

Representative Rick Roth End of Session 2021 Report

On May 19, 2021 the Florida House of Representatives, in Special Session, voted to pass the implementing bill for the 2021 Gaming Compact with the Seminole Tribe of Florida, which is estimated to bring in \$6 billion over the next 9 years through 2030, 97-17. Thanks to Chair Renner and Chair Fine, we were able to amend the compact so that there will be no expansion of online casino gaming in Florida. Florida will not become Las Vegas. The Compact provides new exclusivity for craps, roulette, and sports betting in Florida. Exceptions to the Seminole Tribe's exclusive rights include: slot machines in Broward and M/D counties, electronic bingo card minders and historic racing machines, Pari-mutuel wagering at licensed facilities, poker at licensed cardrooms including designated player poker games, lottery games and vending machines by the Florida Lottery, amusement games (Arcades), Bingo and instant bingo, fantasy sports contests, mobile sports betting via written contract with any qualified pari-mutuel permitholder.

The Session 2021 Budget -- Preparing Today for a Better Tomorrow in Florida. It totals \$101.5 billion, an increase of 10.1% over current year. Most of this increase is related to \$6.9 billion of additional federal funds for the federal share of Medicaid caseload spending, the highest in Florida's history. It also helps public schools to continue to stay open and provide our children with educational services and resources related to the COVID-19 pandemic. The increase in state funds is \$2.3 billion, a 4% increase over current year, including a \$1.6 billion or 4.6% increase in General Revenue. The budget leaves an historic \$6 billion in reserves to ensure that Florida is prepared today for a better tomorrow.

STRATEGIC INVESTMENTS FOR LONG-TERM SUCCESS

The budget provides \$6.7 billion, contingent on receipt of federal Coronavirus State Fiscal Recovery Funds. Funds will be invested in large-scale environmental and infrastructure programs, and help rebuild state reserves to the highest level in Florida's history.

- 1) \$3.1 billion for state highway system, seaports, deferred maintenance for state facilities, education construction projects, a new state EOC, IT systems for reemployment and workforce development.
- 2) \$1.8 billion for environmental programs, including \$500 million for Resilient Florida Grants, \$500 million for septic-to-sewer grants, \$100 million for Piney Point, beaches, coastal mapping, water quality initiatives, and Everglades Restoration.
- 3) \$1 billion to fund a new Emergency Preparedness & Response Fund, in addition to the reserve.
- 4) \$438 million for education and economic support programs, including the New World Reading Initiative, \$1000 bonuses for pandemic first responders, job growth grants, African-American Cultural and Historic Grants, and funding for Visit Florida tourism marketing.
- 5) \$350 million to increase the Budget Stabilization Fund.

Agriculture & Natural Resources

- 6) \$2.1 billion for water resources: Everglades restoration, springs, storm water and wastewater grants, and the Resilient Florida Grant program.
- 7) \$402 million for Florida Forever for acquisition of conservation lands. (\$300 million contingent).
- 8) \$50.7 million for State Park improvements.

Health Care

- 9) \$4.3 billion to fund the Medicaid Price Level and Workload, serving 4.8 million beneficiaries.
- 10) \$239.8 million to extend postpartum Medicaid-eligibility for post partum pregnant women from 60 days to 12 months following birth.

PreK-12 Education

- 11) \$22.8 billion total funds for the Florida Education Finance Program, providing a 1.4% increase of \$315.2 million, and including \$464.3 million in a new Student Reserve Allocation.
- 12) \$53.42 increase in base budget allocation for total of \$4,372.91 per student.
- 13) \$50 million increase in Teacher Salary Increase Allocation for all school districts to seek a minimum base salary of \$47,500 for all full-time classroom teachers.

Higher Education

- 14) \$200 million for the New Worlds Reading Initiative administrator to provide books to struggling readers.

Justice

- 15) \$18.2 million for DOC for phase two of a four-year transition for correctional officers to move from 12 hour shifts to 8.5 hour shifts in state-operated institutions.

Infrastructure & Tourism

- 16) \$9.2 billion for the Transportation Work Program
- 17) \$149.2 million to modernize the reemployment system and hire additional staff to address claimant volume.
- 18) \$102 million to implement a consumer-first workforce IT system.
- 19) \$185.7 million to continue the Statewide Law Enforcement Radio System.

