



PBC 2022 Legislative Update

Department of Legislative Affairs

Week 9: March 7 - March 11

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The Senate (33-0) and House (105-3) this afternoon voted to approve the final budget and conforming legislation in a one-day extension of the legislative session. The budget this year comes in at \$112.1 billion, after two straight years in which it grew by about 10% a year. Just two years ago, the 2020-21 budget appropriated \$92.3 billion, before lawmakers added more than \$9 billion last year – the largest growth in a decade at that point – to its current-year size of \$101.7 billion. This session, lawmakers again enlarged the spending plan by about 10%, thanks to a huge influx of federal money and a strong, continuing economic recovery from the pandemic that has boosted tax collections.

Much of the reason lawmakers were able to agree on such a large increase in the size of the budget was a second year of major help from the federal government. The budget plan passed today is bolstered by about \$3.5 billion in continuing federal COVID relief from Washington. About a third of the federal money will be used for construction and maintenance needs for Florida colleges and universities as lawmakers try to use a lot of the one-time influx on one-time projects, rather than ongoing needs. Another large part of the federal help, \$400 million, will go into broadband expansion, about \$80 million will go toward a new state emergency operations center, and \$115 million toward improvements at the Capitol. Another one-time expense that will be paid for with the federal help is a \$200 million cut to the gas tax in October.

The final version of the budget bill would shift \$100 million in money typically used for broad affordable housing programs into more targeted housing help for nurses, police officers and teachers, called the Hometown Heroes Program. Under a plan agreed to by House and Senate budget negotiators, the money would come out of \$209 million assigned to the State Housing Initiatives Partnership, or SHIP, program. That program goes to cities and counties to establish affordable housing policies, including funding low-income homeowners' emergency repairs, down payments and closing cost assistance, as well as construction and acquisition of property for affordable housing.

A Few Palm Beach County Budget Highlights

Florida College System Projects

UF – WPB Global Center for Technology and Innovation	\$ 100,000,000
PBCC – Dental and Medical Services Tech Building	\$ 25,000,000

Water and Natural Resources

C-51 Reservoir Implementation	\$ 65,000,000
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Loxahatchee River Preservation Initiative

Cypress Creek Floodplain Restoration	\$ 750,000
Jupiter Pennock Point Industrial Park Stormwater Improvements	\$ 75,000
PBC Loxahatchee River Battlefield Culvert Replacement	\$ 125,000
SIRWCD Canal C Realignment	\$ 312,000
Hobe-St. Lucie Conservancy Unit 3 Water Control Project	\$ 40,000

Lake Worth Lagoon Initiative

Hypoluxo Septic to Sewer Conversion	\$ 359,375
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Other Items

Everglades Restoration Workforce Training	\$ 1,700,000
RESTORE Reentry	\$ 375,000
Homeless Resource Center 2	\$ 250,000
Chain of Lakes Blueway Trail	\$ 250,000

*A full budget summary is forthcoming later this week.

The 2022 Legislative Session, by the numbers:

3,735 - Bills & PCBs

1,896 - Amendments

4,288 - Votes

267 - Enrolled Bills

Good News in Week 9:

The House swore in a newly elected member on Thursday. Representative Jervontae “Tae” Edmonds won a special election to represent House District 88, which covers part of Rivera Beach, Lake Park, Mangonia Park, West Palm Beach and extends along U.S. 1 down into Lake Worth Beach and Boynton Beach. The seat was vacant due to Rep. Omari Hardy resigning and running for Congress. We welcome Rep. Edmonds to the Palm Beach County Delegation!



Bills that passed during the last week of session:

SB 898 – Lodging Standards

Hourly hotel rates would be prohibited in a bid to reduce prostitution and human trafficking under an amendment added to a tenant safety bill passed Friday by the Senate. The House had added the amendment to the bill (SB 898) known as "Miya's Law," which puts new safety requirements in the Residential Landlord and Tenant Act, including requiring background checks on apartment complex employees and new rules for keeping track of keys to apartments. The Senate accepted the addition and passed the bill unanimously, sending it to Gov. Ron DeSantis.

