THE STATS

Total: 3,568 Filed

Branch:
- 985 Senate
- 2,583 House

Type:
- 1,629 Appropriations
- 1,625 General

Passed:
- 197 Passed
ISSUES THAT FAILED... AND WILL BE BACK
LOCAL GOVERNMENT ISSUES

LEADERS & THEIR PRIORITIES

ISSUES THAT DOMINATED
NEW FACES

THE BUDGET
THE STATS

GRAY ROBINSON
2019 Session Wrap-Up
NAIOP South Florida | June 12, 2019
New Representatives

Vance Arthur Aloupis, Jr. (R)
- Robert Alexander "Alex" Andrade (R)
- Melony Bell (R)
- Mike Beltran (R)
- Robert Charles "Chuck" Brannan, III (R)
- James Buchanan (R)
- Dr. James Bush, III (D)
- Michael A. "Mike" Caruso (R)
- Joseph A. "Joe" Casello (D)
- Nick DiCeglie (R)
- Fenprice Driskell (D)
- Wymon Duggan (R)
- Anna V. Eskamani (D)
- Javier E. Fernandez (D)
- Juan Alfonso Fernandez-Barquin (R)
- Elizabeth Anne Fetterhoff (R)
- Joy Goff-Marcil (D)
- Margaret Good (D)
- Michael "Mike" Gottlieb (D)
- Tommy Gregory (R)
- Michael "Mike" Grieco (D)
- Brett Thomas Hage (R)
- Dianne "Ms. Dee" Hart (D)
- Adam Roger Hattersley (D)
- Walter Eryan "Mike" Hill (R)
- Delores D. "D" Hogan Johnson (D)
- Dotie Joseph (D)
- Chip LaMarca (R)
- Lawrence McClure (R)
- Anika Tene Omphroy (D)
- Tobin Rogers "Toby" Overdorf (R)
- Daniel Perez (R)
- Cindy Polo (D)
- Tina Scott Polsky (D)
- Spencer Roach (R)
- William Cloud "Will" Robinson, Jr. (R)
- Ana Maria Rodríguez (R)
- Anthony Rodriguez (R)
- Anthony Sabatini (R)
- Tyler L. Sirols (R)
- David Smith (R)
- Geraldine F. "Geri" Thompson (D)
- Josie Tomkow (R)
- Susan L. Valdes (D)
- Jennifer Nicole Webb (D)
- Ardian Zika (R)
NEW MEMBERS OF SOUTH FLORIDA DELEGATIONS

Vance Arthur Aloupis, Jr. (R)
District 115
City of Residence: Miami

Dr. James Bush, III (D)
District 109
City of Residence: Miami

Michael A. "Mike" Caruso (R)
District 89
City of Residence: Delray Beach

Joseph A. "Joe" Casello (D)
District 90
City of Residence: Boynton Beach

Juan Alfonso Fernandez-Barquin (R)
District 119
City of Residence: Unincorporated Miami-Dade County

Michael "Mike" Gottlieb (D)
District 98
City of Residence: Davie

Michael "Mike" Grieco (D)
District 113
City of Residence: Miami Beach

Cindy Polo (D)
District 103
City of Residence: Miramar

Dotie Joseph (D)
District 108
City of Residence: North Miami

Arika Tene Ompiriroy (D)
District 95
City of Residence: Lauderhill Lakes

Chio LaMarca (R)
District 33
City of Residence: Lighthouse Point

Daniel Perez (R)
District 116
City of Residence: Miami

Tina Scott Polsky (D)
District 81
City of Residence: Boca Raton

Ana Maria Rodriguez (R)
District 105
City of Residence: Doral

Anthony Rodriguez (R)
District 118
City of Residence: Miami
NEW SENATORS

Ben Albritton (R)  Lori Berman (D)  Janet Cruz (D)  Manny Diaz, Jr. (R)  Joe Gruters (R)
Gayle Harrell (R)  Ed Hooper (R)  Jason W. B. Pizzo (D)  Annette Taddeo (D)  Tom A. Wright (R)
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Leaders & Their Priorities

Governor
Ron DeSantis

President
Bill Galvano

Speaker
Jose Oliva
GOVERNOR RON DESANTIS

- Water Quality
- Government Accountability
- Deregulation
- Appointments to the Bench
- Medical Marijuana Implementation
- Immigration
- Insurance
- Education

