

2023 SESSION WRAP-UP

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GRAYROBINSON



# TODAY'S PRESENTER

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**Christopher L. Carmody, Jr.**

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MEET THE PLAYERS



## OFFICE OF GOVERNOR RON DESANTIS



**RON DESANTIS**  
Florida Governor



**JAMES UTHMEIER**  
Chief of Staff



**STEPHANIE KOPELOUSOS**  
Legislative Affairs Director



**CHRIS SPENCER**  
Office of Policy and  
Budget Director

## CABINET MEMBERS



**WILTON SIMPSON**  
Commissioner of Agriculture  
and Consumer Services



**ASHLEY MOODY**  
Attorney General



**JIMMY PATRONIS**  
Chief Financial Officer

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# FLORIDA HOUSE

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**PAUL RENNER**  
Speaker of the House

**TOM LEEK**  
Budget Chair

**MICHAEL GRANT**  
Majority Leader

**CHUCK CLEMONS**  
Speaker Pro Tempore

**DANNY PEREZ**  
Rules Chair and  
Speaker Designate

**FENTRICE DRISKELL**  
Minority Leader

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# FLORIDA SENATE

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**KATHLEEN PASSIDOMO**  
Senate President

**DENNIS BAXLEY**  
President Pro Tempore

**BEN ALBRITTON**  
Majority Leader and  
President Designate

**LAUREN BOOK**  
Minority Leader

**DOUG BROXSON**  
Budget Chair

**DEBBIE MAYFIELD**  
Rules Chair

## 2022 Election - THE RED WAVE

- Governor and Cabinet Landslides - DeSantis/Nunez won with 59.4% of the vote. The largest margin for a Florida governor in 40 years.
- Simpson, Moody, and Patronis all won with similar margins.
- Republicans gained nine House seats, and one Senate seat and now hold supermajorities of 85-35 and 28-12, respectively.
- Republicans also picked up congressional seats in the Florida Delegation and now hold 20 of 28 districts.

## DESANTIS PRESIDENTIAL BID

As part of a broader elections bill, legislators passed changes to the **Resign to Run Law**, allowing the governor to run for president without first resigning his seat. Governor Ron DeSantis declared his candidacy for the Republican nomination for president on May 24.

