

SHUMAKER

ADVISORS

2022 FLORIDA LEGISLATIVE SESSION

WEEKLY NEWSLETTER

Week of February 21st-25th

HIGHLIGHTS

The seventh week of Florida's 2022 Legislative Session concluded today in Tallahassee, leaving only 15 business days remaining in the session. This week, House members spent a great deal of time both on the floor and in committee, debating several of the more controversial bills of the year and forwarding numerous bills to the Senate or to the Governor. Members of the Senate only sat in session on Wednesday, allocating much of their time for committee meetings this week in order to push forward as many pieces of legislation as possible for chamber meetings to come. Next week, House and Senate committees will meet Monday to prepare for the four days of floor sessions that will follow, and lawmakers are poised to begin budget negotiations early in the week.

ON THE GOVERNOR'S DESK

As of this week, the Governor has signed into law all 11 pieces of legislation that have been presented to him so far. The bills, as reported last week, include a number of public records exemptions and revisers bills, as well as a liability protections extension for health care providers and an emergency fund for the Governor's use. Set to be placed in front of the State's Executive as of today are nine additional measures, including public records exemptions for lottery winners in receipt of \$250,000 or more ([HB 159](#)), witnesses to murder ([HB 7015](#)), and sensitive medical information of inmates ([HB 7009](#)); prohibitions on lobbying by former public officers ([HB 7001](#)) and judges ([HB 7003](#)); updates to the Firefighters' Bill of Rights ([HB 31](#)); provisions that allow for the use of

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peer specialists in mental health and substance abuse counseling ([SB 282](#)); a claims bill ([HB 6513](#)); and the creation of the Opioid Settlement Clearing Trust Fund under the Department of Financial Services ([HB 5013](#)). Once presented, Governor DeSantis will have seven days to approve or veto each measure.

IN THE BUDGET

This week, the House passed all of the Senate's budget conforming bills on the floor, where they amended each one in order to prepare the legislation for conference. Lawmakers will sit in joint committees next week to negotiate differences in their budget proposals in order to craft the state's spending plan, which must be concurred upon prior to the end of session on March 11th.

LEGISLATIVE UPDATES



Florida Senators pose for their official 2020-2022 class photo following a Senate session last week. Photo via Twitter @FLSenate.

HEALTH CARE After passage in the House last week, the bill to prohibit abortions beyond 15 weeks of pregnancy ([HB 5](#)) advanced through its first Senate vote this week. The proposal was approved in Senate Appropriations along party-lines, and would create restrictions similar to those in Texas and Mississippi. The bill will be heard on the Senate floor next, where lengthy and passionate debate is likely to ensue.

Seeking to allow paramedics to perform life support services on patients receiving at-home services for critical conditions, [SB 1222](#) would also hold physicians or medical directors who oversee such services liable and allow Class III pharmacies to distribute prescriptions for inpatient treatment and patients receiving at-home acute hospital care. The bill passed the Senate floor unanimously, and its House companion ([HB 937](#)) awaits a vote on the floor.

EDUCATION Lawmakers engaged in lengthy floor debate on two of the most controversial education-related pieces of legislation this week. The House approved both the "Don't Say Gay Bill" and the bill aimed at Critical Race Theory on the floor on Thursday after lengthy debate. [HB 1557](#), dubbed by its opposition as the "Don't Say Gay Bill" is now headed to the Senate Appropriations Committee before a vote on the Senate floor. The bill seeks to expand parental rights in education, and would prohibit discussions on sexual orientation or gender identity in kindergarten through third grade classrooms. [HB 7](#), titled "individual freedom," seeks to prevent instruction in schools that assigns blame to racial groups based on historical events, aligned with the Republican-backed priority to prevent the teaching of Critical Race Theory in Florida's schools. Proponents of the bill regard it as an effort to preserve factual historical curriculum practices, while opponents see it as a measure to silence conversations surrounding race in schools.

Legislation proposing revisions to the state's standardized testing system passed favorably through its final House committee this week. [HB 1193](#) seeks to establish a web-based progress monitoring tool that would replace the Florida Standards Assessment (FSA). It's Senate counterpart, [SB 1048](#), passed through its final committee last week and is headed for the Senate floor.

Passed unanimously in its final House committee this week, [HB 1115](#) would revise required courses for a standard high school diploma to require students to pass a financial literacy course as a condition for graduation.

ENVIRONMENT A bill to establish a Statewide Office of Resilience within the Executive Office of the Governor ([HB 7053](#)), sponsored by Coral Gables Representative Demi Busatta Cabrera, was approved in its final House committee this week. Now prepped for a floor vote, the bill would also supplement sea level rise and resilience measures passed last year. The Senate version of the bill ([SB 1940](#)) is scheduled for consideration in its final committee next week.

