

SHUMAKER

ADVISORS

2022 FLORIDA LEGISLATIVE SESSION

WEEKLY NEWSLETTER

Week of February 7th - 11th

HIGHLIGHTS

The fifth week of Florida's 2022 Regular Legislative Session concluded in Tallahassee today. As of Wednesday, 30 out of 60 days of session have passed, marking the halfway point for the year's session scheduled to end with a ceremonial Sine Die on March 11th. A focal point of this week was House and Senate Appropriations Committees considering and discussing their statewide budget proposals for Fiscal Year 2022-2023, totaling \$105.3 billion and \$108.6 billion, respectively. In addition, both the House and Senate engaged in lengthy floor sessions this week, sending a total of 13 bills to Governor DeSantis's desk for approval. Many significant bills moved through the process this week, including controversial priority measures and legislation that failed to cross the finish line last year. Four weeks remain in the regular session, during which legislators must finalize the decennial redistricting process, the state spending plan, and lawmaking for the year.



Another week of the 2022 Legislative Session has concluded inside The Florida Capitol. Photo via Florida Politics.

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ON THE GOVERNOR'S DESK

As of this week, 12 bills have passed both chambers and are set for approval or veto by Governor DeSantis. Five bills are revisers bills, three revise public meeting or public record exemptions under the Open Government Sunset Review (OGSR) Act, and the other four bills include the creation and funding of a \$500 million Emergency Response Fund for use by the Governor ([SB 96](#)/[SB 98](#)), a call for Congress to recognize and address the veteran suicide epidemic ([SB 302](#)), and an extension of COVID-19 liability protections for health care providers ([SB 7014](#)). Once received, the Governor has seven days to approve or veto each piece of legislation.

LEGISLATIVE UPDATES

HEALTH CARE Major changes to the state's Medicaid protocols could be made under a bill that moved through its first House Committee this week. If passed, [HB 7047](#), sponsored by Clay County Representative Sam Garrison, would alter several major components of Florida's current Medicaid Program. The proposal would create a statewide procurement process, which would consolidate the number of Florida's managed care regions from 11 to eight. Additionally, HB 7047 would address workforce shortages within the health care industry by allowing providers to broaden their use of funds to cover training costs for nursing students as medical expenses. The bill would also increase health care options for foster children, expand treatment accessibility for cancer patients, and place dental care back under the state's managed care program. The proposal and its Senate Companion, [SB 1950](#), are both gearing up for floor votes.

Legislation prohibiting the state's health care boards from censoring Florida doctors passed through its second of three Senate committees this week. [SB 1184](#), sponsored by Pensacola Senator Doug Broxson, seeks to prevent regulatory boards and the Department of Health from reprimanding, revoking or threatening to revoke a health care provider's license, registration, or certificate for vocalizing their opinions publicly. The proposal prevents professional licensing boards from infringing on health care workers' first amendment rights.

[HB 5](#), the priority bill to ban abortions without exception after 15 weeks, was approved along party lines by its final House committee on Thursday. The bill is now ready for a vote on the floor, and its Senate companion ([SB 146](#)) awaits consideration by its final committee stop.

EDUCATION & WORKFORCE Both House and Senate lawmakers engaged in heated debate over two of the most controversial education-related bills this week, including a proposal to ban classroom conversations regarding sexual orientation or gender identity and expand parental rights ([SB 1834](#)). The bill has received attention all the way from Florida students to the White House, which issued a statement this week denouncing the legislation. It passed its first Senate Committee on a party line vote, and has two remaining stops before the floor. Its House companion requires one more committee's approval. The other bill ([HB 7](#)) seeks to eliminate racially-charged lessons in Florida classrooms, aligned with the Governor's priority to ban the instruction of Critical Race Theory across the state. Approved along party lines in its final committee, the bill is ready to be considered by the full House. The Senate version ([SB 148](#)) has one remaining committee stop.

In terms of workforce, the House State Administration



Clay County Representative Sam Garrison presents his state Medicaid overhaul in the House Health & Human Services Committee on Thursday. Photo via Florida Politics.

and Technology Appropriations Subcommittee approved a proposal on Thursday that would update policies for unions that represent public employees. The bill ([HB 1197](#)) would provide new protocols for certifying and decertifying unions, update regulations on how unions recruit members, and eliminate payroll deductions for union dues. Unions that represent law enforcement officers would, however, still be permitted to take union fees out of paychecks. The measure has two remaining committee stops before the floor.

ENVIRONMENT & AGRICULTURE [SB 224](#) sponsored by Sarasota Senator Joe Gruters, passed favorably through the Senate this week. The proposal allows cities and counties to further restrict smoking within the boundaries of public beaches and public parks.

