSantis. The bill was a top priority for House Speaker José Oliva.
- Lawmakers approved a bill preventing life and long-term care insurance companies from using Floridians' genetic information to make actual decisions. The legislation allows insurers to use genetic testing results that are part of a medical diagnosis and included in a policyholder's medical record. It was a top priority of House Speaker-designate Chris Sprowls.
- The House and Senate passed a bill banning the import and export of shark fins in Florida. A floor amendment, passed unanimously in the House, named the bill the “Kristin Jacobs Ocean Conservation Act” in honor of Representative Kristen Jacobs, who has championed the bill for multiple Legislative Sessions.

### **Florida Senate**

- The Legislature OK'd a bill that would create the Office of Quality Assurance and Improvement within the Department of Children and Families, among other changes aimed at upping accountability within the department. The bill was a priority of Senate President-designate Wilton Simpson as well as First Lady Casey DeSantis. The Governor is expected to sign it into law.
- VISIT FLORIDA was reauthorized for three years and funded at \$50 million. It had previously been scheduled to sunset at the start of the fiscal year on July 1. The

March 15, 2020  
Page 18

reauthorization had been pushed hard by the Senate, though the House had been reticent before the threat of coronavirus to Florida's tourism industry.

### **Bill of the Week**

Title II of the Americans with Disabilities Act of 1990 requires state and local governments to facilitate the participation of disabled Americans. That includes making services, programs and information more easily accessible by people with disabilities.

Ten years ago, the U.S. Department of Justice interpreted the Act to include government websites. While DOJ has not required lower governments to adhere to the interpretation, Florida has. The requirement applies to all levels of government, from statewide agencies down to special districts.

Special districts are units of local government that provide local services across jurisdictions that aren't bound by city limits and county lines. The services they provide can include libraries, firefighting, community redevelopment, or soil and water conservation.

State law requires special districts to make information available online so people who can't attend meetings can still be aware of district financial information and other reports.

A House bill, HB 855, would still require district financial audits to be posted online, but it would allow the reports to be housed on the state Auditor General website. Districts would simply need to link to the Auditor General website.

The bill, sponsored by Representative Bobby Payne, completely removes the requirement to post public facilities reports and meeting materials. Meeting agendas, however, would still need to be posted. House Bill 855 was temporarily postponed on third reading ahead of a floor vote and ultimately was never taken up. It is expected that Representative Payne will bring this legislation back in 2021.

### **Tax Package**

Last week, the tax package (HB 7097) contained \$120 million in cuts. Then the growing economic impact of coronavirus threw a wrench into those plans. Senate Budget Chief Rob Bradley said early in the week that the chamber planned to trim down the proposed cuts, and considerably so. They followed through.

The final tax cut includes the three-day back-to-school tax package (\$32.3 million) and the disaster preparedness cut (\$4.3 million). On the cutting room floor was the originally proposed cut to the communications services tax (CST), the commercial lease tax and the extension of the Qualified Tax Incentive (QTI) program. All three are expected to be proposed during the 2021 session.

March 15, 2020  
Page 19

## **Federal Spotlight**

GrayRobinson's Washington, DC office releases a newsletter each week entitled The Golden Apple, reporting on the "latest discord on Capitol Hill." This week's newsletter discusses the declaration of a national emergency by the White House.

President Trump invoked the Stafford Act today, declaring a national emergency and triggering a structure for the Federal Emergency Management Agency (FEMA) to provide physical and financial assistance to state and local governments. FEMA will take responsibility for coordinating the government's response and implementing the National Response Framework, which seeks to stabilize the seven identified community lifelines: safety and security; food, water, and shelter; health and medical; energy (power & fuel); communications; transportation; and hazardous materials.

Read The Golden Apple in its entirety here: <https://t.e2ma.net/message/e9pe4d/2n5283>

## **Final Bill Statistics**

Total Bills Filed: 3,516 (2,518 House; 998 Senate)

Appropriations Bills Filed: 1,634 (1,629 passed through first committee)

Total Bills Passed both Chambers: 207

## **Looking Ahead**

Though the Legislature missed ending the Legislative Session on deadline, it isn't expected to go much further. The final vote on the 2020-21 budget is tentatively set for Wednesday. After the budget is set and Session officially wraps, lawmakers will head back to their districts, and many of them will be ramping up for their coming reelection battles.