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BY THE NUMBERS

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# BY THE NUMBERS

1873

BILLS FILED THIS YEAR

2674

AMENDMENTS FILED  
THIS YEAR

356

TOTAL BILLS PASSED

197

BILLS APPROVED BY  
THE GOVERNOR

2

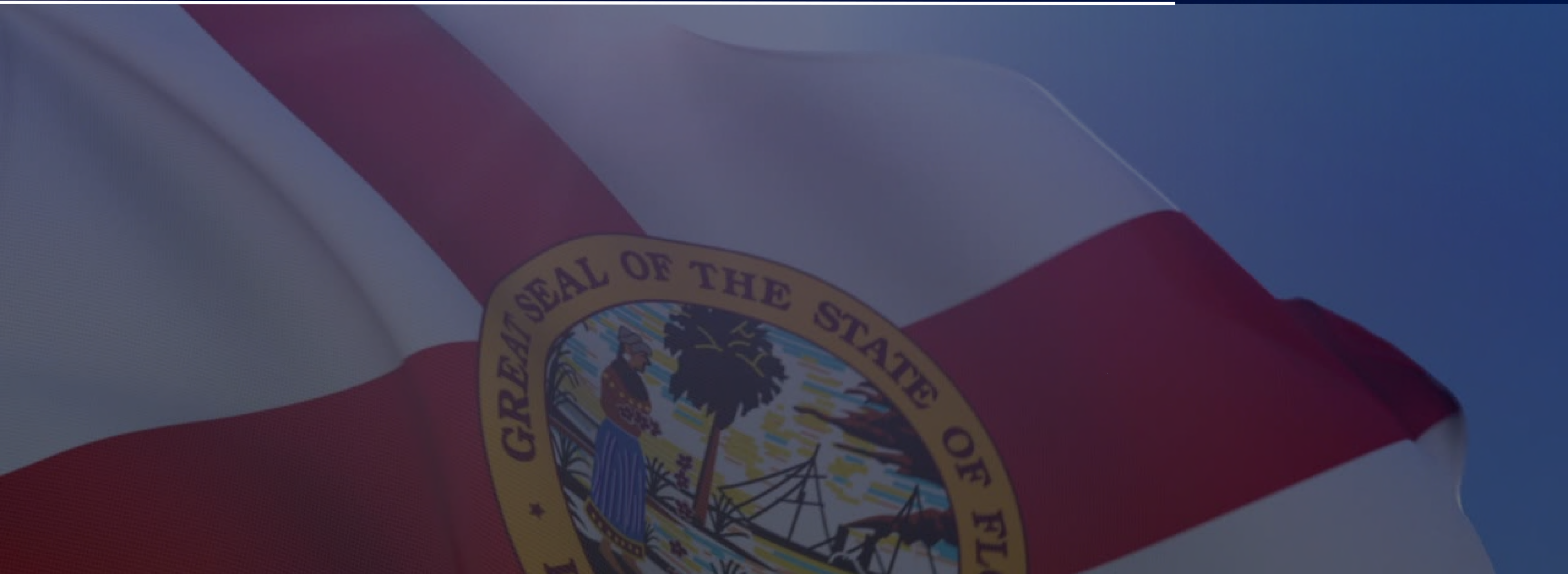
BILLS VETOED BY  
THE GOVERNOR

3229

VOTES

# LEADERSHIP PRIORITIES

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## GOVERNMENT AND CORPORATE ACTIVISM HB 3

- Signed into law by Governor on May 1.
- Prohibits Environmental, Social, and Governance (ESG) considerations in pension funds, bonding/ lending decisions, and state contracting.
- Prohibits discrimination by financial institutions on the basis of religious beliefs.
- Prohibits banks engaging in corporate activism from holding public deposits as a Qualified Public Depository (QPD).
- Prohibits financial sector from considering “Social Credit Scores.”
- Directs the AG, CFO, and Commissioner of Financial Regulation to enforce provisions to the fullest extent of the law.

## IMMIGRATION SB 1718

- Private businesses to use E-Verify if they have more than 25 employees.
- Imposes third-degree felony if knowingly hiring illegal immigrants.
- Removes Florida from recognizing Alien Registration Cards (Green Cards).
- Creates second-degree felony for smuggling illegal immigrant children or five or more people illegally.
- Collects illegal immigrant DNA for a database.
- Prohibits a county or municipality from providing funds to person, entity, or organization to issue an identification card or other document to an individual who does not provide proof of lawful presence in the U.S.
- Requires any hospital accepting Medicaid to include on its admission forms a question about whether the patient is a U.S. citizen, lawfully present in the U.S., or not legally present in the U.S.
- Requires hospital to provide quarterly report to AHCA with number of ER visits or hospital admissions by patients who responded to the above question in each category.

## DEATH PENALTY REFORM SB 450

- SB 450 passed and signed into law.
- Removes the previously required jury unanimity for a death penalty sentencing recommendation to the Court.
- Priority legislation arose following the life sentence recommendation for the Marjory Stoneman Douglas murderer.
- Lowers the threshold to “at least eight jurors” for a death sentence recommendation.

# GOVERNOR

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## DISNEY/REEDY CREEK

- 2022 legislation sunset the Reedy Creek Improvement District. House and Senate, in special session, reconstituted the district with several substantive changes.
- Replaced the elected board of commissioners with one appointed by the Governor.
- Prior to the new board taking effect, the RCID passed land development regulations that – from the perspective of the Governor and Legislature – undermined the legislative intent.
- Additional legislation was filed and passed during 2023 session expanding the powers of the board to “undo” the previous action.
- Gives FDOT inspection authority over the monorail system.
- Gives FDACS inspection authority over Disney rides.

## DATA PRIVACY/BIG TECH

- Prior to the start of session, the Governor again expressed his support for the data privacy bill.
- House and Senate considered legislation related to Technology Transparency which includes:
  - Protections for child safety.
  - Requires a customer “opt-in” for geo-tracking of specific locations and facial recognition technology.
  - Most notably, allows customers to “opt-out” of all first-party and third-party direct advertising, which may significantly impact small and medium size businesses that rely on social media platform direct advertising.
- Effective date for most of the bill (other than child protections) is July 1, 2024.

## TECHNOLOGY IN K-12 PUBLIC SCHOOLS HB 379

- Prohibits the use of certain platforms on district-owned devices and through internet access provided by the school district.
- Authorizes teachers and other instructional personnel to designate an area for wireless communications during instructional time.
- Requires public schools to provide instruction on the social, emotional, and physical effects of social media.

