



## **FRACCA LEGISLATION REPORT**

Clayton Osteen & Joshua Funderburke, FRACCA Legislative Council

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### **MEMORANDUM**

**TO:** Florida Refrigeration and Air Conditioning Contractors Association (FRACCA)  
**FROM:** Clayton Osteen & Joshua Funderburke, FRACCA Legislative Council  
**RE:** Legislative Report – 2020 Election  
**DATE:** October 21, 2020

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With less than two weeks until election day, early voting has opened and over 700,000 people have already sent in their ballot. This legislative report will cover the 2020 election, upcoming organizational session, the Governor’s recent legislative proposal, and potential issues arising in the 2021 Session.

### **IMPORTANT DATES**

- November 1, 2020: Early Voting Deadline
- November 3, 2020: General Election Day
- November 17, 2020: Organizational Session
- March 2, 2021: Regular Session Convenes
- April 30, 2021: Regular Session Ends

### **FLORIDA CONSTITUTIONAL AMENDMENTS**

In addition to candidates for office, voters will also be voting on six constitutional amendments. The Florida Constitution requires each amendment to receive 60% majority for adoption. Currently, Amendments 1, 5, and 6 are comfortably polling above 60% majority, and Amendment 2 sits right at the threshold of 60%. Listed here is a brief description of each amendment:

#### *Amendment 1 – Citizenship Required to Vote in Florida Elections*

Official Ballot Summary: This amendment provides that only United States Citizens who are at least eighteen years of age, a permanent resident of Florida, and registered to vote, as provided by law, shall be qualified to vote in a Florida election. Sponsor: Florida Citizen Voters

#### *Amendment 2 – Raising Florida’s Minimum Wage*

Official Ballot Summary: Raises minimum wage to \$10.00 per hour effective September 30th, 2021. Each September 30th thereafter, minimum wage shall increase by \$1.00 per hour until



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the minimum wage reaches \$15.00 per hour on September 30th, 2026. From that point forward, future minimum wage increases shall revert to being adjusted annually for inflation starting September 30th, 2027. Sponsor: Florida For a Fair Wage

*Amendment 3 – All Voters Vote in a Primary Election for State Legislature, Governor and Cabinet*

Official Ballot Summary: Allows all registered voters to vote in primaries for state legislature, governor, and cabinet regardless of political party affiliation. All candidates for an office, including party nominated candidates, appear on the same primary ballot. Two highest vote getters advance to general election. If only two candidates qualify, no primary is held, and winner is determined in general election. Candidate's party affiliation may appear on ballot as provided by law. Effective January 1, 2024. Sponsor: All Voters Vote, Inc.

*Amendment 4 – Voter Approval of Constitutional Amendments*

Official Ballot Summary: Requires all proposed amendments or revisions to the state constitution to be approved by the voters in two elections, instead of one, in order to take effect. The proposal applies the current thresholds for passage to each of the two elections. Sponsor: Keep Our Constitution Clean PC

*Amendment 5 – Limitations on Homestead Assessments*

Official Ballot Summary: Proposing an amendment to the State Constitution, effective date January 1, 2021, to increase, from 2 years to 3 years, the period of time during which accrued Save-Our-Homes benefits may be transferred from a prior homestead to a new homestead. Sponsor: The Florida Legislature/House (HJR 369)

*Amendment 6 – Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities*

Official Ballot Summary: Provides that the homestead property tax discount for certain veterans with permanent combat-related disabilities carries over to such veteran's surviving spouse who holds legal or beneficial title to, and who permanently resides on, the homestead property, until he or she remarries or sells or otherwise disposes of the property. The discount may be transferred to a new homestead property of the surviving spouse under certain conditions. The amendment takes effect January 1, 2021. Sponsor: The Florida Legislature/House (HJR 877)



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**2020 ELECTION UPDATE**

With election day looming, campaigns are full steam ahead attempting last-minute efforts to reach their voters despite COVID-related precautions. Please see the below for a breakdown of the candidates for state Legislature:

<b>Florida Senate</b>			
District	Counties	Candidates	District Affiliation
SD 1	Escambia, Santa Rosa, and part of Okaloosa	Doug Broxson (R)* Karen Butler (D)	Strong Republican
SD 3	Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla	Marva Harris Preston (R) Loranne Ausley (D)	Leans Democrat
SD 5	Baker, Bradford, Clay, Columbia, Dixie, Gilchrist, Lafayette, Levy, Suwannee, Union, and part of Marion	Jennifer Bradley (R) Melina Rayna Barratt (D)	Strong Republican
SD 7	Flagler, St. Johns, and part of Volusia	Travis Hutson (R)* Heather Hunter(D)	Strong Republican
<b>SD 9</b>	<b>Seminole and part of Volusia</b>	<b>Jason Brodeur (R) Patricia Sigman (D) Jestine Iannotti (NPA)</b>	<b>Even</b>
SD 11	Part of Orange	Joshua Eli Adams (R) Randolph Bracy (D)*	Strong Democrat
SD 13	Part of Orange	Josh Anderson (R) Linda Stewart (D)*	Democrat
SD 15	Osceola and part of Orange	Louis T. Minnis Jr. (R) Victor M. Torres Jr. (D)* Mike James (NPA)	Democrat
SD 17	Indian River and part of Brevard	Debbie Mayfield (R)* Scot Fretwell (D) Phillip Snyder (NPA)	Republican
SD 19	Parts of Hillsborough and Pinellas	Darryl Ervin Rouson (D)* Christina Paylan (NPA)	Strong Democrat
SD 20	Parts of Hillsborough, Pasco, and Polk	Danny Burgess (R) Kathy Lewis (D)	Leans Republican



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SD 21	Manatee and part of Hillsborough	Jim Boyd (R) Anthony Eldon (D)	Republican
SD 23	Sarasota and part of Charlotte	Joe Gruters (R)* Katherine Norman (D) Robert Kaplan (NPA)	Republican
SD 25	Martin, St. Lucie, and part of Palm Beach	Gayle Harrell (R)* Corinna Balderramos Robinson (D)	Leans Republican
SD 27	Part of Lee	Ray Rodrigues (R) Rachel Brown (D)	Strong Republican
SD 29	Parts of Broward and Palm Beach	Brian Norton (R) Tina Polsky (D)	Democrat
SD 31	Part of Palm Beach	Tami Donnally (R) Lori Berman (D)*	Strong Democrat
<b>SD 33</b>	<b>Part of Broward County</b>	<b>Perry E. Thurston Jr. (D)*</b>	<b>Strong Democrat</b>
SD 35	Parts of Broward and Miami-Dade	Shevrin "Shev" Jones (D) Darien Hill (WRI)	Strong Democrat
SD 37	Part of Miami-Dade	Ileana Garcia (R) Jose Javier Rodriguez (D)* Alex Rodriguez (NPA)	Leans Democrat
<b>SD 39</b>	<b>Monroe and part of Miami-Dade</b>	<b>Ana Maria Rodriguez (R)</b> <b>Javier E. Fernandez (D)</b> <b>Celso D. Alfonso (NPA)</b>	<b>Even</b>

<b>Florida House</b>			
District	Counties	Candidates	District Affiliation
HD 1	Part of Escambia	Michelle Salzman (R) Franscine C. Mathis (D)	Strong Republican
HD 2	Parts of Escambia and Santa Rosa	Alex Andrade (R)* Dianne Krumel (D)	Republican
HD 3	Parts of Okaloosa and Santa Rosa	Jayer Williamson (R)* Angela L. Hoover (D)	Strong Republican
HD 4	Part of Okaloosa	Patt Maney (R) John Plante (D)	Strong Republican
HD 5	Holmes, Jackson, Walton, Washington, and part of Bay	Brad Drake (R)*	Strong Republican
HD 6	Part of Bay	Jay Trumbull (R)* Alicia Bays (D)	Strong Republican