20) \$63.8 million for repair and maintenance of state buildings including the Capitol Complex.

21) \$30 million for cybersecurity initiatives to secure the state's IT infrastructure , systems, and network.

On November 17, 2020 Speaker Sprowls predicted we would respond to the COVID-19 Pandemic by updateing our laws and preparing for future pandemics.

- 1) HB 7005/SB 72-Civil Liability for Damages Relating to Covid-19. Signed into law March 29, 2021, the law protects businesses, schools, nonprofits, religious organizations and health care providers that are following COVID protocols from frivolous lawsuits. Passed 83-31 and 24-15. Mostly along party lines. Governor signed 3/29/21.
- 2) HB 1595/SB 2006 – Emergency Preparedness and Response Fund. This law makes state resources available in case of an emergency. Funded at \$1 billion. Passed 78-36 and 23-15. Along party lines. Governor signed 5/3/21.
- 3) HB 7047/SB 2006 – Emergency Management. This law requires the development of a public health emergency plan to ensure Florida is prepared for future public health emergencies. Neither the state nor local governments can close businesses or keep students out of in-person instruction at Florida schools, except for hurricand emergencies, and caps all local emergencies at 7 day increments. It also allows the Governor to invalidate a local emergency order if unnecessarily restricts individual rights or liberties. It also codifies the prohibition of COVID-19 vaccine passports. Passed 78-36 and 23-15. Along party lines.Signed on May 3, 2021.
- 4) HB 1463 – Department of Economic Opportunity. It reorganizes the Department for increased efficiency and upgrades the CONNECT system for reemployment assistance to an integrated, modular cloud-based system. UNANIMOUS 118-0 AND 40-0.

Protecting our Communities

- 5) HB1 – Combating Public Disorder Act. It creates one of the strongest anti-mob violence laws in the country, to protect peaceful protesters, innocent residents, private property , and law enforcement. It stiffens penalties for looters and rioters, and preserves our First Amendment rights by clearly differentiating between a rioter and peaceful protestor. Passed 76-39 and 23-17. Along strict party lines. Signed 4/19/21.
- 6) HB 7051 – Law Enforcement and Correctional Officer Practices. This Speaker Sprowls priority bill relating to public safety practices in law enforcement was passed unanimously 113-0 in the House and 40-0 in the Senate. This legislation represents months of bipartisan conversations with the Legislative Black Caucus, law enforcement and citizens to promote best law enforcement practices. It includes common-sense statutory changes: creating statewide law enforcement and correctional officer training standards concerning use of force, requiring use of force incidents be independently reviewed and reported quarterly to FDLE, and prohibiting the

arrest of children under 7 years of age unless the violation is a forcible felony. Passed UNANIMOUS 113-0 AND 40-0.

- 7) HB 7041/SB 90 – Election Integrity. We set out to improve and strengthen the integrity of elections, to restore confidence in the most sacred right we have as Americans. It strengthens existing voter ID laws, bans ballot harvesting, prohibits private money from administering elections. It will require additional identification information when changing any voter registration information, or requesting a vote by mail ballot, preventing fraud and securing the voter rolls. Under this law, a person may not handle more than two ballots other than those of immediate family members. There is an exemption for ballots collected during supervised voting at ALFs and nursing homes. Vote-by-mail ballots are only sent to the individuals that requested them, and must be requested each elections cycle. In person monitoring of secure ballot boxes during early voting and election day hours. The bill also reforms third party voter registration, and the voter registration application checkbox regarding felony convictions. Passed 77-40 and 23-17, **Along Party Lines.** Governor signed 5/6/21 in West Palm Beach, FL.
- 8) HB 7013/SB 7072– Social Media Platforms. We cannot allow Big Tech companies to operate in darkness while manipulating social media- the 21st Century public square. This bill requires big tech firms to: publish standards to ban posts and deplatform users, and protect candidates for office in Florida including \$250,000 per day for statewide candidates and \$25,000 per day for all other candidates. Passed 77-38 and 23-17, **Along Party Lines.**