## HOUSE

**ELIMINATION OF EFI  
HB 5**

- Following significant negotiation between the House and Senate, HB 5 was ultimately amended and passed.
- Among other things:
  - Eliminates Enterprise Florida.
  - Eliminates several longstanding (even if underused) tax incentive programs.
  - Transfers significant economic development power and leadership to the newly-named Department of Commerce (previously Department of Economic Opportunity).

**CONSTITUTIONAL CARRY  
HB 543**

In the days just before the start of session, the House – standing alongside the Florida Sheriffs Association and other law enforcement leaders – rolled out their bill to allow Floridians to carry concealed firearms without needing a concealed carry permit.

The bill was highly controversial but ultimately was passed and signed into law swiftly during the session.

**TORT REFORM  
HB 837**

In short, the bill:

- Repeals one-way attorneys fees in insurance claims.
- Reduces statute of limitations for general negligence cases from 4 years to 2.
- Changes the negligence system from a pure comparative to a modified comparative.
- Significantly reforms bad faith framework.

# HOUSE

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## SCHOOL CHOICE HB 1

Long a top priority of the Florida House, going back several administrations, the wholesale expansion of school choice in Florida is finally a reality thanks to the passage of HB1.

## PARENTAL RIGHTS IN EDUCATION EXPANSION HB 1069

Building upon 2022's controversial legislation, the House and Senate passed HB 1069 that extends the prohibition against classroom instruction around sexual orientation and gender identity through the 8th grade.

## GENDER-RELATED ISSUES

The House, in many ways, led the charge on issues such as limitations on "gender-affirming care," children's attendance at drag shows, bathroom use based on biological sex, and related issues.

## SENATE

**AFFORDABLE HOUSING  
SB 102**

- Rolled out in January, passed swiftly by the House and Senate, and signed into law by the Governor.
- Preempts local rent control ordinances.
- Invests more than \$700 million into housing projects and incentives.
- Fully funds the Sadowski Trust Fund (for SHIP and SAIL programs).
- Expands the “Hometown Heroes” down payment assistance program with \$100 million in commitment.
- Preempts local governments that prohibit affordable developments by ordinance.
- Seeks to incentivize new and expanded developments for more affordable units.

**LOCAL ORDINANCES  
SB 170**

- Counties and cities must produce a “business impact estimate” prior to passing an ordinance, with exceptions.
- Estimate must be published on the local government’s website and include certain information.
- Imposes conditions on lawsuits brought by any party to challenge the legal validity of local ordinances as preempted by state law, arbitrary, or unreasonable.
- Properly noticed consideration of a proposed ordinance may be continued to a subsequent meeting under certain circumstances without further publication, mailing, or posted notice.

**WILDLIFE CORRIDOR  
SB 106**

- A top priority of Florida Senate President Kathleen Passidomo.
- Connects the Corridor to the Shared-Use Nonmotorized Trail Network (the SUN Trail Network) to the Wildlife Corridor, including components that connect to nature trails or other points of access within a park or natural area as parts of the SUN Trail Network.
- Trail projects within the Corridor should use previously disturbed lands.
- Projects should have existing local support to the greatest extent possible, including the potential for local funding and contributions by sponsors to support trail maintenance.
- Legislation funds at \$200 million.

# THE BUDGET





# BUDGET

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**Largest in Florida's History**

*\$117 billion*

**\$7 billion larger than last year and  
\$3 billion above the Governor's  
recommended budget submitted  
in February.**

