

## 2022 Session Report

This was a rough session, as many have been. Still, your actions this session were effective. Stopping bad legislation is as important as passing good bills, and we were successful in stopping some very bad stuff. Some bad bills still passed, but in a number of cases they were amended to make them less bad.

This report starts with the Chapter's top "five" bills. We actually started out with six because the super preemption bills were informally linked by subject matter, and as some bills faded, new ones took their place.

This report is organized as follows:

- Top "Five" Bills – WINS
- Top "Five" Bills - Losses
- Other Priority Bills – Wins
- Other Priority Bills – Bad Bills that passed
- Good Bills that failed to pass
- Bills of Interest
- Redistricting Bills

This report is not exhaustive. We tracked about 160 bills and focused most of our effort on only a few. If you have questions about a particular piece of legislation, send it along and I'll try to answer. I will say in advance that there were a number of very good bills that we knew would never get a hearing, and most of them are not included.

Thank you again for staying engaged, and as Luigi says, "The fight continues!"

### Top "Five" Bills – WINS

These bad bills died:

#### **S.B. 280/H.B. 403 Local Ordinances by Sen. Hutson/Rep. Giallombardo**

**Oppose**

Issues: **Miscellaneous**

Last timeline action: **DIED IN MESSAGES**

In an attempt to get the bill through the process, the sponsor made significant amendments, but it was still bad.

This bill would have elevated the interests of business over the interests of the community. It allowed a business to sue a local government if the locality adopted an ordinance the business thinks is "unreasonable." "Arbitrary" and "capricious" are both defined in 120.52 (8)(e), but "unreasonable" is not. That means lawyers will have to fight it out.

The bill provides that those legal costs and fees will all be paid by the local government, not the business, which is clearly unfair to the taxpayers of the community, including other businesses. The bill does cap those costs at \$50,000, but there is no limit on the number of suits that can be filed in a year.

Additional expense for the local government would result from the requirement for local governments to prepare a business impact estimate for each proposed ordinance. This burden on local taxpayers, for staff or outside help would chill local governments' willingness to adopt new ordinances, and residents would receive less protection from noxious behaviors by businesses and encourage a race to the bottom.

The bill also would also have allowed the request of a single business to block the enforcement of an ordinance during legal proceedings. The suspension would continue for 30 days after the court issues its final order. The suspension could then be extended throughout any appellate process if the locality prevailed in the lower court and the appellate court agreed to grant a business's motion for a stay of the lower court order.

Before the bill died, these improvements were made:

- Costs and fees that may be awarded to the plaintiff were limited to \$50,000.
- It provided that parties must certify that they were not filing a suit for an improper purpose such as harassment, personal profit, or needlessly increasing the cost of litigation, and further provided that if the party violates that certified statement, the court may award the other party costs and fees.
- While the requirement for the business impact estimate was retained, the bill was amended to exclude the statement from consideration by the court and leaves the “rational basis” evaluation in place.

(Excluding the business impact statement from the court’s consideration means the locality wouldn’t have to spend significant legal fees to ensure nothing in the statement will come back to bite them in court. The rational basis test means the court determines only two things, whether the reason for the ordinance addresses a legitimate government interest such as public health, safety, or welfare, and whether there is a reasonable connection between the ordinance and the legitimate government interest.)

- Amendments added several exceptions to ordinances subject to the provisions of the bill, such as those related to budgets and financial obligations.

**S.B. 198/H.B. 349 Water Resources Management by Sen. Ana Maria Rodriguez/Rep. Sirois/Rep. Overdorf**

**Oppose**

Issues: **Miscellaneous**

Last timeline action: **DIED IN COMMUNITY AFFAIRS**

This bill would have allowed the developers to use a new mitigation banking scheme to build projects that destroy seagrasses on the dubious theory that they would be able to pay to have seagrass successfully planted somewhere else.

Seagrass beds are notoriously difficult to establish and the proposal meant there would be a 100% chance of losing existing seagrass at the development site vs. a 30% chance of growing new seagrass some indeterminate distance away. All to make more coastal development possible.

With manatee fatalities reaching over 1100 for 2021, many of them starving to death because of drastic seagrass losses due to water pollution, there was tremendous pressure from the public against this bad bill, and it failed to move through all of its committees in either chamber.