Offering Tax Relief for Floridians

- 9) HB 15/SB 50 – Taxation. This bill creates a level playing field between Florida-based brick and mortar businesses and their out-of-state competition. The bill requires out-of-state retailers and marketplace providers with no physical presence in Florida to collect sales tax on items delivered to Florida. The bill directs approximately \$1 billion per year to be distributed from sales tax collections to the Unemployment Compensation Trust Fund each year, until the Fund reaches its 2019 balance. Then funds will be used to reduce the commercial business rent tax from 5.5% to 2%. Florida is the only state to charge sales tax on commercial rentals of real property. Passed 93-24 and 27-12. **Governor signed 4/19/21.**
- 10) HB 7061 – Freedom Week runs July 1 through July 7, 2021, and it exempts certain purchases on outdoor activities – boating, camping and outdoor sporting events. This 4th of July tax holiday is about encouraging people to safely enjoy Florida’s greatest asset, the great outdoors. The long list includes: bait and fishing tackle, sunscreen and insect repellent, snorkels and goggles, lanterns and flashlights, camping chairs, sleeping bags and camping stoves, coolers binoculars sunglasses life jackets and rods and reels, camping tents, inflatable floats being towed, sporting and live music event tickets, state park admission, gym fees and dues, and movie theatre tickets. Passed 117-1 and 40-0. **Almost Unanimous.** Governor signed 5/21/21.

Transforming Education for Florida's Students

- 11) HB 7045 School Choice. Florida's students are the beneficiaries of historic legislation that provides families with the largest expansion of school choice in K-12 education in the nation. It allows a family of four earning less than \$100,000 (household income eligibility limit of 375% of federal poverty level for the FTC and FES) to receive full funding of K-12 education costs at a school of their choice under an expansion of the Family Empowerment Scholarship Program. It expands eligibility to children who are not enrolled in a public school, to children of parents serving in the military or those who are adopted and siblings of those already receiving school choice scholarships. Future scholarships can increase by 1% of the state's total exceptional student education full-time equivalent enrollment, approximately 27,500 new student scholarships every year. Passed 79-36 and 25-14, [Along Party Lines](#).
- 12) HB 419 Early Learning and Early Grade Success. Establishes Division of Early Learning within DOE. Establishes the Council for Early Grade Success within the DOE to review the implementation and administration of a coordinated screening and progress monitoring program. It allows districts to use the research-based reading allocation to fund intensive interventions for VPK students who are identified with a substantial deficiency in early literacy skills. [Passed UNANIMOUS 118-0 AND 40-0](#), Governor signed 5/4/21.
- 13) HB 7011 Student Literacy. The bill requires the implementation of a voluntary PreK Education Program through grade 8 progress monitoring system in 2022-23. The system will provide educators with data to identify students with substantial deficiencies in reading and monitor the effectiveness of interventions. It also establishes the Reading Achievement Initiative for Scholastic Excellence (RAISE) Program, a statewide system for delivering school-based literacy supports through 20 regional literacy expert support teams. Finally, school districts must provide monthly progress updates to parents of students with substantial reading deficiencies and provide them with information related to process and conditions that impair learning such as dyslexia. [Passed UNANIMOUS 117-0 AND 40-0. Governor signed 5/4/21.](#)
- 14) HB 51/SB 1028 EDUCATION. Authorizes Florida's state universities and FCS institutions to solicit applications and sponsor charter schools to meet regional education or workforce demands. Revises certain Charter School requirements, including application requirements, enrollment limitations, and immediate termination of the school. It establishes a tuition reimbursement rate for school district career center dual enrollment.