HB 95 – Controlled Substances

The Senate on Friday agreed to a House bill intended to make it easier to prosecute drug dealers for first-degree murder when they sell drugs to someone who then suffers a fatal overdose. The measure passed both chambers and now goes to the governor. The Senate originally included language that would exclude fentanyl test strips from penalties related to drug paraphernalia but the final version of the bill does not include that provision

HB 1467 - K-12 Education

Term limits will go into effect for school board members if a bill passed Thursday by the House and Senate is signed into law. These limits would begin after the 2022 election cycle, and board members would be allowed to serve through 2034: 12 years, rather than the eight years preferred by the House. Despite some concerns about the length of the limits, the House agreed to the terms when the amended bill passed by the Senate (HB 1467) was returned to the House for reconsideration Thursday, 79-41. A provision calling for school Board salary cuts, which were in the original version of the bill, was stripped out of the bill earlier in the session and is not in the final version.

HB 7 – Individual Freedom

After heavy criticism from Democrats decrying a Republican focus on "culture war" issues, Republicans in the Senate pushed through a measure Thursday that would restrict how issues related to race, racism and the history of racial relations can be taught in public schools and on what companies can tell employees about race in workplace trainings. The bill passed on a 24-15 party line vote with Republicans in favor. The House had previously passed the measure along party lines last month. Democrats criticized the bill as an attempt to "whitewash history," by limiting how instructors can treat past racial problems and part of "culture war distractions," from more pressing issues.

HB 1557 - Parental Rights in Education

Colloquially referred to as the "Don't Say Gay Bill," HB 1557 includes a provision that prevents curriculum discussing sexual orientation and identity with younger students that has drawn extensive debate and criticism. The bill allows parents to sue if a school district withholds certain information from them about their child's well-being or if their child is exposed to instruction on sexual orientation or gender identity deemed not "age-appropriate."

SB 524 – Election Administration

Legislation seeking to crack down on voter fraud is now headed to Gov. Ron DeSantis' desk after passing the full House by a 76-41 vote on Wednesday. The bill adds new requirements for voters using mail-in ballots and creates a new state office to investigate allegations of voter fraud, plus a new "Elections Security Force." The measure also strengthens criminal penalties for voting and registration violations.

HB 3 – Law Enforcement

The Senate spent extensive time on Wednesday debating an amendment to give sheriffs more flexibility in how they use the money in their budgets before adding the proposal to a broader bill on law enforcement officer benefits. The underlying bill is mostly aimed at helping law enforcement recruit and retain officers, and includes bonus payments for new officers, extra benefits for officers who adopt children and eligibility for private school scholarships for officers' children, among other provisions.

The amendment, eventually adopted on a voice vote, gives sheriffs the ability to move money between budget categories at their discretion without seeking approval from their county commission. The amendment's sponsor, said the amendment was needed to allow sheriffs to more quickly act in emergencies by changing spending priorities. Senators who opposed the amendment said sheriffs can already make changes to their budgets in emergency situations and that giving any government office more ability to spend without oversight invites corruption. The amendment is a response to a court case, *Alachua County v. Watson*, in which the Florida Supreme Court ruled in January that sheriffs don't have the authority to move money around and that the existing law requires sheriffs to get county commission approval before making such changes to their budgets. The Senate concurred with the House amendment on Thursday and passed the bill 14-3.

SB 1808 - Immigration Enforcement

SB 1808 would block the state from doing business with companies that transport undocumented immigrants into Florida. The measure was approved on a 77-42 vote by the full House and is a response to late night flights that have been used to bring undocumented immigrants, including several children, to the state. While airlines that contract with the federal government to transport undocumented people could lose state business under the measure, they can't be prohibited from taking the contracts and Republican backers of the bill acknowledged the measure is largely intended to send a political message to the federal government about immigration.