**S.B. 954/H.B. 1139 Energy by Sen. Brodeur/Rep. Drake**

**Oppose**

Issues: **Transportation, Electric Vehicle**

Last timeline action: **Died on Calendar**

This bill started out as a bill we supported because it would have been good for electric vehicles and would have allowed Florida to lead by example. Sadly, the bill was amended in both the House and the Senate to require the promotion of natural gas vehicles as well as EVs.

While we were unable to remove the bad natural gas language from the bill, it did not pass either chamber.

**Top “Five” Bills - Losses**

These bad bills passed and were sent to the Governor:

**H.B. 741/S.B. 1024 Net Metering by Rep. McClure/Sen. Bradley**

**Oppose**Issues: **Net Metering, Energy**

Last timeline action: **Ordered enrolled**

The bill was amended to create a “glide path” for solar installers, but the effect of the bill will be to bring net metering and rooftop solar to a grinding halt starting January 1, 2024. Currently, homeowners with solar panels get a 1-to-1 credit towards their power bill for each kilowatt hour they send to the grid. From 1/1/24 to 12/31/25 that credit will be cut to 75%. For all of 2026 the credit will be reduced to 60%, and then reduced again to 50% through 27-28.

Between the effective date of the bill, July 1 of this year, and 1/1/29, customers will be entitled to 20 years of the credit whatever the net metering rate described in the preceding paragraph.

From January 1 of 2029, rooftop solar owners will pay the rate for power purchased from a utility, but their offset for the power they send to the grid will be cut to about 20-25%.

This progressive reduction in the amount people can save on their power bill means the upfront costs of installing solar panels will be unmanageable for middle and low-income families. The solar industry's customer base will disappear, and only the wealthy will be able to afford solar. This utility sponsored legislation will only benefit... the utilities and their shareholders.

However, if solar installations exceeds 6.5% market penetration at any time *before* 2029, the "glide path" is abandoned and the customer's offset rate drops to ~20-25%. The penetration rate is to be calculated by dividing rooftop solar's capacity (the maximum rooftop systems can generate) in each utility's territory by the utility's actual summer peak demand (which will artificially inflate the figures for rooftop.)

The bill also allows the IOUs to petition for cost recovery for the period from the effective date of the bill (7/1/22) through Dec. 31, 2023.

Comment: As of this writing, the bill has not been sent to the Governor.

#### **S.B. 2508: Environmental Resources**

**Oppose**

Issues: **Lands**

Last timeline action: **Ordered engrossed, then enrolled**

This bill shifts the focus of land acquisition from conservation to agricultural lands, and from the scientifically based Acquisition and Restoration Council's scientific selection and prioritization process in DEP to the Rural and Family Lands program in DACS. Further, it changes the Rural and Family Lands Protection Program (RFL) by lowering standards for inclusion in the program. For example, it deprioritizes the acquisition of ranch and timber lands, and provides that the RFL lands must, at the request of the landowner, be open to leasing for mitigation banking.

Pay-to-play: Sb 2508 codifies a clear conflict of interest by allowing DEP to enter into contracts or agreements with, and accept funds from, entities (including electric, water, gas, and sewer utilities) seeking Environmental Resource Permits or 404 Wetlands Dredge and Fill permits in return for expediting those permit applications.

Finally, it undoes the current balance (such as it is) between agriculture and the environment very much in favor of agriculture.

Comment: As of this writing, the bill has not been sent to the Governor.

#### **S.B. 620/ H.B. 569 Local Business Protection Act by Sen. Hutson /Rep. McClure**

**Oppose**

Issues: **Miscellaneous**

Last timeline action: **Ordered enrolled**

This bill, like SB 280, is designed to intimidate local governments into acquiescing to bad behavior by businesses because of the threat of litigation. Litigation in which the cards are stacked against them. Instead of promoting compromise, SB 620 demands capitulation to business.