# BUDGET

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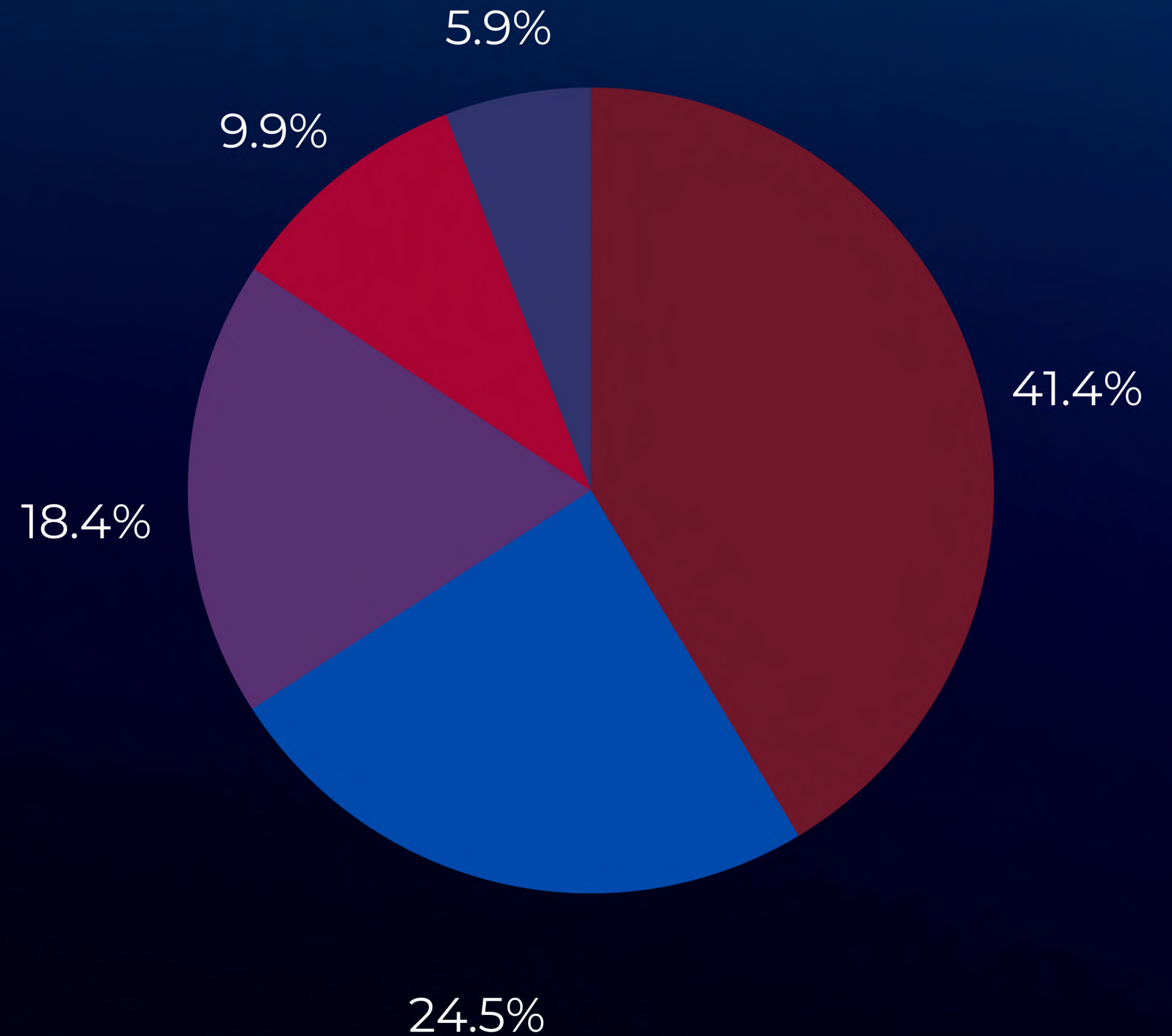
HEALTH AND HUMAN SERVICES  
\$47.3 BILLION