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HD 7	Calhoun, Franklin, Gulf, Jefferson, Lafayette, Liberty, Madison, Taylor, Wakulla, and part of Leon	Jason Shoaf (R)* Taymour Khan (D)	Republican
<b>HD 8</b>	<b>Gadsden and part of Leon</b>	<b>Ramon Alexander (D)*</b>	<b>Strong Democrat</b>
HD 9	Part of Leon	Jim Kallinger (R) Allison Tant(D)	Democrat
HD 10	Baker, Columbia, Hamilton, Suwannee, and part of Alachua	Chuck Brannan (R)* Rock Aboujaoude Jr. (D)	Strong Republican
HD 11	Nassau and part of Duval	Cord Byrd (R)* Joshua Hicks (D)	Strong Republican
HD 12	Part of Duval	Clay Yarborough (R)* Emmanuel Blimie (D)	Republican
<b>HD 13</b>	<b>Part of Duval</b>	<b>Tracie Davis (D)*</b>	<b>Strong Democrat</b>
HD 14	Part of Duval	Angie Nixon (D)	Strong Democrat
HD 15	Part of Duval	Wyman Duggan (R)* Tammyette Thomas (D)	Leans Republican
HD 16	Part of Duval	Jason Fischer (R)* Ben Marcus (D)	Strong Republican
HD 17	Part of St. Johns	Cyndi Stevenson (R)* Dave Rogers (D)	Strong Republican
HD 18	Part of Clay	Sam Garrison (R) Leroy Anthony Edwards (D) Ken Willey (LPF)	Strong Republican
HD 19	Bradford, Putnam, Union, and part of Clay	Bobby Payne (R)* Kimberly Duggar (D)	Strong Republican
HD 20	Parts of Alachua and Marion	Yvonne Hayes Hinson (D)	Strong Democrat
<b>HD 21</b>	<b>Dixie, Gilchrist, and part of Alachua</b>	<b>Chuck Clemons (R)* Kayser Enneking (D)</b>	<b>Even</b>
HD 22	Levy and part of Marion	Joe Harding (R) Barbara Byram (D)	Strong Republican
HD 23	Part of Marion	Stan McClain (R)* Cynthia Dela Rosa (D)	Strong Republican
HD 24	Flagler and parts of St. Johns and Volusia	Paul Renner (R)* Adam Morley (D)	Strong Republican



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HD 25	Part of Volusia	Tom Leek (R)* Sarah Zutter (D) Joseph "Joe" Hannoush (LPF)	Republican
HD 26	Part of Volusia	Elizabeth Fetterhoff (R)* Patrick Henry (D)	Even
HD 27	Part of Volusia	Webster Barnaby (R) Dolores Guzman (D)	Leans Republican
HD 28	Part of Seminole	David Smith (R)* Pasha Baker (D) Michael A. Riccio (NPA)	Even
HD 29	Part of Seminole	Scott Plakon (R)* Tracey Kagan (D) Juan Rodriguez (NPA)	Leans Republican
HD 30	Part of Orange and Seminole	Bob Cortes (R) Joy Goff-Marcil (D)*	Leans Democrat
HD 31	Parts of Lake and Orange	Keith Truenow (R) Crissy Stile (D)	Republican
HD 32	Part of Lake	Anthony Sabatini (R)* Stephanie L. Dukes (D)	Republican
HD 33	Sumter and parts of Lake and Marion	Brett Hage (R)* Mamie "Dee" Melvin (D)	Strong Republican
HD 34	Citrus and part of Hernando	Ralph Massullo (R)* Dushyant Jethagir Gosai (D)	Strong Republican
HD 35	Part of Hernando	Blaise Ingoglia (R)* Keith G. Laufenberg (D)	Strong Republican
HD 36	Part of Pasco	Amber Mariano (R)* Daniel Endonino (D)	Leans Republican
HD 37	Part of Pasco	Ardian Zika (R)* Tammy Garcia (D)	Strong Republican
HD 38	Part of Pasco	Randy Maggard (R)* Brian Staver (D)	Leans Republican
HD 39	Parts of Osceola and Polk	Josie Tomkow (R)* Chris Cause (D)	Leans Republican
HD 40	Part of Polk	Colleen Burton (R)* Jan Barrow (D) Emily Michie (NPA)	Leans Republican
HD 41	Part of Polk	Sam Killibrew (R)* Jared West (D)	Leans Republican