S.B. 620 creates a cause of action for a claim of business damages if a county or municipal government adopts or amends an ordinance or charter provision in a way that has or will cause a reduction of 15% of a business' profits on a per location basis within the locality's jurisdiction. The business must have operated legally within the jurisdiction for at least 3 years and damages are limited to the present value of the lost profits for the lesser of 7 years or the number of

years the business has operated in the jurisdiction. A number of exemptions to these provisions have been added to the bill. Note: This claim is can be made before the business loses a dime!

Florida TaxWatch estimates this bill will cost local governments overf \$900 million each year.

A business must deliver a written offer of settlement to the locality's governing board within 180 days of the effective date of the ordinance/charter, and 180 days later may file a claim. The suit must be filed within one year from the effective date of the ordinance or charter. The locality must respond with an acceptance of the claim, a rejection, or a counteroffer which could include an offer of a waiver of the provisions of the ordinance for the business within 120 days.

The bill provides that a locality can "cure" the ordinance/charter by amending it to remove the cause of the 15% reduction in profits, repeal it, or grant a waiver from it. In the case of a charter or charter amendment, the "cure" is to announce the intention to repeal or amend it and for the voters to vote to amend or repeal it. There is no opportunity for the locality to demonstrate the legitimacy of the ordinance or of a charter provision.

The bill now allows the court to award costs and fees to the prevailing party instead of awarding them only to the complainant business.

Comment: As of this writing, the bill has not been sent to the Governor.

### **Top "Five" Bills - Losses**

This good bill died:

**S.B. 732/H.B. 887 Heat Illness Prevention by Sen. Ana Maria Rodriguez/Rep. Chambliss**

**Support**      Issues: **Climate Change, Environmental Justice**      Last timeline action: **DIED in Health Policy Committee**

We had hopes that this bill would become law since it had bipartisan sponsors: Republican Senator Ana Maria Rodriguez and Democrat Representative Chambliss. But while SB 732 passed its first committee 7-0, the House companion was never heard.

The bill included training and education, and requirements that employers provide outdoor workers a quart of cool or cold clean water to drink, at least one quart for each hour that they are working, a cooling off period every two hours, shade or an equivalent means of having a cooling off spot, and appropriate medical attention.

### **Other Priority Bills - Wins**

These good bills passed and were sent to the Governor:

**S.B. 518/H.B. 1555 Private Property Rights to Prune, Trim, and Remove Trees by Sen. Brodeur/Rep. McClain**

**Support**      Issues: **Miscellaneous**      Last timeline action: **Ordered enrolled**

This bill addresses some of the major deficiencies of the bill that gutted local tree canopy protection ordinances around the state (HB 1159 by then Rep. LaRosa).

The bill limits the preemption of local tree protection ordinances to only occupied single family residential lots, and only when a tree presents an "unacceptable risk" which is defined in the bill as when the only way of reducing the risk of the tree to below moderate is to remove it.

The bill provides that the tree risk assessment must be an onsite assessment performed in accordance with the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017) by an arborist certified by the International Society of Arboriculture (ISA) or a Florida licensed landscape architect.

It is hoped that this bill will prevent the clear cutting of lots that are zoned residential and will stop unscrupulous tree trimming operations from certifying that perfectly health trees are “dangerous.”

We can expect homeowner associations (and likely other entities) to be back next year fighting to be covered again by the preemption.

Comment: As of this writing, the bill has not been sent to the Governor.

**H.B. 105/S.B. 224 Regulation of Smoking by Counties and Municipalities by Rep. Fine and Rep. Thad Altman/Sen. Gruters**

**Support**      Issues: **Miscellaneous**      Last timeline action: **Ordered enrolled**

Regulation of Smoking by Counties and Municipalities; Authorizing counties and municipalities to further restrict smoking within the boundaries of public beaches and public parks under certain circumstances; providing an exception.

This bill has been filed the past three years, and this year made it through both the full House and Senate. The bill was not entirely unscathed since it was amended to retain the state preemption of regulation of unfiltered cigars.

While the exception for cigars is disappointing, the filter litter is a significant hazard for wildlife.

Comment: As of this writing, the bill has not been sent to the Governor.