EDUCATION  
\$28 BILLION

TRANSPORTATION, TOURISM,  
& ECONOMIC DEVELOPMENT  
\$21 BILLION

AGRICULTURE, ENVIRONMENT,  
& GENERAL GOVERNMENT  
\$11.3 BILLION

CRIMINAL & CIVIL JUSTICE  
\$6.7 BILLION



# HEALTH AND HUMAN SERVICES

## TOTAL BUDGET: \$47.3 BILLION

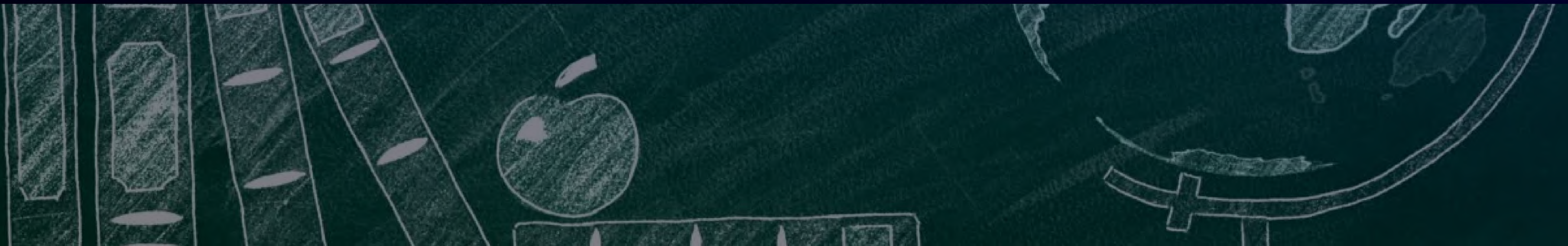
- Expand KidCare Access - \$20.6 million
- Expansion of Maternal Health Using Telehealth - \$12.7 million
- Casey DeSantis Cancer Research Program funding increase - \$27.5 million (totaling \$127.5 million)
  - Passage of conforming bill (HB 5303) eliminates the requirement that an academic cancer center be based in Florida in order to participate in the program. The change allows Mayo Clinic, based in Rochester, Minnesota, to participate.



# EDUCATION

## TOTAL BUDGET: \$28 BILLION

- Total funding, including Local Revenues: \$42.9 billion
- FEFP Total Funds increase is \$2.2 billion or 9.04 percent
- FEFP increases in Total Funds per Student served by a district is \$404.67, a 4.91 percent increase (from \$8,243.44 to \$8,648.11)
- Teacher Salary Increase - \$252 million increase for a total of \$1 billion
- Safe Schools Allocation - \$40 million increase for a total of \$250 million for School Safety Officers and school safety initiatives



# TRANSPORTATION, TOURISM, AND ECONOMIC DEVELOPMENT

**TOTAL BUDGET: \$21 BILLION**

- **Department of Transportation**

- Transportation Work Program - \$13.6 billion
- Local Transportation Initiatives Projects - \$400.7 million
- Moving Florida Forward Initiative - \$4 billion

- **Department of Economic Opportunity**

- VISIT Florida - \$80 million
- Job Growth Grant Fund - \$75 million
- Law Enforcement Recruitment Bonus Program - \$20 million

# TRANSPORTATION, TOURISM, AND ECONOMIC DEVELOPMENT

- **HOUSING PROGRAMS SB 102- LIVE LOCAL ACT - FUNDED IN LEGISLATION**
- **TOTAL BUDGET: \$711 MILLION**
  - Florida Hometown Heroes Program - \$100 million
  - State Housing Initiatives Partnership (SHIP) - \$252 million
  - State Apartment Incentive Loan Program (SAIL) - \$259 million
  - Inflation Loan Program for SAIL - \$100 million

# AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

## TOTAL BUDGET: \$11.3 BILLION

- Rural and Family Lands Protection Program - \$100 million
- Florida Forever Programs and Land Acquisition - \$1 billion, including:
  - Florida Communities Trust (FCT) - \$15 million
  - Florida Wildlife Corridor - \$850 million
  - Division of State Lands - \$100 million



# AGRICULTURE, ENVIRONMENT, AND GENERAL GOVERNMENT

- Water Projects - \$433 million
- Everglades Restoration - \$574.6 million
- Springs Restoration - \$50 million
- Wastewater Grant Program - \$200 million
- Florida Keys Area of Critical State Concern - \$20 million
- Local Government Cybersecurity Grants - \$40 million (Department of Management Services)