Governor DeSantis and legislative leadership issued statements on [SB 2508](#), a budget conforming bill that has sparked concern with environmentalists. If passed, the proposal would release state funds for water-related projects and require the South Florida Water Management District to alter certifications within the Legislature regarding suggestions to the United States Army Corps of Engineers within the Lake Okeechobee region.

CONDOMINIUM SAFETY Legislation that addresses Florida's outdated condominium regulations is gearing up for a vote on the House floor. [HB 7069](#) specifies earlier and more frequent inspection requirements for condominiums, and was supported unanimously by its final committee stop on Thursday. The measure has also garnered support from leadership and is expected to pass without much pushback. Recommendations by the Surfside Working Group are also included in Senate measures [SB 1702](#) and [SB 7042](#), which both have one remaining committee stop.

AUTO INSURANCE [HB 1525](#), a proposal to repeal Florida's No-Fault Law, was approved by its first committee this week. After being vetoed last year, Senator Danny Burgess and Representative Erin Grall re-proposed bills this year to change Florida's auto insurance minimum coverage requirements to be in terms of bodily injury, rather than personal injury

LEGISLATIVE UPDATES, CONT.

protection. Forty-eight states already operate under bodily injury coverage requirements, although insurance professionals have not settled on the expected outcomes of the change on insurance rates in Florida. State Chief Financial Officer Jimmy Patronis offered a warning to lawmakers this week that Florida drivers will "burn down the capitol" if rates increase as a result of the legislation. The House bill has one remaining committee stop, and the Senate bill ([SB 150](#)) has two after being approved in Senate Banking and Insurance last week.

HUMAN TRAFFICKING In an effort to combat human trafficking for prostitution in Florida, [SB 1852](#) seeks to prohibit hourly rentals of hotel or motel rooms and vacation rentals. Increased penalties for "pimps" were added under an amendment in the Senate Regulated Industries Committee, where the bill was approved unanimously. It has two remaining committee hearings in the Senate, and awaits a floor vote in the House ([HB 1439](#)).

HOME PROTESTS On Tuesday, House and Senate Committees approved potential restrictions on protests in front of homes. The bills, [SB 1664](#) and [HB 1571](#), would ban picketing outside a person's home and charge protestors who harass or disturb a person's residence with a second degree misdemeanor. Each bill has one remaining committee stop before the floor.

DANGEROUS DOG BREEDS A bill ([SB 614](#)) and its House counterpart ([HB 721](#)) that aim to prevent local governments from discriminating against pit bulls and other dog breeds each passed through their second of three respective committee stops this week. The proposal would allow cities, counties, and public housing authorities to ban dogs based on their temperament rather than their breed. Senate Sponsor Miami Senator Ilenia Garcia remarked that the dogs that bite most may be the smallest rather than the most powerful, pointing to Chihuahuas in particular.

IN THE BUDGET

On Wednesday, both House and Senate Appropriations Committees reviewed each chamber's respective budget proposal. Committee members engaged in discussion and debate on each silo of their spending proposals prior to voting on the budgets, which differ by \$3.3 billion and will be sent to conference negotiations between the two chambers in the coming weeks.

The House Appropriations Committee approved their Appropriations Act on a 20-9 vote. The proposal totals

\$105.3 billion, and includes a two-billion dollar "Inflation Fund" allocation from general revenue serving to offset increased costs for state agencies, as well as a controversial "Putting Parents First Adjustment" that would strip \$200 million in funding from the 12 school districts that mandated masks in the midst of COVID-19 against the Governor's wishes. [House Proposal](#)

The Senate Appropriations Committee approved their proposal unanimously after accepting 104 amendments to the bill. It does not include the House's inflation fund or "Putting Parents First Adjustment", but rather, provides a \$1.46 billion increase to the Florida Education Financing Program (FEFP) and focuses on low wage-earning state employees, seeking to increase their minimum pay to \$15 per hour. [Senate Proposal](#)

Each budget must be passed on the floor of its chamber before being sent to conference negotiations between the two houses of the legislature, which will determine final allocations for state agencies, local projects, and other various spending priorities. Numerous conforming bills will also be considered alongside budget proposals in the next several weeks. A final state spending plan for FY 2022-2023 beginning on July 1st must be concurred upon by the end of session on March 11th.

REDISTRICTING

Congressional redistricting work will continue in the House next week following a decision by the Florida Supreme Court to deny the Governor's request for a review of current Congressional District Five under voter-approved standards. The court regarded the Governor's request as too broad, citing the issue as one too complex for an advisory opinion. Congressional District Five has been included in all new map proposals so far, stretches across much of North Florida, and is currently held by Democratic Representative Al Lawson.

State Attorney General Ashley Moody forwarded state House and Senate maps to the Florida Supreme Court for a 30-day review this week. Once reviewed, lawmakers will be tasked with making any necessary changes proposed by the court to conform with legal standards. The Governor does not have veto power over state districts, but congressional districts will be subjected to his approval once completed by the legislature.

QUESTIONS?

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