These bad bills died:

**H.J.R. 1127/SJR 1412 Limiting Subject of Constitutional Amendments Proposed by Citizen Initiative by Rep. Beltran/Sen. Brodeur**

**Oppose**      Issues: **Democracy**      Last timeline action: **DIED on Second Reading Calendar**

Limiting Subject of Constitutional Amendments Proposed by Citizen Initiative; Proposes amendment to Section 3 of Article XI of State Constitution to limit revisions or amendments of State Constitution by citizen initiative to matters relating to procedural subjects or to structure of government or of State Constitution.

This Constitutional amendment, if adopted by voters, would have severely constrained the kinds of issues citizen initiatives could address.

Comment Rep. Beltran’s bill made it through all of its committees, but Sen. Brodeur’s bill was never heard in even one.

**S.B. 1400/H.B. 603 Land Acquisition Trust Fund by Sen. Burgess/Rep. Bell**

The bill would have taken \$20 million annually from the LATF to implement the Heartland Headwaters Protection and Sustainability Act which would have included spending on water supply, stormwater, and flood control which are not appropriate for LATF funding which should only be used for the acquisition, restoration, management, or improvement of conservation and recreation lands.

While the bill died, the Heartland Headwaters project did get \$20 million in the budget, BUT the funding is **not from the LATF**; it is from general revenue (primarily the State’s collection of sales tax.)

**Other Priority Bills – Bad Bills that passed**

**S.B. 1000/H.B. 1291 Nutrient Application Rates by Sen. Albritton/Rep. McClure**

**Oppose**Issues: **Water, Farm/Ag, ALEC & Industry Bills**      Last timeline action: **Ordered enrolled**

This bill eliminates standards for agricultural fertilizer use by allowing “rate tailoring” when recommended by a “certified professional” and defines these terms.

The bill gives the citrus industry permission to hire a Certified Crop Advisor (CCA) to increase, or “tailor,” the amount of fertilizer they use. The bill grants them a presumption of compliance with water quality standards for whatever fertilizer application rate the CCA advises. The “rate tailoring” portion of the bill sunsets in four years. During that time, citrus producers, even if they are in a Basin Management Action Plan (BMAP) will be free of any restriction on the amount of fertilizer they can apply. The section of the bill authorizing rate tailoring expires in 2026 (four years).

However, the bill also tasks the University of Florida Institute of Food and Agricultural Sciences (UF IFAS) with developing recommendations for expanding rate tailoring to other crops starting in 2023. That allows plenty of time for UF IFAS to make recommendations and for DACS to do new rulemaking expanding fertilizer rate tailoring to all agricultural crops. If the presumption of compliance is included in the new rules, agriculture will be completely immune from any and all water quality regulations.

Comment: As of this writing, the bill has not been sent to the Governor.

**H.B. 967/S.B. 1556 Golf Course Best Management Practices Certification by Rep. Truenow/Sen. Gruters**  
**Oppose**      Issues: **Water, Fertilizer, Food & Ag**      Last timeline action: **Ordered Enrolled**

This bill requires the turfgrass science program at the University of Florida Institute of Food and Agricultural Sciences, in coordination and cooperation with the Department of Environmental Protection, to administer a certification for golf course best management practices and provide and approve the certification training and testing programs.

The bill will exempt holders of "Golf Course best management practices" certification developed by UF/IFAS from local ordinances for water or fertilizer use, including blackout periods.

While golf courses are not currently subject to local regulation, this bill creates a new “professional certification” exemption that is at best, unfortunate. Self-certification and professional certification clearly present a conflict of interest that will almost always be decided in favor of the individual or client instead of the environment.

Comment: As of this writing, the bill has not been sent to the Governor.

**S.B. 1764/H.B. 1419 Municipal Solid Waste-to-Energy Program by Sen. Albritton/Rep. Mariano**  
**Oppose**      Issues: **Solid Waste, Waste**      Last timeline action: **Ordered enrolled**

This bill would have created the Municipal Solid Waste-to-Energy Program within the Department of Agriculture and Consumer Services to incentivize the production and sale of energy from the burning of municipal solid waste and to reduce the volume of trash being landfilled. Subject to appropriation, the program would have paid up to an additional 2 cents per kWhr to MSW WTE facilities over and above what electric utilities pay for the power produced. (It’s interesting to contrast this subsidy for a dirty energy source with the net metering bill.)

