



FROM THE HALLS OF THE CAPITOL A REPORT FROM TALLAHASSEE



AGC Alabama Northwest Florida Section

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Final 2018 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

133 Days until Primary Election Day

203 Days until General Election Day

November Ballot Loaded Up with Constitutional Amendments

Twenty-four amendments won initial approval of the Constitution Revision Commission (CRC) – but those ideas have since been downsized to 12 actual ballot items. The proposed ballot measures, if approved by the full commission, would be added to the following five proposed constitutional amendments that have already made it to the November 2018 ballot:

- Amendment 1 by the Florida Legislature – Increased Homestead Property Tax Exemption for taxes other than for schools.
- Amendment 2 by the Florida Legislature – Limitations on Property Tax Assessments (makes permanent the “Save Our Homes” exemption).
- Amendment 3 by the Voters in Charge – Voter Control of Gambling in Florida.
- Amendment 4 by the Floridians for a Fair Democracy, Inc. – Voting Restoration Amendment.
- Amendment 5 by the Florida Legislature – Supermajority Vote Required to Impose, Authorize or Raise State Taxes or Fees.

The CRC will be finalizing what measures will go on the ballot in November this week. Florida businesses won’t have to worry about voters requiring them to verify the immigration status of new employees.

On Monday, the CRC rejected a proposal that would have asked voters in November to require businesses to use a system similar to the U.S. Department of Homeland Security’s Employment Authorization Program, known as E-Verify, to determine immigration-related eligibility of employees.

BILL THAT PASSED

Business Filings: CS/HB 661 by M. Miller (CS/SB 610 by Young)

Last Action: Signed by the Governor, Chapter No. 2018-58, Laws of Florida

Effective Date: July 1, 2018

This bill is intended to give a corporation notice when the corporate record is altered to ensure that the changes were legitimately made by the entity. Notice must be given by the Division of Corporations by electronic or regular mail and fees for correcting an invalid record are waived if the correction is made within 15 days of notice by the Department.

High School Graduation Requirements: HB 577 by Silvers and Duran (SB 856 by Montford)

Last Action: Signed by the Governor April 6, 2018, Chapter 2018-154, Laws of Florida

Effective Date: July 1, 2018

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

the eight elective credits allowed and the one credit allowed for fine or performing arts, speech and debate or practical arts. The bill also requires the State Board of Education to approve and identify registered apprenticeship and pre-apprenticeship programs that qualify.

Limitations of Actions Other Than for Recovery of Real Property: CS/CS/HB 875 by Leek (CS/CS/SB 536 by Passidomo)

Last Action: Signed by the Governor, Chapter No. 2018-97, Laws of Florida

Effective Date: July 1, 2018, applies to any action “commenced” on or after that date

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 when the contractor is duly licensed, and the job is properly permitted and inspection. It also provides a one-year period from the date of the original filing of suit for the filing of counter-claims, cross-claims and third-party claims.

Daylight Saving Time/Time Observances: HB 1013 by Nunez and Fitzenhagen (CS/CS/SB 858 by Steube)

Last Action: Signed by the Governor, Chapter No. 2018-99, Laws of Florida

Effective Date: July 1, 2018

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.

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.