



FROM THE HALLS OF THE CAPITOL A REPORT FROM TALLAHASSEE



AGC Alabama Northwest Florida Section

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March 14, 2018**

Week Nine Legislative Report

School Construction Dollars

Florida lawmakers approved a 45 percent increase in construction and maintenance money for universities, state colleges and public schools in the new state budget.

- The university system will have \$112 million in individual projects and \$47 million in maintenance money, which will be distributed by formula to the 12 state universities.
- The state college system has \$43 million in projects and \$35 million in maintenance funding, which will be distributed to the 28 schools.
- Public schools will receive \$50 million in maintenance and renovation funding, while charter schools will receive \$150 million, including \$5 million contingent on federal reimbursements.

Overtime Sends Lawmakers into A Rare Sunday Legislative Session

The 60th day ended when the House adjourned at 10:45 p.m. Friday night, but lawmakers still had to approve the budget. Both chambers adopted a resolution to extend the Session until 11:59 p.m. Sunday. Only the budget, budget implementing and conforming bills, and the tax package were included in the resolution, so all other pending bills died Friday night. Lawmakers went back into Session at 3:00 p.m. Sunday afternoon and passed the budget and tax bills.

Florida lawmakers ended their 2018 Session Sunday by passing an \$88.7 billion budget, while **Governor Rick Scott** signed legislation that provides record funding for Bright Futures college scholarships and continues expanding voucher-like programs for children to attend private

schools. The Senate made the traditional motion to adjourn “sine die” at 4:16 p.m. and was followed about a minute later by the House.

All Bets Are Off

A last-ditch effort to come up with a gambling bill came up snake eyes. After being resurrected in the waning days of Session lawmakers threw in the towel as time ran out in the 2018 Legislative Session. The main sticking point was the expansion of slots in the state. Looks like the voters will have the last say on this issue as a constitutional amendment on the November ballot will give voters control of future gambling in Florida.

Major Issues Fail

The tragic shooting at Marjory Stoneman Douglas High School will forever define the 2018 Legislative Session. Lawmakers were already struggling in the aftermath of sexual harassment allegations which saw two powerful Senators being forced to step down. However, it was the breaking news out of Parkland, FL on February 14 that changed the course of this year’s Legislative Session and doomed many high-profile issues. Here is a quick look at issues that died:

- Texting While Driving – Senate failed to take up bill that would make it a primary offense
- Fracking – Banning the controversial oil and natural gas drilling method failed
- Gambling – Negotiations failed over the number of slots that would be allowed led to its demise
- Concealed Weapons – Allowing people with concealed weapons permits to carry guns in church
- Assignment of Benefits (AOB) – Another year, another failed attempt to curb AOB abuse
- No Fault Insurance (PIP) – Repeal and replace no-fault auto insurance was just talk
- Red Light Cameras – Efforts to remove cameras failed again
- Sanctuary Cities – House Speakers priority, the Senate never considered the bill
- Sexual Harassment – House and Senate could not agree on policy
- Specialty Tags – Though not a priority, efforts to recognize UCF for their undefeated football season and Auburn & Alabama tags failed to the disappointment of football fans in the south

Latvala Calls It Quits

Former Senator Jack Latvala, who resigned his Senate seat after a sexual harassment investigation, formally withdrew from the gubernatorial campaign.

By the Numbers

Over 3000 bills were filed during the 2018 Legislative Session. Only 195 general and local bills passed . . . by far the fewest since at least 2001, and probably much further back. From 2001 thru 2007, there were an average of 400 bills passing each session.

Looking Ahead:

167 Days until Primary Election Day
237 Days until General Election Day
356 Days until 2019 Legislative Session

BILL PASSED AND ON THEIR WAY TO THE GOVERNOR

Business Filings

(CS/HB 661 by M. Miller/~~CS/SB 610 by Young~~)

These bills would require the Department of State to create a notification program by December 31, 2018 to combat fraudulent filings of business and corporate records.

