

# SHUMAKER

## ADVISORS

# 2022 FLORIDA LEGISLATIVE SESSION

## WEEKLY NEWSLETTER

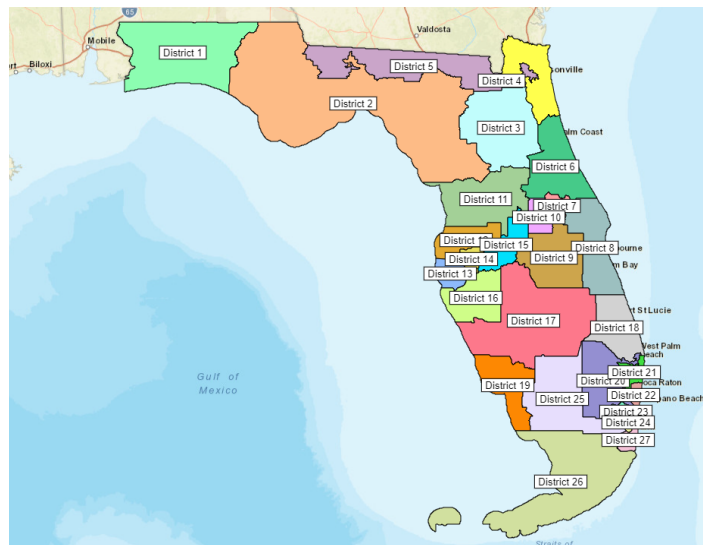
Week of January 17th-21st

## HIGHLIGHTS

The 2022 Florida Legislative Session continued on Tuesday, after observation of Martin Luther King, Jr. Day on Monday. In their second week, the legislature continued to move bills through committees, and the Senate passed on the first bills of Session to House messages, which include extended health care provider liability protections and a map of redrawn congressional districts. A number of lawmakers and staff members were forced to sit out the week as a result of contracting COVID-19, but work continued nonetheless. Numerous bills are ready to be heard by their full chambers, and could be passed as early as next week. Legislators return to Tallahassee on Monday, where the third week of the Florida Regular Session begins.

## REDISTRICTING

After the Senate forwarded their first redistricting proposal to the floor last week, on Sunday night, the Governor's office proposed their own rendition of new congressional district lines. The Executive Branch's proposal differs in a number of ways from the Senate's, leaving Florida with an 18-10 Republican dominance as opposed to a 16-12 one in the proposed Senate map. The Senate's proposal (**SB 102**) places Florida's newly added 28th congressional district along the I-4 corridor, which experienced the highest level of population growth in the



The Senate approves the first map of new Congressional districts across the state, adding a 28th district. Photo via FloridaRedistricting.com

state, and was amended to keep Miami Gardens from being divided between districts. Wednesday, the map was discussed on the Senate floor with no mention of the Governor's proposal, and the Senate passed the map with four "no"-votes on Thursday afternoon. **SB 100** to adopt several elements of apportionment, including State Senate districts, the use of 2020 Census data in the redistricting process, and electronic map renderings, was also presented to the Senate on Thursday where it passed with only three "no"-votes. The House continued review of map proposals in committee this week, with no indication of when their maps will be presented to the Chamber's membership.

# LEGISLATIVE UPDATES

**HEALTH CARE** The bill to extend liability protections for health care providers (**SB 7014**) passed the Senate floor on Wednesday afternoon as a mostly party-line vote, and will now await the passage of its House companion (**HB 7021**) which has yet to be heard in its first committee.

**HB 5**, which would ban physicians from performing abortions past 15 weeks, moved through its first of three committee stops on Wednesday. It sparked heated debate amongst committee members, and left the bill sponsor emotional during her closing statements. Current law allows for the termination of pregnancy until 24 weeks, and the sponsor credits new medical and scientific discoveries in the time since Roe V. Wade for creating a need for change. Regardless of staunch opposition, the bill was favored by the committee along party lines and will await further consideration in the coming weeks.

Legislation to introduce a new dynamic to mental health and substance abuse therapy by allowing former addicts to serve as counselors, **SB 282**, gained unanimous approval from its second committee stop on Wednesday. The bill seeks to address the workforce shortage of peer specialists in behavioral healthcare and assists in reducing costs associated with behavioral healthcare systems. The same proposal died in the latter half of last year's Legislative Session.

**EDUCATION SB 148**, aligned with Governor DeSantis's priority item to ban the instruction of Critical Race



Vero Beach Republican Representative Erin Grall presents her bill to tighten abortion regulations in committee on Wednesday. Photo via Florida Politics.

Theory, advanced through its first of two committee stops this week. Although the bill does not explicitly mention Critical Race Theory, it contains language that would prevent educators from teaching concepts that would promote discriminatory attitudes toward people based on race, national origin, sex, or color. Supporters of the measure argue that Critical Race Theory teaches a narrative that could make students feel guilty of racism based on their race alone and that its principles undermine American ideals, while those in opposition believe it is a well-rounded and necessary approach to education about the history of race in the U.S.