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<b>HD 42</b>	<b>Parts of Osceola and Polk</b>	<b>Fred Hawkins (R)</b> <b>Barbara Ann Cady (D)</b> <b>Leroy Sanchez (NPA)</b>	<b>Even</b>
<b>HD 43</b>	<b>Part of Osceola</b>	<b>Kristen Arrington (D)</b>	<b>Strong Democrat</b>
HD 44	Part of Orange	Bruno Portigliatti (R) Geraldine Thompson (D)*	Leans Democrat
<b>HD 45</b>	<b>Part of Orange</b>	<b>Kamia Brown (D)*</b>	<b>Strong Democrat</b>
<b>HD 46</b>	<b>Part of Orange</b>	<b>Travaris McCurdy (DEM)</b>	<b>Strong Democrat</b>
HD 47	Part of Orange	Jeremy Sisson (R) Anna V. Eskamani (D)*	Democrat
HD 48	Part of Orange	Jesus Martinez (R) Daisy Morales (D)	Strong Democrat
HD 49	Part of Orange	Robert Prater (R) Carlos Guillermo Smith (D)*	Strong Democrat
HD 50	Parts of Brevard and Orange	Rene "Coach P" Plasencia (R)* Nina Yoakum (D)	Leans Republican
HD 51	Part of Brevard	Tyler Sirois (R)* Joan Marie Majid (D)	Strong Republican
HD 52	Part of Brevard	Thad Altman (R)* Lloyd Dabbs (D)	Strong Republican
HD 53	Part of Brevard	Randy Fine (R)* Phil Moore (D)	Republican
HD 54	Indian River and part of St. Lucie	Erin Grall (R)* Albert M. Griffiths (D)	Strong Republican
HD 55	Glades, Highlands, Okeechobee, and part of St. Lucie	Kaylee Tuck (R) Linda Tripp (D)	Strong Republican
HD 56	DeSoto, Hardee, and part of Polk	Melony Bell (R)* James Davis (D)	Republican
HD 57	Part of Hillsborough	Mike Beltran (R)* Scott "Mr. H" Hottenstein (D)	Republican
HD 58	Part of Hillsborough	Lawrence McClure (R)* Cleo L. "CL" Townsend Jr. (D)	Republican
<b>HD 59</b>	<b>Part of Hillsborough</b>	<b>Michael Owen (R)</b> <b>Andrew Learned (D)</b>	<b>Even</b>
HD 60	Part of Hillsborough	Jackie Toledo (R)* Julie Jenkins (D)	Leans Republican
<b>HD 61</b>	<b>Part of Hillsborough</b>	<b>Dianne "Ms. Dee" Hart (D)</b>	<b>Strong Democrat</b>
HD 62	Part of Hillsborough	Angel S. Urbina Capo (R)	Strong Democrat





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		Susan L. Valdes (D)* Laurie Rodriguez-Person	
<b>HD 63</b>	<b>Part of Hillsborough</b>	<b>Fentrice Driskell (D)</b>	<b>Democrat</b>
HD 64	Part of Hillsborough and Pinellas	Traci Koster (R) Jessica Harrington (D)	Republican
HD 65	Part of Pinellas	Chris Sprowls (R)* Kelly Johnson (D)	Republican
HD 66	Part of Pinellas	Nick DiCeglie (R)* Patricia M. Plantamura (D)	Republican
<b>HD 67</b>	<b>Part of Pinellas</b>	<b>Chris Latvala (R)* Dawn Douglas (D)</b>	<b>Even</b>
HD 68	Part of Pinellas	Matt Tito (R) Ben Diamond (D)*	Democrat
HD 69	Part of Pinellas	Linda Chaney (R) Jennifer N. Webb (D)*	Leans Democrat
<b>HD 70</b>	<b>Parts of Hillsborough, Manatee, Pinellas, and Sarasota</b>	<b>Michele K. Rayner (D)</b>	<b>Strong Democrat</b>
HD 71	Parts of Manatee and Sarasota	Will Robinson (R)* Andy Mele (D)	Leans Republican
HD 72	Part of Sarasota	Fiona McFarland (R) Drake Buckman (D)	Leans Republican
HD 73	Parts of Manatee and Sarasota	Tommy Gregory (R)* David Reeves Fairey (D)	Strong Republican
HD 74	Part of Sarasota	James Buchanan (R)* Lisa Stortstrom (D)	Strong Republican
HD 75	Charlotte	Michael Grant (R)* David G. Jones (D)	Strong Republican
HD 76	Part of Lee	Adam Botana (R) Anselm Weber (D)	Strong Republican
HD 77	Part of Lee	Mike Giallombardo (R) Joshua Lopez (D)	Strong Republican
HD 78	Part of Lee	Jenna Persons (R) Shawn Michael Williams (D)	Republican
HD 79	Part of Lee	Spencer Roach (R)* Danika Fornear (D)	Republican
HD 80	Hendry and part of Collier	Lauren Uhlich Melo (R) Laura Novosad (D)	Strong Republican