Comment The bill initially would have appropriated \$100 million a year for the WTE subsidy, but it was amended out of the bill. I have not yet found an appropriation for this WTE grant program in this year’s budget.

## Good Bills that failed to pass

### **S.B. 832/ H.B. 561 Implementation of the Recommendations of the Blue-Green Algae Task Force by Sen.**

**Stewart/Rep. Goff-Marcil**

**Support**

Issues: **Water**

Last timeline action: **Died in Appropriations**

The bill would have codified three of the Task Force recommendations:

- require inspections of OSTDS every 5 years starting 7/1/25,
- in 403.067 (7)(a) - BMAPs it would add to the things that must be included in a BMAP "a list that "identifies and prioritizes spatially focused suites of projects in areas likely to yield maximum pollutant reductions" and
- monitoring for each new or revised BMAP project costing more than \$1 million to be sure it is working as intended.

Comment SB 832 passed its first two committees, but not the third; HB 561 was never heard in the first.

### **H.B. 729/S.B. 932 Everglades Protection Area by Rep. Aloupis/Sen. Rodriguez**

**Support**

Issues: **Lands**

Last timeline action: **Died in Agriculture & Natural Resources Appropriations**

**Subcommittee**

Section 1 of this bill would have required the use of the more stringent coordinated review process (instead of the expedited process) to amend a comprehensive plan in or near the Everglades Protection area (EPA) which means Water Conservation Areas 1, 2A, 2B, 3A, and 3B, the Arthur R. Marshall Loxahatchee National Wildlife Refuge, and the Everglades National Park. For plans in or within 2 miles of the EPA the review would include a determination by DEP in consultation with all federally recognized Indian Tribes in the state whether the proposed plan or plan amendment would have an adverse effect on the EPA or the Everglades restoration and protection objectives.

DEP would have had to work with all parties to identify ways the local governments could amend their proposal to avoid adverse impacts, but if the plan would have an adverse impact it, or the offending part of it, could not be adopted.

Section 2 of the bill would have excluded areas in or near the EPA from the small scale amendment process and provided that if a local government with a portion of the EPA within its borders adopts a small scale amendment, a copy of it was to be sent to the state land planning agency within 10 days for DEP's records.

Comment The House version passed its first committee; the Senate bill was never heard.

### **H.B. 1077/ S.B. 1434 Public Financing of Potentially At-risk Structures and Infrastructure by Rep. Christine**

**Hunschofsky, Rep. James Buchanan/ Sen. Ana Maria Rodriguez**

**Support**

Issues: **Climate Change, Sea-level rise**

Last timeline action: **Died on Second Reading Calendar**

This bill expanded the language originally sponsored by Sen, Jose Javier Rodriguez that applied to major structures in coastal zones. This bill extended the scope of the bill to include any critical assets including transportation, educational, and emergency and government facilities or cultural or historical assets if they are threatened by flooding from sea level rise.

Broadens the current requirement that a Sea Level Impact Study (SLIP) be done for major structure construction in the coastal zone to include all infrastructure (including that for public health, life, and safety) potentially at risk

Comment The House bill passed all of its committees unanimously, and the Senate bill passed its first two committees unanimously, but the bill did not make it through this year.

**S.B. 600/H.B. 599 Upgrades to Education Facilities as Emergency Shelters by Sen. Berman/Rep. Casello**

**Support**      Issues: Energy      Last timeline action: Died in Appropriations Subcommittee on Education

The bill would have exempted costs under \$2 million used to install solar panels on schools from being included in cost per student-station caps.

The bill focused on the benefit solar panels would confer on public schools by making them better emergency shelters because power would be available if the grid went down during an emergency.

Comment The House bill passed all its committees, but SB 600 only passed its first.

**S.B. 1562/ H.B. 745 Solar Photovoltaic Facility Development by Sen. Ausley/ Rep. Alexander**

**Support**      Issues: Energy      Last timeline action: Died in Appropriations

This bill, the "Brownfields to Brightfields Act," directed the Department of Environmental Protection, in coordination with the Office of Energy within DACS, to conduct a study of brownfield sites and closed landfill sites to determine viable locations for redevelopment as solar photovoltaic facilities

Comment SB 1562 passed its first committee, but HB 745 was never heard.