Status: **CS/HB 661** unanimously passed the House on Monday, March 5 on a vote of 114-0. The Senate took up **CS/HB 661** and passed the bill on Tuesday, March 6 on a vote of 29-2. The bill was sent to the Governor on Wednesday, March 14 for final action.

High School Graduation Requirements

(HB 577 by Silvers/~~SB 856 by Montford~~)

The bill authorizes the use of credits earned upon completion of a registered apprenticeship or pre-apprenticeship program to satisfy specified high school graduation credit requirements.

STATUS: On Thursday, March 8, the Senate withdrew the House Bill from its committee of references, substituted **SB 856** for **HB 577** and unanimously passed the bill on Friday, March 9 on a vote of 37-0. The bill will be sent to the Governor for final action.

Daylight Saving Time/Time Observances

(HB 1013 by Nunez/~~CS/CS/SB 858 by Steube~~)

The bills declare the Legislature's intent to observe Daylight Savings Time year-round throughout the entire state if federal law is amended to permit Florida to take this action.

STATUS: **HB 1013** passed the Senate on Tuesday, March 6 on a vote of 33-2. The bill was sent to the Governor on Wednesday, March 14 for final action.

Statute of Limitations for Actions Relating to Real Property Improvement

(CS/CS/HB 875 by Leek/~~CS/CS/SB 536 by Passidomo~~)

The bill clarifies the time for filing a suit for latent defects and specifies that warranty and punch list work do not extend the time period.

STATUS: The Senate took up **CS/CS/SB 536** but substituted it for **CS/CS/HB 875**, and the bill unanimously passed the Senate on Friday, March 9 on a vote of 38-0. The bill will be sent to the Governor for final action.

Possession of Real Property

(CS/HB 631 by Civil Justice and Claims Subcommittee; Edwards-Walpole/~~CS/SB 804 by Passidomo~~)

Authorizes person with superior right to possession of real property to recover possession by ejectment; provides that person entitled to possession of real property has cause of action to regain possession from another person who obtained possession of real property by forcible entry, unlawful entry, or unlawful detainer; prohibits local government from enacting or enforcing ordinance or rule based on customary use; provides an exception; creates, revises, & repeals related procedural provisions.

STATUS: **CS/HB 631** passed the Senate on Tuesday, March 6. Because the bill was amended by the Senate, it was sent to the House in returning messages so that they can concur with the amended bill. The House concurred with the amended bill and passed it on Thursday, March 8 on a vote of 95-17. The bill was sent to the Senate in Messages. The bill will be sent to the Governor for final action.

BILLS DEAD FOR THE 2018 LEGISLATIVE SESSION

Use of Wireless Communications Devices While Driving/Texting While Driving

(CS/CS/HB 33 by Toledo/CS/SB 90 by Perry)

These bills would make texting while driving a primary.

Although **CS/CS/HB 33** passed the full House this past week, **Senate Appropriations Chair Rob Bradley (R – Orange Park)** refused to put **CS/SB 90** on his last Appropriations meeting agenda. There is no question it was his intention that the bill die yet another year, with **Bradley** being quoted as saying he has concerns with privacy issues if a driver is pulled over. This is a real disappointment for the sponsors, Don't TXT & Drive Coalition and citizens who cried loudly for this legislation to be passed.

STATUS: The House Bill passed all of its committee of references but died in a Senate Committee. The Senate Bill was heard by two of its committee of references before stalling in its last committee of reference.

Actions Against Contractors without Required Insurance Coverage

(HB 89 by Spano/SB 604 by Steube)

STATUS: The House Bill passed one of its three committee of references. The Senate Bill was not heard by any committee of reference.

Small Business Participation in State Contracting

(SB 114 by Campbell)

STATUS: The bill was not heard by any of its three committee of references, and there was no House Companion.