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HD 81	Part of Palm Beach	Saulis Banionis (R) Kelly Skidmore (D)	Strong Democrat
HD 82	Parts of Martin and Palm Beach	John Snyder (R) Elisa Edwards Ackerly (D)	Strong Republican
HD 83	Parts of Martin and St. Lucie	Toby Overdorf (R)* Edgar "EJ" Bernier (D)	Strong Republican
HD 84	Part of St. Lucie	Dana Trabulsky (R) Dolores Hogan Johnson (D)*	Leans Democrat
HD 85	Part of Palm Beach	Rick Roth (R)* Jim Carroll (D)	Lean Republican
HD 86	Part of Palm Beach	Susan M. Kufdakis Rivera (R) Matt Willhite (D)*	Democrat
HD 87	Part of Palm Beach	Herb Sennett (R) David Silvers (D)*	Strong Democrat
HD 88	Part of Palm Beach	Danielle Madsen (R) Omari Hardy (D) Rubin Anderson (NPA)	Strong Democrat
HD 89	Part of Palm Beach	Mike Caruso (R)* Jim Bonfiglio (D)	Leans Republican
HD 90	Part of Palm Beach	Lydia Maldonado (R) Joseph A. Casello (D)*	Strong Democrat
HD 91	Part of Palm Beach	Sayd Hussain (R) Emily Ann Slosberg (D)*	Strong Democrat
HD 92	Part of Broward	Patricia Hawkins-Williams (D)* Nancy St. Clair (NPA)	Strong Democrat
<b>HD 93</b>	<b>Part of Broward</b>	<b>Chip LaMarca (R)*</b> <b>Linda Thompson Gonzalez (D)</b>	<b>Even</b>
<b>HD 94</b>	<b>Part of Broward</b>	<b>Bobby DuBose (D)</b>	<b>Strong Democrat</b>
<b>HD 95</b>	<b>Part of Broward</b>	<b>Anika Omphroy (D)</b>	<b>Strong Democrat</b>
<b>HD 96</b>	<b>Part of Broward</b>	<b>Christine Hunchofsky (D)</b>	<b>Strong Democrat</b>
<b>HD 97</b>	<b>Part of Broward</b>	<b>Dan Daley (D)</b>	<b>Strong Democrat</b>
<b>HD 98</b>	<b>Part of Broward</b>	<b>Michael Gottlieb (D)</b>	<b>Strong Democrat</b>
<b>HD 99</b>	<b>Part of Broward</b>	<b>Evan Jenne (D)</b>	<b>Strong Democrat</b>
<b>HD 100</b>	<b>Parts of Broward and Miami-Dade</b>	<b>Joe Geller (D)</b>	<b>Strong Democrat</b>
HD 101	Part of Broward	Vincent "Vinnie" Parlatore (R) Marie Woodson (DEM)	Strong Democrat