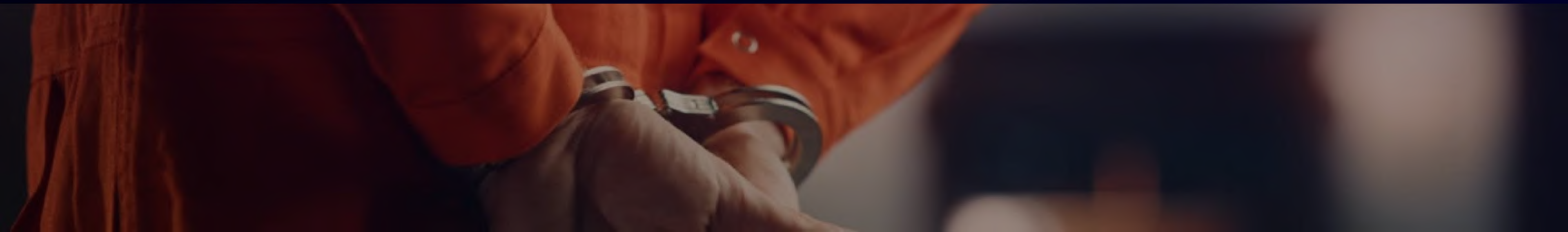




# CRIMINAL AND CIVIL JUSTICE

## TOTAL BUDGET: \$6.7 BILLION

- Department of Corrections total budget - \$3.3 billion
- Florida Department of Law Enforcement total budget - \$490.9 million
  - Local Government Drone Replacement Grant Program - \$25 million
  - Ballistic Testing Pilot Program within the FDLE - \$3.5M allocated to the FDLE to purchase ballistic testing machines on behalf of local law enforcement agencies
- Design and planning of new 6th DCA Courthouse (could be in Central Florida) - \$6 million



# COMPENSATION AND BENEFITS

- 5% Pay increase for all state employees
- Retirement - enhanced benefits
  - Retiree Health Insurance Subsidy increase of up to \$75 per month
  - DROP Program - Extension from 5 to 8 years for all employees, from 8 to 10 years for teachers
  - Special Risk - Reduced normal retirement to age 55 or 25 years of service
  - 2% increase to Investment Plan employer contributions



# BUDGET

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## *Budget Issues with Impact*

### **EDUCATION**

Sweeping FEFP changes for K12 education eliminates several categorical lines of spending while also increasing the Base Student Allocation (a House priority).

### **MOVING FLORIDA FORWARD**

\$4 billion in spending, which will expedite the completion of several projects around the state.

### **VISIT FLORIDA**

\$80 million in total appropriations, including \$30 million in recurring funds.

### **INMATE WELFARE TRUST FUND**

Increases the cap of available spending authority by the Department of Corrections to \$32 million for workforce training and prison education programs.

### **HIGHER EDUCATION SPENDING**

Major increases to university base operating funds and an extensive PECO spending list for capital projects.



# BUDGET

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## *Tax Cut Highlights*

### **GAS STOVES**

Permanent sales tax exemption on gas stoves.

### **NATURAL GAS/ENERGY STAR**

A two-year extension of the sales tax exemption on natural gas fuel and a one-year sales tax holiday on Energy Star appliances.

### **TOLL RELIEF PROGRAM**

Toll Relief Program, signed by the Governor in December, will run through the end of the year.

### **"FREEDOM SUMMER" SALES TAX HOLIDAY**

May 29, 2023 - September 4, 2023

### **"BACK TO SCHOOL" SALES TAX HOLIDAY**

July 24, 2023 - August 6, 2023

January 1, 2024 - January 14, 2024

### **"DISASTER PREPAREDNESS" SALES TAX HOLIDAY**

May 27, 2023 - June 9, 2023

### **"TOOL TIME" SALES TAX HOLIDAY**

September 2, 2023 - September 8, 2023

### **BUSINESS RENT TAX**

Reduces the tax by one penny from 5.5% to 4.5% (\$400 million state impact)

## *HB 7063 Taxation*

Permanently exempts the sale of the following products from sales and use tax:

- Machinery and equipment used to produce renewable natural gas.
- Machinery and equipment used to store electrical energy of at least 5 megawatts.
- Baby and toddler products.
- Diapers and incontinence products.
- Oral hygiene products.
- Firearm safety devices.
- Sales of taxable services by small private investigative services.

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# PORT ST. LUCIE PRIORITIES

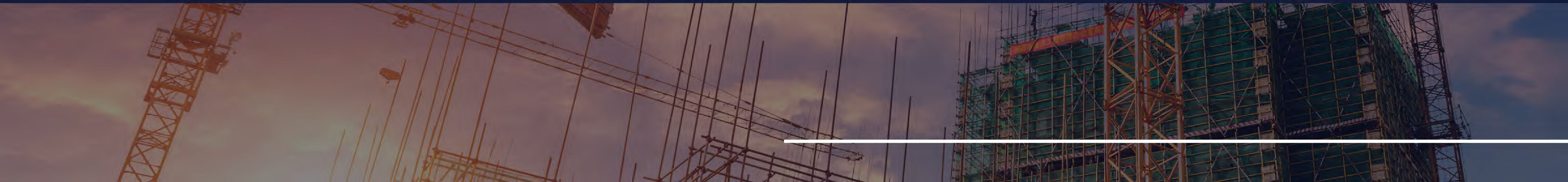


## *Local Projects*

- City of Port St. Lucie - Tom Mackie Boulevard Phase 4: \$3 million
  - City of Port St. Lucie - Public Works Administrative Complex/Emergency Operations Center: \$1 million
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## BUILDING CONSTRUCTION HB 89/SB 512