**S.B. 676 Drinking Water in Public Schools by Sen. Cruz**

**Support**      Issues: Toxics      Last timeline action: Died in Appropriations Subcommittee on Education

This bill would have required school districts to install point of use filters to remove lead from drinking water on public school drinking fountains and in cafeteria kitchens where water could be used to wash vegetables or used in soups and sauces. It also would have required all drinking water sources to be identified with a bar code and for information about the installation of required filters and their timely maintenance and replacement to be posted on the district website.

The bill would have appropriated \$3 million to install the filters statewide

Comment Sen, Cruz has sponsored this bill over the past few years, but again, it was heard and passed only in its first committee.

**H.B. 1245/S.B. 1648 Drinking Water in Public Schools by Rep. Nixon /Sen. Farmer**

**Support**      Issues: Toxics, COVID-19, American Rescue Plan Investments      Last timeline action: Died in Early Learning & Elementary Education Subcommittee

Drinking Water in Public Schools; Requires each school district to install certain number of water bottle filling stations which have certified point-of-use filter installed to remove lead & to identify all drinking water sources, install barcode on each source, & install filters that meet certain specifications on all such sources; requires school districts to publish & maintain specified list; authorizes each school district to use specified funds for certain purposes.

Comment This was an ambitious bill that would have replaced all public school drinking fountains with lead free water bottle filling stations. The estimated cost would have been ~\$88 million which could have been met with funds in the American Rescue Plan. That funding will not be available next year and it's likely that the effort will return to installing point of use filters as in Sen. Cruz's bill (above.) Neither bill was heard in any committee.



**S.B. 238/H.B. 711 Endangered and Threatened Species by Sen. Jones/Rep. Diamond**

**Support Resources**      Issues: **Wildlife, Species / Habitat**      Last timeline action: **Died in Environment and Natural Resources**

This bill would have directed the Fish and Wildlife Conservation Commission to protect endangered or threatened species of flora and fauna, regardless of the status of their federal classification, and would have prohibited the FWCC from considering cost when designating a species as endangered or threatened. Finally, the bill would have included the impacts of climate change in factors to be considered regarding endangered or threatened species.

Comment Neither bill was heard in any committee.

**Bills of Interest**

**H.B. 965/ S.B. 1426 Environmental Management by Rep. Truenow/Sen. Burgess**

**Watching**      Issues: **Water**      Last timeline action: **Ordered enrolled**

The bill is an attempt to create a new water quality improvement mechanism. The basic idea is for local governments that have impaired water bodies in their jurisdiction to be able to address the problem by setting up the equivalent of a Stormwater Treatment Area (STA) which is called a Water Quality Enhancement Area (WQEA) in the bill, send the impaired water to the STA where vegetation is to take up pollutants, and then send the water back to its source. The bill requires the applicant for a WQEA permit to include in the permit application a monitoring and verification proposal with steps to be taken to confirm the system is successfully cleaning the water when it is operational.

There are similarities to mitigation banking and Water Quality Trading Credit programs, and neither of these have performed as their proponents advertise: mitigation banking has never achieved “no net loss,” and there are no Water Quality Trading Credits available in Florida. It remains to be seen whether WQEAs will work or not.

The proposal is slated to be developed in at least three areas of the State, including Polk County which is trying to address pollution in the Peace River. Part of the attraction for the County is that it effectively allows the cost to be spread out over time. A private concern will set up the WQEA and then will charge the County for cleaning the water for many years. The alternative would be for the County to finance, construct, and operate the WQEA itself which would mean a higher up-front cost.

Comment This bill initially included the Pay-to-Play language allowing permit seeking entities to make donations to DEP to expedite their permit applications, but that provision was amended out of the bill.