Florida Building Commission

(HB 299 by McClain)

STATUS: The bill was not heard by two of its three committee of references, and there was no Senate companion.

Annual Business Organization Reports and Fees

(HB 373 by M. Grant/SB 1228 by Hukill)

STATUS: **HB 373** was not heard by any of its three committee of references. **SB 1228** was heard by one of its three committee of references.

Impact Fees

(CS/CS/CS/HB 697 by Young/CS/CS/SB 324 by Young)

STATUS: **CS/CS/CS/HB 697** was heard by all of its committee of references, but died in the a Senate committee of reference. **CS/CS/SB 324** died on second reading on the Senate Calendar.

Theft

(CS/CS/HB 713 by Donalds and Alexander/CS/SB 928 by Bracy)

STATUS: **CS/CS/HB 713** was heard by all its three committee of references but died on the House Calendar. **CS/SB 928** was heard by two of its three committee references but died in its last committee of reference.

Direct Purchases of Tangible Personal Property by Contractors

(HB 715 by Leek/SB 1108 by Young)

STATUS: Neither of the bills were heard by any of their three committee of references.

Permit Fees

(CS/CS/CS/HB 725 by Williamson/CS/CS/SB 1144 by Perry)

STATUS: **CS/CS/CS/HB 725** was heard by its three committee of references but died in its first of three committee of references in the Senate. **CS/CS/SB 1144** was heard by its three committee of references but died on second reading on the Senate Calendar.

Construction Defect Claims

(HB 759 by Trumbull/SB 680 by Passidomo)

STATUS: **HB 759** was heard by one of its two committee of references but died in its second committee of referenced after being TPed two times. **SB 680** was not heard by any of its three committee of references.

Notaries Public

(CS/CS/HB 771 by J. Grant/CS/SB 1042 by Brandes)

STATUS: **CS/CS/HB** was heard by all three of its committee of references but died on second reading on the House Calendar. **CS/SB 1042** was heard by all three of its committee of references and passed the Senate on Wednesday, March 7 on a vote of 28-6. However, the bill died in messages in to the House.

Regulatory Reform-Licensing

(CS/CS/CS/HB 1041 by Plakon/CS/SB 1114 by Brandes)

STATUS: **CS/CS/CS/HB 1041** was heard in all four of its committee of references, passed the House on Monday, March 5 on a vote of 76-36. The bill was sent to the Senate in Messages, received by the Senate and referred to the Senate Regulated Industries Committee; Commerce and Tourism Committee; Appropriations Committee; and Rules Committee. The bill died in the first of three committee of references in the Senate. **CS/SB 1114** was heard by two of its four committee of references. The bill died in its third committee of reference in the Senate.

Opened and Expired Building Permits

(HB 1077 by /SB 1322 by Powell)

STATUS: Both bills were never heard by one of its three committee of references.

Workers' Compensation

(HB 7009 by Commerce Committee and Burgess)

STATUS: **HB 7009** was heard by its one committee of reference, passed the House, was received in the Senate and referred to three committee of references. The bill died in the first committee of reference in the Senate.

Property Insurance (Assignment of Benefits (AOB))

(HB 7015 by Trumbull/SB 62 by Hukill/SB 256 by Farmer/SB 258 by Farmer/CS/CS/SB 1168 by Steube)

STATUS: **HB 7015** was heard by its one committee of reference, passed the House, was received in the Senate and referred to three committee of references. The bill died in the first committee of reference in the Senate. **SB 62** was not heard by any of its three committee of references. **SB 56** was heard by any of its committee of references. **SB 258** were not heard by any of its committee of references. **CS/CS/SB 1168** was heard by two of its three committee of references but died in its last committee of reference.

To view and print the above bills from this week's Legislative Report, please go to either www.floridahouse.gov or www.flsenate.gov. Other legislative information can be found by going to www.leg.state.fl.us. If you have any questions or need additional information, please contact me at rbkershneratt.net.