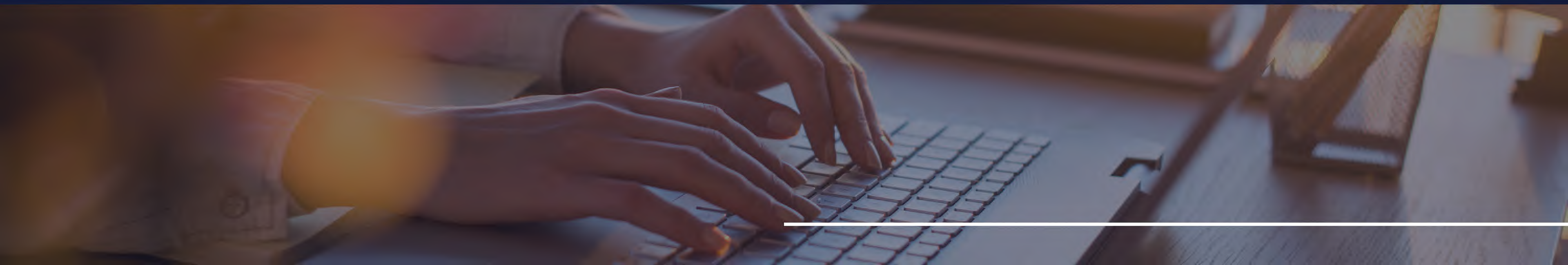
House Bill 89 by Maggard and Senate Bill 512 by Hooper. Prohibits a local government from making substantive changes to building plans after a permit has been issued. If substantive changes are made after a permit is issued, the local government must identify the specific plan features that do not comply with the Florida Building Code, the Florida Fire Prevention Code, or the Life Safety Code or any local amendments thereto. The specific code chapters and sections upon which the changes requested are based must be provided to the permit holder. A local fire inspector, plans reviewer or building official who fails to comply will be subject to disciplinary action.





## PROHIBITED APPLICATIONS ON GOVERNMENT ISSUED SB 258/HB 563

Senate Bill 258 by Burgess, and House Bill 563 by Amesty. Prohibits employees of governmental entities from downloading or accessing prohibited applications on government-issued devices. The bills also direct governmental entities to block all prohibited applications on any wireless device or network they operate. The bills direct the Department of Management Services (DMS) to compile and maintain a list of prohibited applications and publish the list on its website. Both bills clarify that these provisions do not apply to law enforcement officers if the use of these applications is necessary for public safety or to investigate. A public employer may also request a waiver from DMS to use a prohibited application.



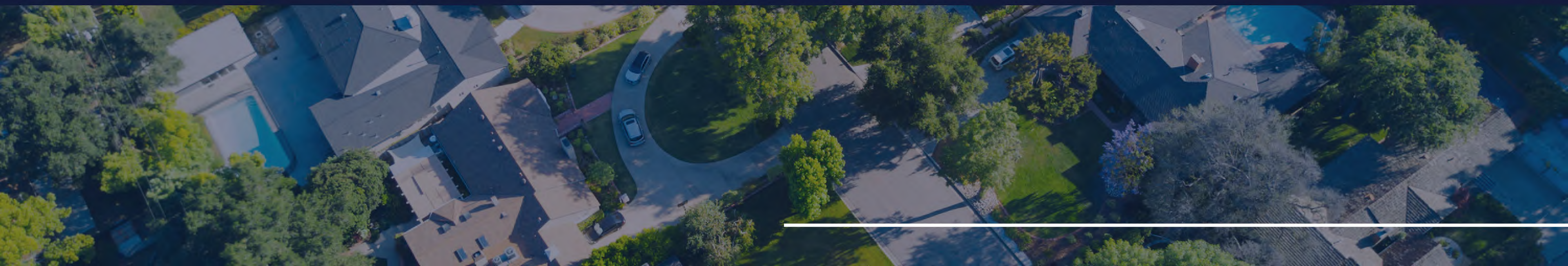
## LOCAL GOVERNMENT COMPREHENSIVE PLANS HB 359/SB 540

House Bill 359 by Duggan and Senate Bill 540 by DiCeglie. Allows for the Capital Improvement Element of Local Comprehensive Plans to have the option to be modified administratively if all the projects have been adopted by the project's appropriate board. Additionally, the bills amend language to allow for the prevailing party in a challenge to recover attorney fees and costs in challenging or defending a plan or plan amendment, including reasonable appellate attorney fees and costs. The bills extend the deadline by which that small scale and large-scale plan amendments must be adopted. The bills also prohibit local governments from enforcing any land development regulations, other than those related to density or intensity, on any of the institutions within the Florida College System.