It establishes the Fairness in Women's Sports Act, requiring certain teams and sports sponsored by secondary and postsecondary public educational institutions to be designated on the basis of a student's biological sex established at birth as evidenced by the student's birth certificate. [Passed 79-37 and 23-16. Along strict party lines.](#)
- 15) HB 233 Postsecondary Education. To assess the status of intellectual freedom and viewpoint diversity, the bill requires the State Board of Education (SBE) and Board of Governors of the State University System (BOG) to select or create a survey to be administered by all Florida

College System (FCS) institutions and state universities annually. The SBE, the BOG, FCS institutions, and state universities are prohibited from shielding students, faculty, or staff from protected free speech. All FCS institutions and state universities are required to adopt student codes of conduct that meet a set of minimum due process protections including, but not limited to, a presumption of innocence for accused students, a burden of proof that must be carried by the institution, and a right to an impartial hearing officer. [Passes 77-42 and 23-15 Along strict party lines.](#)

- 16) [HB 241](#) Parents' Bill of Rights. The bill creates Chapter 1014, Florida Statutes, as the "Parents' Bill of Rights". The chapter enumerates parental rights with respect to a minor child for education, health care, and criminal justice procedures. The bill prohibits the state or any other governmental entities or institutions from infringing upon the fundamental right of a parent to direct the upbringing, education, health care, and mental health of his or her minor child without demonstrating a compelling state interest for such actions. For education-related parental rights, the Florida K-20 Education Code currently includes 1002,20, F.S. relating to K-12 Student and Parents Rights. This section enumerates 24 rights of students and parents, most of which are duplicated in the bill. School districts must also adopt notification procedures for specific parental rights. The bill also requires a health care practitioner to obtain parental consent before performing health care services on a minor child. [Passed 78-37 and 24-15 Along strict party lines.](#)

Protecting the Environment and Preparing Florida

- 17) [HB 7019/SB 1954](#) – Statewide Flooding and Sea Level Rise Resilience. It establishes Resilient Florida Grant Program within DEP to fund costs of community resilience planning. "This legislation elevates flood mitigation as a critical part of Florida's public safety infrastructure. With 35 coastal counties containing the majority of our population and economy, our risks are only going to increase with time," said Senate President Wilton Simpson. "Mitigation and adaptation will be essential moving forward. This new law provides the resources needed for comprehensive planning across the state to address the increasing challenges associated with flooding due to sea level rise, King tides, storm surge and changes in rainfall patterns," said Tom Frazer, dean of the USF College of Marine Science and former chief science officer to Governor DeSantis. This law and the 2021-22 budget invest over \$640 million in this grant program. [PASSED UNANIMOUS 118-0 AND 40-0. Governor signed 5/12/21.](#)
- 18) [HB 5401/SB 2512](#). Documentary Stamp Tax Distributions. This bill revises distributions of the documentary stamp tax. It reduces the distributions to the State Housing Trust Fund (SHTF) and Local Government Housing Trust Fund (LGHTF) from a combined 24.17% to a combined 9.70254%, and removes the \$75 million to the SEED Trust Fund. Creates two distributions of 5.4175% to Resilient Florida Trust Fund and the Water Protection and Sustainability Program

Trust Fund. The two new Trust Funds will be used for planning and project grants to local government.

Current estimate for Sadowski funding in 20/21 is \$209 million. Finally, the bill prohibits funds distributed to SHTF and LGHTF from being transferred to the General Revenue Trust Fund.
Passed 78-38 and 25-14 Along Party Lines.

- 19) HJR 1377 Limitation on Assessment of Real Property Used for Residential Purposes. This resolution proposes amendment to the State Constitution to authorize Legislature to prohibit improvements made to real property to improve property's resistance to flood damage to be used to determine the assessed value for ad valorem taxation purposes. Passed unanimous 118-0 and 40-0. Filed by Secretary of State.

- 20) SB 2516/ SB 94 WATER STORAGE NORTH OF LAKE OKEECHOBEE. Requires SFWMD to request that the US Army Corps of Engineers (USACOE) seek congressional approval of a project implementation report for the Lake Okeechobee Watershed Restoration Project by a specified date. Requires SFWMD, in partnership with USACOE, to expedite the development and implementation of aquifer storage and recovery(ASR) wells. Requires the SFWMD to expedite implementation of the ASR science plan developed by the SFWMD AND USACOE. Vote history in Senate: SB94 3/2/21 ENR 5-0, SB 2516 4/1/21 Appropriations 19-0. Final vote 118-0 and 40-0.