**S.B. 98/H.B. 7023 Emergency Preparedness and Response Fund by Sen. Burgess/Rep. Trabulsy**

**Watching**      Issues: **Miscellaneous**      Last timeline action: **Chapter No. 2022-2**

Emergency Preparedness and Response Fund; Creating the Emergency Preparedness and Response Fund within the Executive Office of the Governor; providing for the deposit and use of funds; providing for future review and termination of the fund

The bill creates a trust fund for the Governor's use to meet emergencies. (linked to S.B. 96)

Comment

**S.B. 96/H.B. 7025 Emergency Preparedness and Response Fund by Sen. Burgess/Rep. Trabulsy**

**Watching**      Issues: **Miscellaneous**      Last timeline action: **Chapter No. 2022-1**

This bill authorizes the Legislative Budget Commission to convene to transfer or appropriate funds to the Emergency Preparedness and Response Fund and authorizes the Governor to transfer and expend those funds. The bill also authorizes the Governor to request that additional funds be transferred or appropriated to the Emergency Preparedness and Response Fund, subject to approval by the Legislative Budget Commission.

Finally, the bill directs the Chief Financial Officer to transfer \$500 Million to the Emergency Fund to be used by the Governor in emergencies. (linked to S.B. 98)

Comment The Governor wanted \$1 Billion; he got half a Billion dollars.

### **Redistricting Bills**

In most years the Legislature has only one “must do” task for each session: passing the budget. But in years ending in “2” they have a second “must do”: Redistricting. The reason for redistricting taking place in years ending in “2” is that the US Census is taken in years ending in “0” and the information is available to be used two years later.

Redistricting is necessary to protect the idea of one person, one vote. The goal is to ensure each elected official represents the same number of people. (Of course, politics being what it is, a great deal of work goes into choosing *which* people of *which* political persuasion go into each district.)

**S.B. 102/H.B. 7503 Establishing the Congressional Districts of the State by Sen. Rodrigues/Rep. Byrd**  
**Watching**      Issues: **Democracy**      Last timeline action: **Ordered engrossed, then enrolled**

Adopting the United States Decennial Census of 2020 as the official census of the state for use in redistricting the state’s congressional districts; redistricting the state’s congressional districts in accordance with the United States Decennial Census of 2020 (plan H000C8019); providing for the inclusion of unlisted territory in contiguous districts in accordance with figures from the United States Decennial Census of 2020; requiring such maps to be made available to the public by the Office of Economic and Demographic Research within a specified timeframe, etc.

Comment This bill is the redistricting of Florida’s congressional districts. It is a general bill which means it can be vetoed by the Governor (which he has threatened to do.) The Governor wants a map more favorable to Republicans and likely to deprive Black Floridians in North Florida, particularly Gadsden County, of the ability to elect the Representative of their choice.

The House Redistricting Committee adopted two Congressional maps and the Senate agreed to accept the House plan. The primary map [H000C8019](#) puts the current CD 5, a minority performing district represented by Congressman Al Lawson, entirely in Duval County (Jacksonville) and leaves Gadsden County which has the highest proportion of Black voters in the state in District 2 which is not a minority performing district.

In the event that the map is invalidated by the Florida Supreme Court because of its impact on minority voters, there is a second map [H000C8015](#) which is more similar to the current configuration of District 5. A number of parties have stated they will file suit or have already filed.

**S.J.R. 100/H.J.R. 7501 Joint Resolution of Apportionment by Sen. Rodrigues/Rep. Byrd**  
**Watching**      Issues: **Democracy**      Last timeline action: **Signed by Officers and filed with Secretary of State**

Joint Resolution of Apportionment; Providing for the apportionment of the Florida House of Representatives and the Florida Senate (plans [H000H8013](#) and [S027S8058](#)); adopting the United States Decennial Census of 2020 for use in such apportionment; providing for the inclusion of omitted areas; providing contiguity for areas specified for inclusion in one district which are noncontiguous; specifying that the apportioned districts constitute the legislative districts of the state; specifying that electronic maps serve as the official maps of the legislative districts of the state; providing for the public availability of electronic maps, etc.

Comment The reapportionment of Florida House and Florida Senate Districts is done by a joint resolution. These maps are not subject to the Governor’s approval and cannot be vetoed (though they are subject to a lawsuit, if one is filed.) The Florida Supreme Court examined these maps and found them to be constitutionally valid.

The House and Senate have developed a Redistricting site that has maps showing how much current districts have changed in population in counties and municipalities. This site has a lot of information and since redistricting generally only happens once each decade, it's worth checking out.

