

## February 2023 Activity Report

### Overview

Lawmakers convened in Tallahassee last month for the sixth and seventh interim committee weeks. Legislators then headed back to their districts for one week at home before Session officially begins on March 7<sup>th</sup>.

Legislators will begin Session with 7 bills in the Senate and 1 bill in the House ready to be heard by their full chambers on second reading. While this number is slightly lower than in previous years, it's important to note that several key pieces of legislation has already passed during the two Special Sessions. One trend we are seeing is an increase in larger 'package' bills, which results in fewer bills passing overall.

HB 837, a tort reform bill, will be heard in its first committee today. Last week, the Governor and legislative leadership joined together to announce the package, which aims to reduce the number of suits and damages that businesses face in frivolous lawsuits.

Governor DeSantis unveiled further immigration policy plans this week. His proposed legislative package would include, among other provisions, adopting more stringent hiring protocols, increasing penalties for illegal immigration, preventing local governments from issuing IDs to undocumented immigrants, and preventing undocumented students who entered the country as children from receiving in-state tuition rates.

The Universal School voucher bill gained traction this week. HB 1 passed through its second committee, while its companion bill, filed by Senator Corey Simon, passed its first committee. Legislation that allows people to carry concealed guns in Florida without a permit began moving through the Senate this week. The bill, SB 150, filed by Tampa Senator Collins, also includes several provisions to bolster school security.

Two of Senate President Passidomo's priorities have passed their final committees and are ready for the Senate floor. This includes SB 102, the 'Live Local act' which expands affordable housing funding, programs, and prevents local governments from imposing rent controls while allowing them to increase the percentage of property tax breaks given to landlords proportional to the affordable housing units they offer.

Governor DeSantis also announced his plan to spend \$205 million on opioid and substance abuse treatment and prevention programs. The funding comes from a settlement in a lawsuit against opioid manufacturers.

## Special Session

Last month Gov. DeSantis signed several bills from the February special session, including legislation that removes restrictions on universities and coaches from helping college athletes find 'name, image, and likeness (NIL) deals. He also signed into law the emergency response hurricane relief package, migrant transportation, and election prosecutor bills.

SB 2B- Emergency Response grants \$700 million to local governments for relief from hurricanes Ian and Nicole. Eligible local governments will receive interest free loans based on demonstrated need. In addition, it creates the Local Government Emergency Bridge Loan Program within the Department of Economic Opportunity. SB 2B - Statewide Prosecutor, clarifies that prosecutors can take on election related crimes if the crime affects, or has affected, two or more judicial districts.

The Intercollegiate Athlete Compensation and Rights Bill relaxes the rules on compensating intercollegiate athletes for their name, image, and likeness. It allows Florida universities to assist intercollegiate athletes in earning compensation or to find professional representation and includes requirements for financial literacy classes for athletes.

The Reedy Creek Improvement District, Orange and Osceola Counties Bill makes extensive revisions to the original Reedy Creek Improvement District charter, which governs Disney's land. Changes include renaming the district to the Central Florida Tourism Oversight District, replacing the landowner elected board with a five-person board elected by the Governor, and revises powers given to the district.

Lawmakers last year voted to abolish the district following a dispute between Gov. Ron DeSantis and Disney when the company publicly opposed legislation aimed at prohibiting instruction about sexuality and gender issues in schools. But the proposal passed last year didn't specify who would take over the services provided to Disney World, such as sewer service and fire response, or who would assume its debt obligations, and other local governments in the region expressed concern about being saddled with those. The measure would create the new district within two years and specify that Orange and Osceola counties wouldn't be responsible for Reedy Creek's \$1 billion debt.

## Proposed Rules

Notice of Development of Rulemaking  
Department: Department of Education  
Division: State Board of Education  
Rule No.: 6A-6.0576

Purpose: To specify the procedures and timelines for implementation of an industry certification process and adoption of the CAPE Industry Certification Funding List changes. This rule amendment will: 1) Adopt an updated CAPE Industry Certification Funding list which will impact funding calculations associated with industry certification attainment; 2) Adopt an updated Master Credentials List (MCL), new Industry certifications added to the MCL which will be added to the updated CAPE funding list; 3) Adopt the updated Form FCAPE-1: Registration of K-12 Career and Professional Academies; and 4.) clarify certification requirements for K-12 instructors. Note: the updated CAPE and Master Credentials

List will be available at the end of the month.