GRAY ROBINSON
Toll Road/Critical Corridor Expansion

Higher Education Funding

School Safety

Gaming
SPEAKER JOSE OLIVA

- Health Care Reform
- School Choice Expansion
- Tax Relief
- Higher Education Reform and Accountability
THE BUDGET - $91.1 BILLION

- Hurricane Recovery = $221M
- Education = $22.5B
- Health Care = $37.6B
- Criminal and Civil Justice = $5.4B
- Transportation, Tourism, and Economic Development = $15.2B
- AG and Natural Resources = $6.1B

GRAY ROBINSON
TRANSPORTATION, TOURISM, AND ECONOMIC DEVELOPMENT

$15.2 Billion

- FDOT Work Program = $9.8B
- Affordable Housing = $200M
- VISIT FLORIDA = $50M
- Job Growth Grant Fund = $40M
LOOKING AHEAD

- Is a recession on the horizon? Revenue Estimating Conference seems to think so...

- VISIT FLORIDA Funding Expect another fight in 2020...

- Vetoes?

- Internet Sales Tax Failed but will be back...
2019 Tax Package

- Back to School Sales Tax Holiday: August 2-6
- Hurricane Preparedness Sales Tax Holiday: May 31-June 6
- Tax Exemptions for Hurricane Michael Recovery
  - Building materials
  - Fencing materials
  - TPP for farm equipment
  - Fuel Tax Refund for agriculture shipments or hurricane debris removal
- Business Rent Tax Reduction – PERMANENT reduction from 5.7% to 5.5%
- Local School District Referendums – Requires all future local operational referendums to provide proportionate share to charter schools in the district
LOCAL APPROPRIATIONS PROJECTS

- $6,000,000 - Florida Keys Stewardship Act funding (for water quality)
- $875,000 - Common Threads’ Obesity and Nutrition Education Program in Miami-Dade Public Schools
- $1,000,000 - Library Construction Grant funding (Miami-Dade will receive $500,000)
- $1,000,000 - Hendry County Wastewater Infrastructure on US 27/SR 80
- $400,000 - Hendry County Economic Development Council Fair and Livestock Show
- $150,000 - City of Hollywood Disaster Recovery Center Generator
- $150,000 - Miami Bridge Youth & Family Services Host Homes for Homeless Youth Pilot Program
- $300,000 - Downtown Miami Pedestrian Bridge – Phase 1 (Miami DDA)
- $300,000 - South Florida Behavioral Health Network Involuntary Outpatient Services Demonstration (Miami DDA)
- $500,000 - Miami-Dade County Police Department Operation Blue and Brown
- $750,000 - Monroe County Reef Pumpout Program
- $1,000,000 - South Broward Hospital District Medication Assisted Treatment (MAT) Population
- $150,000 - City of West Palm Beach Command Incident Vehicle
# Issues That Dominated

<table>
<thead>
<tr>
<th>Issue</th>
<th>Icon</th>
<th>Description</th>
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<tbody>
<tr>
<td>Election Law Changes</td>
<td><img src="icon1.png" alt="icon" /></td>
<td>School Safety / School Choice</td>
</tr>
<tr>
<td>Property Development &amp; Growth Management</td>
<td><img src="icon2.png" alt="icon" /></td>
<td>Economic Development / Visit Florida</td>
</tr>
<tr>
<td>Hurricane Michael</td>
<td><img src="icon3.png" alt="icon" /></td>
<td>New Transportation Corridors</td>
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<td>Health Care Reform</td>
<td><img src="icon4.png" alt="icon" /></td>
<td>Sanctuary Cities Ban</td>
</tr>
<tr>
<td>Voting Rights Restoration / Criminal Justice Reform</td>
<td><img src="icon5.png" alt="icon" /></td>
<td>Autonomous Vehicles &amp; Scooters</td>
</tr>
<tr>
<td>Workforce Education &amp; Training</td>
<td><img src="icon6.png" alt="icon" /></td>
<td>Texting While Driving</td>
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Election Law Changes

• Several changes to vote-by-mail process including:
  ~ Moves up the last day voters can request a vote-by-mail ballot from 6 to 10 days before an election
  ~ Extends vote-by-mail window by 5 additional days
  ~ Allows canvassing of vote-by-mail to start one week earlier (beginning up to 22 days before an election)
  ~ Extends deadline for curing defective vote-by-mail signatures

• Moves primary election from 10 weeks to 11 weeks before general election

• Expands the no-solicitation zone at polling places from 100 to 150 feet

• Mandates a number of changes to county canvassing board policies and procedures
The House and Senate agreed, on the final day, to a fairly major growth management and affordable housing overhaul. This bill includes the following:

- Restricts local governments from imposing certain mandatory affordable housing ordinances (known as inclusionary zoning), requiring them to provide incentives to “fully offset” any costs a developer incurs when making affordable housing contributions.