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<b>HD 102</b>	<b>Parts of Broward and Miami-Dade</b>	<b>Felicia Simone Robinson (D)</b>	<b>Strong Democrat</b>
HD 103	Parts of Broward and Miami-Dade	Tom Fabricio (R) Cindy Polo (D)*	Democrat
HD 104	Part of Broward	George Navarini (R) Robin Bartleman (D)	Strong Democrat
HD 105	Parts of Broward, Collier, and Miami-Dade	David Borrero (R) Maureen Porras (D)	Leans Democrat
HD 106	Part of Collier	Bob Rommel (R)* Sara McFadden (D)	Strong Republican
<b>HD 107</b>	<b>Part of Miami-Dade</b>	<b>Christopher Benjamin (D)</b>	<b>Strong Democrat</b>
<b>HD 108</b>	<b>Part of Miami-Dade</b>	<b>Dotie Joseph (D)*</b>	<b>Strong Democrat</b>
<b>HD 109</b>	<b>Part of Miami-Dade</b>	<b>James Bush III (D)</b>	<b>Strong Democrat</b>
HD 110	Part of Miami-Dade	Alex Rizo (R) Annette Collazo (D)	Leans Republican
HD 111	Part of Miami-Dade	Bryan Avila (R)* Ross Elde Hancock (D)	Leans Republican
HD 112	Part of Miami-Dade	Bruno A. Barreiro (R) Nicholas Xavier Duran (D)*	Strong Democrat
HD 113	Part of Miami-Dade	Michael Grieco (D)	Strong Democrat
HD 114	Part of Miami-Dade	Demi Busatta Cabrera (R) Jean-Pierre Bado (D)	Leans Democrat
<b>HD 115</b>	<b>Part of Miami-Dade</b>	<b>Vance Aloupis (R)*</b> <b>Francesca Cesti-Browne (D)</b>	<b>Even</b>
HD 116	Part of Miami-Dade	Daniel A. Perez (R)* Bob Lynch (D)	Leans Republican
<b>HD 117</b>	<b>Part of Miami-Dade</b>	<b>Kevin Chambliss (D)</b>	<b>Strong Democrat</b>
<b>HD 118</b>	<b>Part of Miami-Dade</b>	<b>Anthony Rodriguez (R)*</b> <b>Ricky Junquera (D)</b>	<b>Even</b>
<b>HD 119</b>	<b>Part of Miami-Dade</b>	<b>Juan Fernandez-Barquin (R)*</b> <b>Imtiaz Ahmad Mohammad (D)</b>	<b>Even</b>
<b>HD 120</b>	<b>Monroe and part of Miami-Dade</b>	<b>James "Jim" Mooney Jr. (R)</b> <b>Clint Barras (D)</b>	<b>Even</b>

\*Asterisk represents incumbent candidates. Incumbent candidates are those that hold the seat currently.  
**BOLDED** rows indicate unopposed candidates.  
**HIGHLIGHTED** rows indicate elections where the district is split evenly among the party registration count (Democrat v. Republican).



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### **ORGANIZATIONAL SESSION**

On November 17, 2020, the duly elected members of the Legislature will converge upon Tallahassee for an organizational session. During this session, both chambers of the Legislature will elect their leadership team for the next two years. If the Republicans remain in the majority of both chambers, the incoming leadership responsibilities will fall to Senator Wilton Simpson (R - Trilby) and Representative Chris Sprowls (R – Clearwater). These leaders will then designate their full leadership team and committee structure for the 2021 -2022 legislative cycle. We anticipate the budget writing responsibilities will fall to Senator Kelli Stargel (R – Lakeland) and Representative Jay Trumbull (R – Panama City) for this legislative cycle.

### **GOVERNOR’S RESPONSE TO CIVIL UNREST**

In response to the civil unrest across the country and the state of Florida, Governor DeSantis and his administration put forth new legislation intended to stop violent assemblies and protect law enforcement. As detailed below, the “Combatting Violence, Disorder, and Looting and Law Enforcement Protection Act” creates new criminal offenses and increases penalties for individuals who target law enforcement and/or participate in violent or disorderly assemblies in the state. Additionally, the legislation would strip state funding from counties or municipalities that attempt to cut law enforcement budgets or “defund the police.”