[https://www.flrules.org/gateway/View\\_Notice.asp?id=26757564](https://www.flrules.org/gateway/View_Notice.asp?id=26757564)

Notice of Meeting/Workshop Hearing

Department: Department of Business and Professional Regulation

Division: Florida Building Commission

Rule No.: 61G20-1.001

Subject: The Florida Building Commission will: hold a rule workshop for 61G20-1.001, F.A.C., to review and decide whether to take action upon comments pertaining to the development of the 8th Edition (2023) Florida Building Code; consider proposed updates to Energy Code Compliance Software for the 2022 Supplement to the 7th Edition (2020) Florida Building Code, Energy Conservation, and take up other matters that appear on the Commission's agenda.

Date/Time: March 14, 2023, 8:30 a.m.

Location: The Westin Lake Mary, Orlando North, 2974 International Parkway, Lake Mary, Florida 32746.

[https://www.flrules.org/gateway/View\\_Notice.asp?id=26861257](https://www.flrules.org/gateway/View_Notice.asp?id=26861257)

## Priority Bills

### Construction Defects

Senate bill now heads to the floor for a final vote. House bill has one final committee Judiciary. SB 360 aka Construction Defects is up in it last committee of reference in the Senate on Wednesday, the Rules Committee. The House bill still has one committee stop left, Judiciary.

[SB 0360](#) Causes of Action Based on Improvements to Real Property (Hutson)

#### Actions

SENATE On Committee agenda - Rules, 03/08/23, 1:30 pm, 412 K

[Click](#) here for the bill text

[Click](#) here for the staff analysis

SB 360 amends existing law with respect to causes of action based on improvements to real property. The bill shortens the timeframes within which a property owner may bring a cause of action against a builder for alleged construction defects. It also narrows the scope of certain statutory civil actions against builders for Florida Building Code violations.

Specifically, the bill:

- Revises the commencement of the 4-year statute of limitations by changing the listed potential commencement dates and causing the statute to run based upon whichever date is earliest instead of latest;
- Shortens the 10-year statute of repose to 7 years;

- Revises the commencement of the 7-year (currently 10-year) statute of repose by changing the listed potential commencement dates and causing the statute to run based upon whichever date is earliest instead of latest;
- Provides that if a newly constructed single-dwelling residential building is used as a model home, the time to bring a construction defect action begins to run from the date that a deed is recorded first transferring title to another party;
- Provides that if a project involves the construction of multiple buildings, each individual building must be considered its own improvement for purposes of determining the limitations period in the bill;
- Provides a definition for “material violations” in connection with statutory civil actions against builders for alleged Florida Building Code violations, and amends existing law to limit recovery for material violations only; and
- Includes a savings clause to ensure that claimants having time remaining under the existing statute of limitations have at least 1 year from the effective date of the bill to initiate a construction defect action.

## **Liens and Bonds**

House bill is up in second committee of reference. Senate bill up Wednesday in Banking and Insurance.

## **Articles of Interest**

### **Hutson Pushes Career, Tech Ed Bill**

Middle and high school students would have more work-based learning opportunities under a measure filed this week by Republican Sen. [Travis Hutson](#). The proposal ([SB 240](#)) aims to support career and technical education, or CTE, in grades 6-12 by connecting educational programs to specific industry and employment needs in local communities. It would also establish regional education groups that would include representatives from local businesses and education institutions to create additional opportunities for work-based learning and apprenticeships. Additionally, the legislation provides \$100 million for the Workforce Development Capitalization Incentive Grant Program for schools to fund the creation of career and technical education programs. It would also require school boards to provide work-based learning opportunities, diversify education opportunities and expand apprenticeships to all high school students. [Hutson Press Release](#)

### **Bill to Reduce Local Ordinance Impacts Moving**

A measure that would make it easier to challenge local ordinances in court and require "business impact statements" before putting local laws in place is moving in the Senate after approval this week by The Community Affairs Committee. The bill ([SB 170](#)), sponsored by Sen. [Jay Trumbull](#), R-Panama City, doesn't have a House companion yet. The measure now goes to the Senate Rules Committee, its last stop before the Senate floor. The bill would allow courts to award up to \$50,000 in attorney fees to a plaintiff after determining a local ordinance is "arbitrary or unreasonable." and suspend enforcement of new local laws while the challenge is considered in the courts. [Florida Bar News](#)

The following events took place in December 2022.

Date	Name	Purpose	Follow Up
2/9	FSA Casa Monica Resort	Sec. Griffin Speaking to group	
2/9	Rep. Overdorf	Discuss Liens and Bonds bill and language around extenuating circumstances for 45 days.	

### Future Meetings

Date	Name	Purpose
5/18	FSA Annual Meeting Swann Resort Orlando	

- Following up with Rep. Overdorf on adding in clarification on 45 days to be for emergencies only.
- Provided info on Deland bonding information to Exec Committee
- HB 837 tort package monitoring and provided input on bonds for construction contracts
- Provided contact for City of Ft. Myers