- Establishes new “shot clocks” for permitting:
  - ~ 30 days for initial local government review
  - ~ 30 days for applicant to respond/address deficiencies
  - ~ 120-180 days for final decision (approve, approve with conditions, deny) on permit

- Places additional requirements for the imposition of impact fees, ensuring all fees are tied to the project, and how local governments impose or give credits for impact fees.

- Allows parties to a development order challenge to use summary proceedings and allows the prevailing party in a development order challenge to recover reasonable attorney fees.

- The bill limits the tolling and extension of time to exercise rights under a development order or permit to the time covered by declaration of a state of emergency by the Governor for a natural emergency.

- Expands the scope of work for private providers who review site plans and inspect buildings, while restricting the authority local governments have when private providers are involved.
Hurricane Michael

- Emergency Funds Allocation - $1.6 billion
- SB 2500 Appropriations - $220 million
- Affordable Housing Investment - $115 million
- Local Government Infrastructure Grants - $10.4 million
- School Infrastructure and Local Budget Enhancements – $61.3 million
- Technical support from Division of Emergency Management – 20 Full Time Equivalent positions and $1.5 million
- OEM and LBC Grant Fund - $25 million
- Panhandle colleges/universities permitted to offer in-state tuition to out-of-state students to combat student enrollment decline
Health Care Reform

• CON Repeal – HB 21
  ~ Repeals for general acute care and tertiary care on July 1, 2019
  ~ Repeals for specialty hospitals on July 1, 2021
  ~ Maintains CON for nursing homes, hospices, developmentally disabled facilities
  ~ Maintains ban on boutique hospitals

• Prescription Drug Importation – HB 19
  ~ Creates Canadian Drug and International Drug Importation Programs for FDA- approved drugs, both of which will require federal approval
  ~ Provides for “Track and Trace” quality regulations
  ~ Applies to government-supported health programs

• Telehealth – HB 23
  ~ Creates practice standards and regulatory scheme for services
  ~ Allows for use of out-of-state physicians
School Safety / School Choice

- SB 7030 – School Safety
  
  ~ Expands “Guardian Program” to include classroom teachers

  ~ Allows charter schools in districts that have NOT voted to implement guardian program to contract with local Sheriff to train charter school employees

  ~ Requires school boards to promote FortifyFL including installing it on all devices issued to students and bookmarking on all computer devices

  ~ Revises and enhances powers and authority of the Office of Safe Schools in DOE (which was established last session following Parkland)

  ~ Allocates 1/3 of Safe Schools funding based on the most recent FDLE Florida Crime Index
School Safety / School Choice (cont'd)

- SB 7070 – School Choice

  ~ Expands eligible contributors to Florida Tax Credit Scholarship, Gardiner Scholarship, and Hope Scholarship Programs

  ~ Expands scope of Schools of Hope program to include those located within Florida Opportunity Zones

  ~ Creates Florida Empowerment Scholarship for up to 18,000 children of families with limited financial resources and/or students in foster care

  ~ Creates Community School Grant Program

  ~ Restructures Best and Brightest Scholarship Program removing the ACT/SAT score as a factor and instead using “effective” and “highly effective” ratings
• Enterprise Florida – Fully funded for operations and will be leading a trade mission/cabinet meeting in Israel at end of May

• Visit Florida – Despite efforts in the House to zero-fund the organization and allow its existence to sunset on October 1, a late-session deal was brokered to extend the sunset until June 30, 2020 and provide $50 million in funding (down from $76 million in the current year)
  ~ Good news: Visit Florida continues its good work of promoting tourism and driving economic return
  ~ Bad news: We can expect this fight to continue in 2020 legislative session with sunset looming again

• Florida Job Growth Grant Fund – Reemerged in final hours of budget negotiations with $40 million for Governor DeSantis to spend in FY 19-20
NEW TRANSPORTATION CORRIDORS

SUNCOAST PARKWAY EXTENSION

POLK-COLLIER CORRIDOR

FLORIDA TURNPIKE EXTENSION
Among the most hotly-debated and controversial issues of the session, perhaps no issue was dedicated more hours of committee and floor time in 2019. It was a central campaign issue for Governor DeSantis and a top priority of his and the Republican-led legislature.