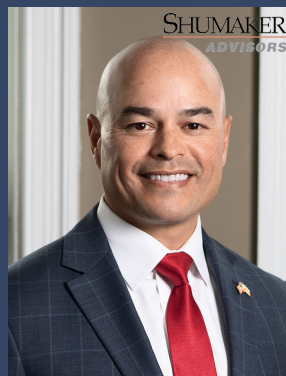
**HB 225**, unanimously supported by its second of three committee stops on Wednesday, seeks to modify the ambiguous language associated with the renewal and consolidation of charter schools. The bill would require school districts to renew charters no less than 90 days before the end of the school year and allows for the consolidation of charters to occur at any point throughout the year. Sponsors and supporters of the bill regard courtesy to students, parents, and teachers as motivation for the legislation.

The Senate Transportation Committee unanimously forwarded a measure to allow camera enforcement of school bus traffic violations on Tuesday. **SB 702** has two remaining committee stops, and would allow districts to install cameras on school bus stop-arms in order to catch drivers who ignore the signal while students are exiting. Twenty-three other states have adopted similar measures in recent years.

**HB 1467** seeks to remove school board member salary requirements in Florida, which would align the state's protocols with a majority of those across the nation. The proposal, which was forwarded through its first committee this week, focuses on establishing parental engagement by removing political and financial incentives thus creating a more even playing field. Additionally, if passed, HB 1467 would make all school library and instructional materials subject to public review.

## ADVISORS NEWS

Michael "MJ" Johnston has joined Shumaker Advisors. Johnston served as Deputy Secretary at the Department of Business and Professional Regulation from 2019 through 2021, providing policy and regulatory guidance related to alcoholic beverages and tobacco; condominiums, timeshares and mobile homes; hotels and restaurants; and pari-mutuel wagering. He previously served as Chief Information Officer and Director of the Office of Agriculture Technology Services for the Florida Department of Agriculture and Consumer Services under former Agriculture Commissioner Adam Putnam.



At Shumaker Advisors Florida, he will help clients navigate government and regulatory matters. Read the Florida Politics article [here](#), or view his bio [here](#).



# LEGISLATIVE UPDATES, CONT.



Florida Governor Ron DeSantis presents his thoughts on legislation to provide the Executive Branch with a large emergency preparedness fund at a press conference this week. Photo via Florida Politics.

**ENVIRONMENT** The first plans for the \$100 million allocation Statewide Flooding and Sea Level Rise Resilience within the Resilient Florida program established under **SB 1954**, (2021) were presented in committee on Tuesday evening, where members were somewhat concerned about the selected projects. Three hundred and eighty-four applications were submitted, of which 275 were technically eligible for funding and 76 were selected for inclusion in the Department of Environmental Protection's (Department) initial plan. Of the selected projects, members expressed concern that smaller community's requests were overlooked and perhaps the Department's approach is misguided. Another \$500 million is recommended for resiliency projects under Governor DeSantis's Freedom First Budget.

**SB 198** narrowly passed through its first of three committee stops on Tuesday, earning a margin of only one "yea" to push it through to its next hearing. Its House companion faced similar skepticism in December has Senate members and environmentalists again pointing to possible negative repercussions for manatees and minimal progress toward the goal of restoring seagrass.

**MISCELLANEOUS** In light of a years-long conversation surrounding Florida's property insurance market, one bill (**SB 1402**) that cleared its first committee stop unanimously this week would allow domestic insurers in the state to engage in the surplus lines market. The surplus lines insurance market is less regulated than the traditional market, which raised concerns about the implications for insureds if their non-admitted insurer were to become insolvent. State regulated insurers are backed by state agency money to indemnify their

insureds in the case of insolvency, but less regulated surplus lines providers do not have that luxury. Twenty-one other states, including Texas, Georgia, and California, have already authorized their domestic insurers to sell surplus lines, and the bill sponsor argued that it could be a less-than-desirable step in the right direction to solving Florida's "dire" property insurance situation. It has two more committee stops before the floor, while its House companion awaits its first committee hearing.

The Senate passed a bill (**SB 96**) Thursday that would give Governor DeSantis control of a \$500 million emergency fund, to be used when there is a state emergency that does not allow time for legislative approval such as a hurricane or pandemic. Senators approved an amendment to bring the fund down from one-billion dollars before passing the bill with all but four members in support. Those opposed argued that the fund does not provide any accountability measures for the Governor's spending, and expressed concerns with giving the Executive a "blank check."

The same legislation passed unanimously in the Senate last year at its full one billion dollar ask, but the Governor eventually vetoed it due to the allocation being an apparent misuse of federal COVID-relief dollars.

City officials could be subject to financial reporting requirements, similar to those of state officials, under a proposal (**SB 510**) advanced by the Community Affairs Committee this week. The Florida Commission on Ethics has marked the move as a priority for several years, and committee members regard the measure as "long overdue." It has one more stop in Senate Rules before being heard by the full Chamber.

## QUESTIONS?

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