SB 1796 - Dissolution of Marriage

Legislation that would end lifelong alimony is on its way to the governor following a passing vote of 74-42 on the House floor Wednesday. Judges would be encouraged to award alimony based on the length of the marriage and would also be prohibited from considering adultery in alimony cases. Under the bill, an ex paying alimony can end or phase out the payments when they retire unless the receiver is barely making above poverty level. However, divorced couples could still choose to work out a plan for permanent alimony in a marital settlement. Additionally, courts would be required to initially give parents equal custody under a legal presumption, a provision that The Family Law Section of The Florida Bar opposes for child safety reasons. Similar child custody language in previously passed legislation led to a veto by former Gov. Rick Scott in 2016. If signed into law by Gov. Ron DeSantis, the measure would take effect on July 1.

SB 620 – Local Business Protection Act

Businesses that would lose money because of new local laws could sue to recoup some of their losses under legislation (SB 620) that passed the House on Wednesday, 69-45. The bill would allow companies in business for at least three years to sue local governments over ordinances if they cause a 15% or more loss in profit. The local government could repeal or change the ordinance, give the business a waiver or go to court. The proposal now heads to the governor.

SB 1078 - Soil and Water Conservation Districts

People who want to serve on local soil and water conservation boards would have to work in the agriculture industry under legislation approved Wednesday by the full House. It passed 77-39 and now awaits consideration by the governor.

HB 921 – Campaign Financing

Passes the House floor as amended by an 80-40 vote and now heads to Gov. Ron DeSantis. The legislation outlaws certain campaign contributions to ballot initiative measures from foreign nationals and entities. It would prevent non-Florida residents from contributing more than \$3,000 during the petition-gathering process for ballot initiatives and for out-of-state political committees that don't have an address in Florida.

The measure also prevents local governments from sending voters any information on local tax referendums or other local issues on the ballot. However, local governments would still be allowed to post information online, answer questions or hold an open forum about an issue.

Bills that did not pass during the session:

SB 1728 - Property Insurance

Among the casualties of Session is legislation on property insurance. But there are already rumblings that a Special Session could lie in the immediate future. The Senate did pass SB 1728 earlier in Session, but critics always opposed it because it would reduce responsibilities for insurance providers while boosting costs to homeowners. House Speaker Chris Sprowls expressed skepticism about anything needed to happen on the homeowner insurance front this year. But Senate President Wilton Simpson said a Special Session could happen, especially as hurricane season approaches.

SB 974 / HB 985 – Sovereign Immunity

Bills to increase the cap on payouts by governmental entities when they're found at fault in a civil case also failed to reach the finish line this year, despite steady progress throughout the Session. The bills each cleared three committees in each chamber, but were never heard on the floor.

In current law, a victim of an incident where a governmental entity was found at fault can only receive \$200,000 as part of any award for damages by a court, no matter what the total judgment was. The cap is \$300,000 for multiple victims in one incident. The Legislature must pass a bill, known as a claims bill, to approve payouts higher than the caps. In the most recent version of the legislation, the bills would have increased the caps to \$400,000 and \$600,000.

HB 7069 - Condominium and Cooperative Associations

The collapse of the Champlain Towers building in Surfside in August, which killed 98 people, spurred lawmakers to propose changes to state laws regarding condominium buildings, inspections and repairs. But in the final week of Session, the House and Senate failed to agree on the details of HB 7069, leaving current laws in place allowing condo associations to not set aside money to pay for structural repairs. Specifically, the Senate removed a requirement for a reserve fund to pay for repairs, something the House insisted upon.

HB 1197 - Employee Organizations Representing Public Employees

The House passed HB 1197 last week, which would have required public employee union members — except for law enforcement union members — to recertify their membership in the union each year and prevent union dues from being automatically deducted from members' paychecks. The bill was sent to the Senate, but it never received a hearing in that chamber.

SB 280 / HB 403 – Local Ordinances

This bill would require local governments to evaluate the business impact of local ordinances before passing ordinances. Additionally, it would require an automatic court-ordered freeze on an ordinance if a lawsuit questions whether it flouts a preemption outlined in state law or the Florida Constitution. The Senate passed this bill early in the session, but it was not taken up on the House floor.

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