• In short...the bill:

  ~ Prohibits “sanctuary” policies at the local government level and requires State and Local Law Enforcement to comply with US Immigration and Customs Enforcement (ICE)

  ~ Will require local law enforcement to honor federal requests for an “immigration detainer” based on probable cause to believe that person is a “removable alien”

• The House and Senate “bounced” the bill back and forth as they negotiated on final language, ultimately passing it on the 59th day
Among the most controversial issues of the session was the implementation of Amendment 4 to restore voting rights to former felons.

- Passed by the voters in 2018 with overwhelming support, the legislature took the position that the amendment was not “self-executing” and required an implementation bill which, in short:

  ~ Defined the terms “murder” and “felony sexual offense” which were not defined in the ballot measure; and

  ~ Defined “completion of all terms of the sentence” to include the full payment of any financial obligation (unless it has been waived by the court or payee) including restitution, cost of supervision, and fines/fees/court costs.
Voting Rights Restoration / Criminal Justice Reform (cont'd)

- Criminal Justice Reform – HB 7125
  - Largest Florida criminal justice reform in 20 years
  - Increases felony theft threshold from $300-$750 (first since ’83)
  - Alternative sanctions for technical parole violations
    - between 20 and 25% of FDOC population is currently there for technical parole violation
  - Significant occupational licensing reform – some felonies excluded but for the most part DBPR cannot hold a felony against you for licensure if after 5 years
  - Increases timeline for people to apply for victim compensation funds from 1 to 3 years
  - Makes cellular phones illegal contraband in a county detention facility
Florida continued its trend of being a national leader in the regulation of autonomous vehicles and added the issue of micro-mobility (scooters) to its forward-thinking transportation agenda in 2019.

• This year’s AV bill:
  ~ Authorizes fully autonomous vehicles on Florida roads regardless of whether a human operator is physically present in the vehicle
  ~ Authorizes the Turnpike Enterprise within FDOT to enter into agreements to build/operate facilities to advance autonomous and innovative transportation technologies
  ~ Provides for statewide uniformity of laws governing AV throughout state

• The Micro mobility or “Scooter” bill:
  ~ Creates legal parity for rights/responsibilities of scooter riders to be the same as a bicycle rider
  ~ Allows local governments to regulate scooters on streets, highways, and sidewalks under its jurisdiction
  ~ Requires the owner of scooters to secure all devices in an area where a tropical storm or hurricane warning has been issued
WORKFORCE EDUCATION & TRAINING

- By September 1 of each year, the Department of Education must publish an annual report on pre-apprenticeship and apprenticeship programs in the state.

- Encourages high schools to establish a "College and Career Decision Day" to highlight the multitude of post-high school opportunities.

- Renames Higher Education Coordinating Council as the Florida Talent Development Council.

- Creates the Career and Technical Education (CTE) Graduation Pathway, allowing for students to take career and technical education courses in high school if they wish to pursue a career directly after graduation.

- Allows Adjunct professors, often industry professionals, to come into schools to teach CTE offerings.

- Creates the "SAIL to 60 Initiative". The purpose of the Strengthening Alliance between Industry and Learning (SAIL) initiative is to increase the number of working-age adults with a high-value, post-secondary certificate, degree, or training experience to 60% by 2030.