The proposal to allow municipalities to restrict smoking on public beach and park property ([HB 105](#)) was approved by the full membership of the House on Thursday, with 10 members voting against it. The bill has one committee stop in Senate Rules before joining its companion ([SB 224](#)) on the Senate floor calendar.

TAX CUTS The House Appropriations Committee approved what has been referred to as the largest collection of tax cuts in Florida's history this week. [HB 7071](#) proposes four tax holidays, including Freedom Week, disaster preparedness, and Back-to-School holidays Floridians have enjoyed in the past, along with a new holiday for tools used in skilled trades in September. In addition, it creates new exemptions for Formula One Grand Prix races and FIFA World Cup matches, Energy Star appliances, baby clothes and diapers, children's books, and residential fixtures. Other provisions of the bill modify property and corporate income tax protocols, and reduce taxes on mobile homes and machinery used in the production of green energy. The package has earned bipartisan support in the process so far, as it includes tax breaks for priorities on both sides of the aisle. It will be heard for the first time on the House floor next week.

CONDOMINIUM SAFETY The Senate's first bill updating inspection requirements and regulation for condominiums is ready for a vote on the floor after being approved in its final committee this week. [SB 1702](#) is one of the measures offered in response to the

CONTINUED LEGISLATIVE UPDATES

collapse of the Champlain Towers South condo in Surfside, and a House measure ([HB 7069](#)) offering similar updates was approved on the floor on Thursday.

LOCAL ORDINANCES The Local Business Protection Act ([HB 569](#)) sponsored by Plant City Representative Lawrence McClure was approved along party-lines in its final House committee this week. The bill, now headed to a floor vote, would allow businesses to take legal action against localities in the event that an ordinance substantially affects their revenue and has been called the "largest unfunded mandate in the history of the Florida Legislature." Florida TaxWatch suggested that the measure could cost local governments upwards of \$900 million annually. The Senate version of the bill ([SB 620](#)) passed the floor in January, and other local ordinance-related measures ([HB 403](#)/[SB 280](#)) await final approval by the House.

IMMIGRATION In a rare move, a Governor-backed immigration bill was scrubbed of its final committee reference and forwarded straight to the Senate floor this week, with its House counterpart being approved on a party-line vote in its final committee stop on Wednesday. The bills ([SB 1808](#)/[HB 1355](#)) seek to tighten Florida's restrictions on illegal immigration into the state through restrictions on transportation companies and new immigration training requirements for law enforcement officers, among other things.

CRIME VICTIMS Legislation to expand the rights of victims of crimes was passed unanimously in the Senate on Wednesday. Sponsored by Zephyrhills Senator Danny Burgess, the bill ([SB 1012](#)) would require that victims be informed of their right to counsel, and that the Florida Bar develop a list of attorneys willing to represent victims pro bono, among other things. The House bill ([HB 697](#)) awaits consideration on the floor.

JUVENILE EXPUNCTION After being vetoed last year, legislation that would allow juveniles to expunge certain felonies from their arrest record upon completion of a diversion program ([HB 195](#)/[SB 342](#)) passed in the House this week and awaits a vote in the Senate. Forcible felonies such as rape, kidnapping, and murder are excluded from the bill, after the Governor cited public safety concerns as a reason for vetoing the bill last year. It is predicted that 26,000 minors could benefit from the measure, if passed as it stands this year.

RESIDENTIAL PROTESTS Monday, the House Judiciary Committee approved a measure ([HB 1571](#)) that would allow police to arrest protestors outside a person's residence "with the intent to harass or disturb that person in his or her dwelling" after one warning. Approved along party-lines in its final committee stop, concerns have been raised over the broad discretion given to police officers. The bill and its Senate companion (SB 1664) both await a vote on the floor.

REDISTRICTING

On Friday, the House Redistricting Committee debated their chamber's congressional map proposal which was approved in the Congressional Redistricting Subcommittee late last week. Two drafts of new congressional districts were revealed prior to Friday's meeting, both of which make significant changes to prior maps and current districts. New proposals seek to address concerns that have been raised so far, and are legally compliant with current law according to Speaker Chris Sprowls. Once approved in committee, the House must approve the final map on the floor and work to reach an agreement with the Senate.

QUESTIONS?

Contact **Jordyn Ferguson**,
jferguson@shumakeradvisors.com, or
Celeste Schettino,
cschettino@shumakeradvisors.com



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