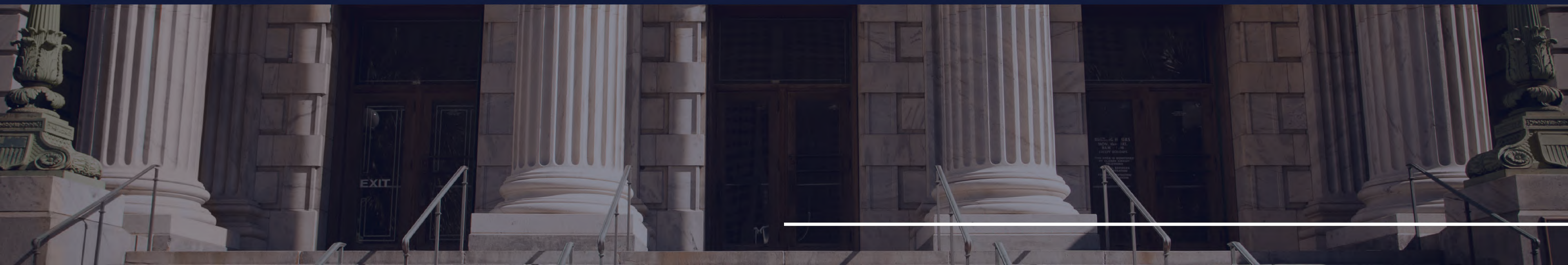
## MUNICIPAL BOUNDARIES HB 653/SB 718

House Bill 653 by Canady and Senate Bill 718 by Yarborough. specify that before starting annexation procedures, a local government shall prepare a feasibility study for the proposed area. To provide needed clarification on the process of contraction, the bills require a city to get permission from at least 50% of owners in an area proposed to be de-annexed when more than 70% of the land is owned by individuals, corporations or legal entities. "Contraction" means the reversion of property within municipal boundaries to an unincorporated status. Currently property owners who are not registered to vote from the property from the land in question have no voice in this process. The goal of the legislation is to prevent situations where a small group of property owners has requested a contraction of a large area of land and most of the land in question is owned by a property owner who is opposed to the contraction but is not registered to vote from the parcels in question.



## FINANCIAL DISCLOSURES FOR ELECTED LOCAL OFFICERS HB 37/SB 774

House Bill 37 by Roach and Senate Bill 774 by Brodeur. require all municipal mayors, city commissioners, elected members of a municipal governing body, and members of the state Commission on Ethics to file an annual Full Disclosure of Financial Interests (Form 6) with the Florida Commission on Ethics. These individuals are currently required to file only a Limited Disclosure of Financial Interests (Form 1).



# LOOKING AHEAD

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Governor action on budget.

Early session and quick turnaround for committee weeks and bill filings.

More special sessions?

## 2024 FLORIDA LEGISLATIVE SESSION DATES

### *Interim Committee Weeks*

- Week of September 18-22, 2023 (House Only)
- Week of October 9-13, 2023 (Senate Only)
- Week of October 16-20, 2023
- Week of November 6-9, 2023
- Week of November 13-17, 2023
- Week of December 4-7, 2023
- Week of December 11-15, 2023

**THE 2024 REGULAR SESSION CONVENES ON TUESDAY, JANUARY 9, 2024.**

## 2024 FEDERAL ELECTION DATES

- August 2023: Opening Republican Presidential Debate
- January 22, 2024: Iowa Republican presidential caucuses
- February 3, 2024: South Carolina Democratic primary
  - *subject to change*
- March 5, 2024: Super Tuesday
- March 19, 2024: Florida Presidential Preference Primary
- July 15-18, 2024: The Republican National Convention
- August 19-22, 2024: The Democratic National Convention
- November 5, 2024: General Election

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THANK YOU

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