- Renames the FLAG Grant to the Florida Pathways to Career Opportunities Grant. This grant is available to high schools, career centers, charter technical career centers, Florida College System institutions, and other entities authorized to sponsor an apprenticeship or pre-apprenticeship program.
Texting while Driving

The act of texting (or otherwise manipulating your phone) while driving, assuming the Governor signs the bill, will finally be a primary offense in Florida. Here are the details:

- Makes texting and driving a primary offense
- Creates a prohibition of using a device in a handheld manner when in school and work zones
- Violation of the section is a primary offense moving violation
- Warnings only for the school/work zone from October 1 to December 1, 2019
- Statewide public education and awareness campaign
- Requires law enforcement to inform driver that they can decline search of phone
- Requires warrant to access the device
- To address profiling concerns – requires officer to record race/ethnicity of person issued citation
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LOCAL GOVERNMENT ISSUES

• Ballot Measures – HB 5
  ~ What began as a bill mandating that local tax referenda be held only on general elections, and revising requirements and time frames for required audit of proposed discretionary sales surtaxes, morphed into something far broader in the final day of session.
  ~ In a last-day amendment the House added new requirements and procedures for constitutional ballot initiatives including:
    - Circulator registration requirements with DOS
    - Prohibition on paying petition gatherers on a per-signature basis
    - Division of Elections and local supervisors are responsible for making petition forms available and developing a tracking system
    - Revises petition submission deadlines, requiring they be turned in within 30 days of signing
    - Expands financial impact statement on ballot summaries from 75 to 150 words, to include impact on state and local economies

• Community Redevelopment Agencies – HB 9
  ~ Increases CRA accountability by:
    - Requiring commissioners to have four (4) hours of ethics training per year
    - CRAs must use the same procurement/purchasing process as city or county
    - Expands annual reporting requirements to include audit and performance data
    - Beginning October 1, money in trust can only be expended pursuant to CRA annual budget
    - CRA budget must be provided to local board of county commissioners 10 days prior to adoption
    - CRA audit report must be included in a city/county annual financial report to DFS
LOCAL GOVERNMENT ISSUES (CONT’D)

• Communications Services – SB 1000
  ~ Further changes Florida law relating to small and micro wireless facilities (the Advanced Wireless Infrastructure Deployment Act of 2017)
    - Prohibits local government from charging permit fees to communications service providers for use of public right of way after January 1, 2019
    - Creates civil cause of action for any person aggrieved by violation of right of way statute
    - Prohibits local governments from delaying permission for collocation of small wireless facilities or poles
    - Requires small cell wireless providers to comply with objective and reasonable local government requirements related to undergrounding of public utilities
    - Prohibits local governments from requiring a permit applicant to provide inventories, maps, or locations of facilities in rights of way unless it is necessary to avoid interference with existing facilities

• Transportation (Miami-Dade Expressway Authority) – HB 385
  ~ Dissolves the Miami-Dade Expressway Authority (MDX) and creates the Greater Miami Expressway Authority
  ~ Restricts certain counties’ use of surtax proceeds for certain transportation projects
  ~ Authorizes a percentage of surtax proceeds to be distributed to certain municipalities
  ~ Authorizes the department to establish a program for transportation projects that demonstrate certain innovative techniques for measuring resiliency and structural integrity and controlling time and cost increases
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Alcohol Freedom Issues
- Joint Marketing
- Craft brewery self-distribution
- Wine size
- Craft distillery deregulation

Deregulation
A massive professional deregulation bill, which was a priority of the Governor, reached the Senate floor but was TP’d indefinitely.

Preemption of Local Regulations
Long a priority of the House of Representatives, HB 3 passed the House, but was never considered by the Florida Senate.

Gaming Compact
In what is becoming a recurring theme, the legislature failed to strike a new gaming deal in the waning days of session despite the Governor engaging in the negotiations. Maybe next year?

Scope of Practice
A bill that would have potentially expanded scope for APRNs and PAs — by first creating an advisory committee to develop a list — did not reach final passage.

License Plates
Another attempt to pass new specialty plates while creating a regulatory structure for getting rid of low/under-performing plates again stalled before the session ended.
# More Issues That Failed... and will be back

## Smoking Age Increase
Known as “T21”, the Senate-passed legislation would have increased the minimum age to purchase tobacco and vaping products from 18 to 21. The House did not take the issue up for a vote.

## Fracking Ban
Thought to be a sure thing this year, environmentalists left the session disappointed as yet another year will pass without passing of a ban.

## School Board Term Limits
Amid opposition from school districts and others, this effort to put school board term limits on the 2020 ballot failed.

## CRC Elimination
Following the controversial action of the CRC and the amendments adopted in 2018, influential members of the legislature – including Senate Budget Chair Rob Bradley – sought to rein in (or fully eliminate) the CRC... but the House did not go along with the Senate.

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**GRAY ROBINSON**