When the proposal was released, Governor DeSantis appealed to the Florida Legislature to take up this issue in a Special Session in November. By way of background, the Florida Constitution lays out, in Article III, Section 3, the mechanisms by which the Florida Legislature may convene, including special sessions. A Special Session may be called either by the Governor or by a joint proclamation issued by the Senate President and House Speaker. Upon release of the proposed legislation, Senate-President Designate Wilton Simpson and House Speaker – Designate Chris Sprowls indicated strong support for the initiative. We will continue to closely monitor this issue as November approaches.

The Combatting Violence, Disorder and Looting and Law Enforcement Protection Act has three components:

#### **I. New Criminal Offenses to Combat Rioting, Looting and Violence**

- a. Prohibition on Violent or Disorderly Assemblies: 3rd degree felony when 7 or more persons are involved in an assembly and cause damage to property or injury to other persons.



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- b. Prohibition on Obstructing Roadways: 3rd degree felony to obstruct traffic during an unpermitted protest, demonstration or violent or disorderly assembly; driver is NOT liable for injury or death caused if fleeing for safety from a mob.
- c. Prohibition on Destroying or Toppling Monuments: 2nd degree felony to destroy public property during a violent or disorderly assembly.
- d. Prohibition on Harassment in Public Accommodations: 1st degree misdemeanor for a participant in a violent or disorderly assembly to harass or intimidate a person at a public accommodation, such as a restaurant.
- e. RICO Liability: RICO liability attaches to anyone who organizes or funds a violent or disorderly assembly.

## II. Increased Penalties

- a. Mandatory Minimum Jail Sentence: Striking a law enforcement officer (including with a projectile) during a violent or disorderly assembly = 6 months mandatory minimum jail sentence.
- b. Offense Enhancements: Offense and/or sentence enhancements for: (1) throwing an object during a violent or disorderly assembly that strikes a civilian or law enforcement officer; (2) assault/battery of a law enforcement officer during a violent or disorderly assembly; and (3) participation in a violent or disorderly assembly by an individual from another state.

## III. Citizen and Taxpayer Protection Measures

- a. No “Defund the Police” Permitted: Prohibits state grants or aid to any local government that slashes the budget for law enforcement services.
- b. Victim Compensation: Waives sovereign immunity to allow a victim of a crime related to a violent or disorderly assembly to sue local government for damages where the local government is grossly negligent in protecting persons and property.

## POST-NOVEMBER

Looking past November and into the 2021 Session, the legislature’s focus will be responding to the COVID-19 pandemic’s effect on policy and the budget. Several states have already proposed, or enacted legislation designed to protect businesses from COVID-19 liability, including Alabama, Arizona, North Carolina, and Oklahoma. Proposed solutions generally fall into one of three categories: (1) legislation barring any cause of action premised on transmission or exposure to COVID-19; (2) legislation authorizing such a cause of action with a heightened burden of proof and/or triggered only upon conduct that amounts to gross negligence, recklessness, or intent to harm; and (3) legislation authorizing a cause of action only when a defendant failed to



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comply with a duty of care imposed by a governmental rule or regulation. With regard to the budget, the Legislature is staring down the barrel of a \$2.7 billion budget hole. In response, Governor DeSantis began this past summer by saving nearly \$1 billion through budget vetoes. Further, the Governor has called for Florida agencies to cut 8.5% from their budget. Although the budget deficit is substantial, the state does have \$3.8 billion in reserve funding to assist in the recovery.

Outside of COVID-19 related legislation, industry-specific issues remain ongoing. The following are some issues likely to arise during the 2021 Session:

1. Ch. 558 Construction Defect Reform
2. Public Construction Reform
3. Prompt Pay Reform
4. Lien Law
5. Workers' Compensation Reform
6. Workforce Development and Apprenticeship

Although the 2021 Session will likely be very different in form, the substance will remain the same. Committee meetings will occur, floor debates will be heard, and legislators will vote on important issues affecting this industry and the people of Florida. Despite the form of the 2021 Session, we will keep the Association abreast of the happenings in Tallahassee as we pursue long-term prosperity for the industry.