- 21) HB 1601/SB 88. Farming Operations. The Florida Right to Farm Act, 1979, protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices. The law amends this Act, requiring a plaintiff to prove by clear and convincing evidence that his or her claim arises from conduct that did not comply with state or federal environmental laws, regulations, or best management practices in a civil nuisance against a farm. The potential for nuisance complaints and lawsuits increases from new neighbors as Florida's population grows. This law protects agriculture, the farm land and its natural resources. More than 9.7 million acres of Florida are dedicated to farming. These agricultural lands are critical to Florida's water supply, air quality, climate, wildlife habitat and outdoor recreation. This law strengthens farms and Florida's long-term sustainability for many future generations. Passed 110-7 and 37-1. Governor signed 4/29/21.

- 22) HB 839 Express Preemption of Fuel Retailers and Related Transportation. This bill expressly preempts local governments from prohibiting the siting, development, or redevelopment of a fuel retailer or related infrastructure. The bill does not preempt local government from adopting and implementing ordinances or policies that are consistent with other allowable uses and general law. [Passed 79-38 and 26-12, along party lines.](#)
- 23) HB 919 Preemption Over Restriction of Utility Services. This bill prohibits local government from enacting or enforcing an ordinance or policy that restricts or prohibits the types of fuel sources of energy production which may be used. Any government action preempted by this bill that existed before July 1, 2021 is void. It does not prohibit local government from adopting rules or policies governing an electric or natural gas utility that it owns, operates, or directly controls. [Passed 81-34 and 27-13, still on party lines.](#)
- 24) SB 1194 TRANSPORTATION. Amended #116138: 311.25 Florida seaports; local ballot initiatives and referendums. Any port that has received or eligible to apply for or receive state funding may not have its maritime commerce restricted by a local ballot initiative or referendum, based on vessel type, number or origin of disembarking passengers, or type of cargo unloaded.
- 25) HJR 1179 Abolishing the Constitution Revision Commission. Proposes amendments to the State Constitution to abolish the Constitution Revision Commission. [Passed 86-28 and 27-12. Filed by Secretary of State.](#)

Insurance

- 26) HB 719/SB 54. Motor Vehicle Insurance. Florida is one of only two states that still has a “no-fault” system. This bill repeals and replaces PIP by requiring bodily injury (BI) coverage to protect the insured against loss if found at fault in an accident and responsible for bodily injury. The minimum coverage limits transition from \$10,000 - \$20,000 - \$10,000 to \$25,000 - \$50,000 - \$10,000. It requires that drivers show proof of coverage at time of vehicle registration. The bill requires insurers to offer medical payments coverage (med pay) at limits of \$5000 and \$10,000. The bill establishes good faith provisions that insurers must comply with while processing first-party and third-party claims. For first party claims, that includes proper communication with the insured individual; and for third-party claims, that includes best practice standards and time deadlines as they determine who is at fault and seek settlement. [Passed 100-16 and 37-3.](#)
- 27) HB 305/SB 76 Insurance. The Florida Office of Insurance Regulation has reported a significant increase in the number of roof damage claims, many of which include litigation. The bill limits

certain property insurance practices by contractors, and public adjusters, to reduce roof damage claims. This bill requires each insurer doing business in Florida must provide data regarding litigation of property insurance claims. Citizens is a state-owned, not for profit, tax-exempt government entity, that provides property insurance to those unable to find affordable coverage in the private market. The bill changes the percentage from 15 to 20%, so that residential property owners are not eligible for Citizens coverage if they can buy coverage that is less than 20% greater than Citizens coverage. Also, Citizens must implement rate increases beginning in 2022 that do not exceed certain %. Beginning in 2022 it is 11%, going up 1% each year, reaching 15% for 2026 and beyond. This bill provides threshold factors before a court may consider whether to apply a contingency risk multiplier to attorney fees.

The bill requires insurer to provide policyholder with form to sign, and fully advise the policyholder of the nature of actual cash value coverage. The bill changes the notice of property insurance claims deadline in the Code from five years to two years. Notice of any property insurance claim must be provided to a property insurer within two years of the date of loss.

- 28) Finally, as a condition precedent to filing suit under a property insurance policy, a claimant must provide DFS with a written notice of intent to initiate litigation on a form provided by DFS at least 10 business days prior to filing suit. Passed 75-41 and 35-5. Along party lines in the House, almost unanimous in the Senate.