



# Broward SLI

State Legislative Information

October 30, 2015

Interim Committee Week 3 - 2016 Session

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## Reapportionment Back on Tap

On Monday, October 19, 2015, House and Senate leaders convened in Special Session C to redraw state senate districts after the previous plan was invalidated by the Florida Supreme Court. The House announced that it would follow the lead of the Senate in crafting the new plan. The Senate took testimony from staff and the public and asked numerous questions regarding compliance with Fair Districts.

On Friday, October 23, 2015, the Senate Reapportionment Committee passed a new set of maps by a vote of 4-3 with the vote split along party lines. The map will go to the full Senate floor and the product must also pass the House.

On Tuesday, October 27, 2015, the Senate adopted a last minute amendment that reworks the three Hispanic majority districts, benefiting the Miami-Dade incumbent senators. The boundaries proposed were approved on Wednesday, October 28, 2015, on a close 22-18 vote. Next week, the House will meet to approve the maps. Once approved, they will be reviewed by the Florida Supreme Court.

## Confederate Flag Removed From Senate Seal

Without objection, the Florida Senate moved to amend its rules and remove the confederate flag from its chamber's seal. Currently, the United States flag, the confederate flag, 1513 Spanish flag, the 1564 French flag, and the 1763 flag of Great Britain fly in the background of the seal. Each of these flags has flown over the state. The new seal will replace the confederate flag with Florida's state flag.

## Relocation of Utilities Passes after Amendment

SB 416- Location of Utilities, passed the Senate Community Affairs Committee unanimously after it was amended to allay local government concerns. The original bill prohibited local governments from requiring proprietary maps of facilities which were previously subject to a permit from the authority. This language was taken out along with the provision which would have required local government to pay for utility relocation inside a county right-of-way for non-transportation projects.

The bill will be heard in the Senate Transportation Committee on November 4, 2015. A companion bill (HB 461) was recently filed in the House, but to date has no committee references.

## Open Carry Bill Moves through Committee

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SB 300 – Weapons and Firearms, passed its first committee hurdle by a partisan vote of 3-2. The measure allows concealed weapon permit holders to carry licensed weapons in the open. The bill also applies strict scrutiny in reviewing any statute that implicates the right to bear arms. This means that any firearm regulation must be narrowly tailored, employ the least possible restrictions, and serve a compelling government purpose.

Law enforcement representatives opposed the bill as it allows for personal liability unless probable cause exists to believe that a crime has been committed. This area of the bill may render certain police actions liable for damages and prosecution. The bill has two more committee stops before the floor as does its companion bill in the House, HB 163.

## Tax Bills Heard in Senate

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SB 76 – Tax-exempt Income, raises the amount of income that is exempt from the corporate tax from \$50,000 to \$75,000. The bill is expected to cost \$5.9 million in the first year and \$14.7 million in recurring reductions to state general revenue.

SB 116 – Tax on Sales, Use, and Other Transactions lowers the amount of sales tax levied on commercial leases from 6 percent to 5 percent. The bill is expected to decrease local government revenue statewide by \$32.9 million on a recurring basis. The Florida Association of Counties (FAC), estimates a recurring impact of \$1.7 million, to Broward County for FY 2017-18.

SB 198 – Sales Tax Holiday reinstates the yearly “back-to-school” sales tax holidays starting on August 5<sup>th</sup>, 2016 ending on August 14<sup>th</sup>, 2016. The bill is expected to cost counties \$5.3 million statewide during FY 2016-17. The tax is slated to be non-recurring and FAC estimates an impact of \$775,000 to Broward County.

## Public Works Contracting Prohibition Passes House Committee

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HB 181 – Public Works Projects would prohibit political subdivisions of the state from requiring contractors to pay employees a predetermined amount of wages, provide employees a specified type, amount, or rate of employee benefits, control staffing, or require employees from a designated, restricted, or single source. The bill passed the committee 8-4 with the votes split along party lines.

## Comprehensive Water Policy Bill Moves through House

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The House State Affairs Committee passed PCB SAC 16-01 (now HB 7005) – Environmental Resources, which is similar to the water policy bills that died last year. HB 7005 creates a Pilot program for alternative water supply development in restricted allocation areas. The bill would also allow the water management district provide up to 50 percent of funding assistance for a pilot project.

Further, the bill specifically:

- Creates the Florida Springs and Aquifer Protection Act to expedite protection and

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restoration of the water flow and water quality in the aquifer and Outstanding Florida Springs;

- Ensures the appropriate governmental entities continue to develop and implement uniform water supply planning, consumptive water use permitting, and resource protection programs for the area encompassed by the Central Florida Water Initiative;
- Updates and restructures the Northern Everglades and Estuaries Act to reflect and build upon the Department of Environmental Protection's (DEP) completion of basin management action plans (BMAP) for Lake Okeechobee, the Caloosahatchee Estuary, and the St. Lucie River and Estuary, DEP's continuing development of a BMAP for the inland portion of the Caloosahatchee River watershed, and the Department of Agriculture and Consumer Services' implementation of best management practices in the three basins;
- Requires the Office of Economic and Demographic Research to conduct an annual assessment of water resources and conservation lands;
- Requires DEP to publish an online publicly accessible database of conservation lands on which public access is compatible with conservation and recreation purposes; and
- Requires DEP to conduct a feasibility study for creating and maintaining a web-based, interactive map of the state's waterbodies as well as regulatory information about each waterbody.

The bill currently has no references to other House Committees. A similar Senate bill, SB 552, is scheduled to be heard before the Senate Environmental Preservation and Conservation Committee on November 4, 2015.

## **Broad Religious Freedom Bill Filed in the House**

On October 21, 2015, Rep. Gonzalez filed HB 401 relating to the protection of religious freedom. The bill amends Florida's Religious Freedom Restoration Act of 1998 by creating a new section of law to protect actions based on religious or moral convictions.

More specifically, the bill provides that health care providers and specified health care facilities owned or operated by religious institutions are not required to administer, recommend or deliver any treatment or procedures contrary to religious or moral conviction or policies of the health care provider or facility. A provider or facility that exercising such refusal is shielded from liability unless the refusal places the patient in imminent danger of loss of life or serious bodily harm. A facility's or provider's refusal cannot be used as a basis to bring disciplinary or other recriminatory action.

In addition to protecting health care facilities and health care providers, the bill extends identical protections to individuals, closely-held corporations, religious institutions, and businesses owned or operated by a religious institution when such entities refuse provide products or services based on a religious or moral conviction or policy. The bill also extends protection to licensed child placement agency who refuse to "assist in, recommend, consent to, or participate in" the placement of a child because of a religious or moral conviction or the policy of the agency.

So far, no companion bill has been filed in the Senate.

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