

Tab 1	SB 2-B by Albritton ; (Identical to H 00001B) Emergency Response
Tab 2	SB 4-B by Martin ; (Identical to H 00003B) Statewide Prosecutor
Tab 3	SB 6-B by Ingoglia ; (Identical to H 00005B) Transportation of Inspected Unauthorized Aliens

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Hutson, Chair
Senator Stewart, Vice Chair

MEETING DATE: Tuesday, February 7, 2023
TIME: 1:00—3:00 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

MEMBERS: Senator Hutson, Chair; Senator Stewart, Vice Chair; Senators Albritton, Berman, Boyd, Burton, Calatayud, Collins, DiCeglie, Garcia, Jones, Mayfield, Osgood, Rodriguez, Simon, Thompson, Torres, Trumbull, Wright, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 2-B Albritton (Identical H 1-B)	Emergency Response; Creating the Local Government Emergency Bridge Loan Program within the Department of Economic Opportunity, subject to appropriation; authorizing the department to provide interest-free loans to eligible local governments through specified means; requiring the loan amount to be based on demonstrated need of the local government and disbursed in a lump sum; authorizing the department to approve loans through the end of the 2023-2024 fiscal year, subject to the availability of funds, etc. FP 02/07/2023 Favorable	Favorable Yeas 20 Nays 0
2	SB 4-B Martin (Identical H 3-B)	Statewide Prosecutor; Specifying that certain crimes facilitated by or connected to the use of the Internet occur in every judicial circuit within the state; authorizing the Office of Statewide Prosecution to investigate and prosecute crimes involving voting in an election for a federal or state office, voting in an election on a referendum, an initiative, or an issue, the petition activities for a federal or state office, the petition activities for a referendum, an initiative, or an issue, or voter registration, etc. FP 02/07/2023 Favorable	Favorable Yeas 14 Nays 6
3	SB 6-B Ingoglia (Identical H 5-B)	Transportation of Inspected Unauthorized Aliens; Creating the Unauthorized Alien Transport Program within the Division of Emergency Management to facilitate the transport of inspected unauthorized aliens within the United States; authorizing the division to contract for services to implement the program; authorizing the division to adopt rules to implement the program; providing for future expiration, etc. FP 02/07/2023 Favorable	Favorable Yeas 14 Nays 6

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 2-B

INTRODUCER: Senator Albritton

SUBJECT: Emergency Response

DATE: February 3, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Nobles	Yeatman	FP	Favorable
2.				

I. Summary:

SB 2-B provides for emergency relief in the wake of the 2022 hurricane season, in which 2 disastrous hurricanes struck the state of Florida, resulting in widespread destruction of homes, infrastructure, agricultural lands, beaches, and more.

On September 28, 2022, Hurricane Ian made landfall in southwest Florida as a high-end Category 4 storm which brought heavy rainfall, deadly storm surge, and extensive wind damage to Florida. Just two months later, Hurricane Nicole made landfall on Florida's east coast causing residential damage, flooding, and shoreline erosion on coastal communities and exacerbated the impacts of Hurricane Ian.

The bill creates the Local Government Emergency Bridge Loan Program within the Department of Economic Opportunity to provide financial assistance to local governments impacted by Hurricane Ian or Hurricane Nicole. The bill appropriates \$50 million in nonrecurring funds from the General Revenue Fund for the program.

The bill transfers \$650 million to the Emergency Preparedness and Response Fund to be used for responding to a declared state of emergency.

The bill takes effect upon becoming a law.

II. Present Situation:

Funding for Declared States of Emergencies

The Governor is responsible for meeting the dangers presented to this state and its people by emergencies.¹ In the event of an emergency or threat of one, the Governor may declare a state of emergency by executive order or proclamation. The state of emergency continues until the

¹ Section 252.36(1)(a), F.S.

Governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist.²

When a state of emergency is declared by the Governor, predetermined emergency management plans become effective. One piece of the emergency plans is to provide resources necessary to protect and mitigate the effects of a disaster, including the use or distribution of supplies, equipment, and materials.³ The policy of the state is that funds to meet emergencies must always be available.⁴

If funds specifically appropriated to state and local agencies for disaster relief or response are insufficient, the Governor may make funds available by transferring and expending moneys from the Emergency Response and Preparedness (EPR) Fund.⁵ If additional funds are needed, the Governor is authorized to submit a budget amendment to the Legislative Budget Commission (LBC) requesting additional funds be appropriated to the EPR Fund. The LBC is authorized to convene to transfer unappropriated surplus funds to the EPR Fund as necessary.⁶

When the EPR Fund was created in 2022, the Legislature transferred \$500 million into the fund. On October 12, 2022, the Legislative Budget Commission approved the transfer of another \$360 million from the General Revenue Fund to the EPR Fund for response and recovery efforts associated with Hurricane Ian.

Preliminary state agency cost estimates indicate actual and obligated expenditures of over \$1.3 billion, with projected costs of approximately \$2.0 billion for ongoing response to Hurricanes Ian and Nicole. In addition to state funding, emergency project worksheets are being expedited and presented to the Federal Emergency Management Agency for reimbursement. The current cash balance in the EPR Fund is approximately \$420 million.⁷

Hurricane Ian

On September 28, 2022, Hurricane Ian made landfall in southwest Florida as a high-end Category 4 storm which brought heavy rainfall, deadly storm surge, and extensive wind damage to Florida.⁸ The storm maintained sustained winds of 150 mph as it hit the peninsula, tying it for fifth strongest recorded storm to make landfall in the United States.⁹ The storm's combination of size, severe winds, heavy rainfall, and extraordinary storm surge caused damage and property loss across Florida, and especially in southwest Florida. After landfall, more than 2.6 million utility customers were without power.¹⁰ Infrastructure in Southwest Florida was significantly

² Section 252.36(2), F.S. A state of emergency may not continue for longer than 60 days unless renewed by the Governor.

³ Section 252.36(4), F.S.

⁴ Section 252.37(1), F.S.

⁵ *Id.*

⁶ Section 11.90(8), F.S.

⁷ Amount shown on Transparency Florida as of February 3, 2023. See www.transparencyflorida.gov.

⁸ National Environmental Satellite Data and Information Service, *Hurricane Ian's Path of Destruction*, available at: <https://www.nesdis.noaa.gov/news/hurricane-ians-path-of-destruction> (last visited Feb. 3, 2023).

⁹ *Id.*

¹⁰ NOAA, *Hurricane Ian Special Summary*, available at: <https://www.ncei.noaa.gov/access/monitoring/monthly-report/national/202209/supplemental/page-5> (last visited Feb. 3, 2023).

impacted including the washing away of many structures on the barrier islands of Fort Myers Beach, Captiva, Sanibel, and Pine Island. The sole bridge to Pine Island, as well as the Sanibel Causeway Bridge, were significantly damaged which cut off access by land to those islands.

According to the National Oceanic and Atmospheric Administration (NOAA), since 1980, five hurricanes have produced \$20+ billion in damage costs in Florida — Andrew (1992), Charley (2004), Wilma (2005), Irma (2017), and Michael (2018). Hurricanes Andrew and Irma produced the highest damage totals in Florida with approximately \$50 billion for each storm. With damage assessments still ongoing, Hurricane Ian's impact is anticipated to reach or exceed this level of total direct costs.¹¹

Days prior to landfall, on September 23, 2022, Governor DeSantis issued Executive Order 22-218,¹² declaring a state of emergency for several counties due to the dangers of Tropical Depression Nine, which would become Hurricane Ian.¹³ Governor DeSantis requested an expedited major disaster declaration on September 28, 2022, and a preliminary damage assessment quickly determined that the event was of the severity and magnitude that substantial federal disaster assistance would be necessary. On September 29, 2022, President Biden made a major disaster declaration for the state of Florida.¹⁴ On November 21, 2022, Governor DeSantis issued Executive Order 22-268 which renewed the state of emergency for 60 days.¹⁵

Hurricane Nicole

On November 7, 2022, Governor DeSantis issued Executive Order 22-253, declaring a state of emergency for several counties due to the dangers of subtropical storm Nicole which had formed east of the Bahamas.¹⁶ The storm increased its intensity and made landfall as a Category 1 hurricane near Vero Beach on Florida's east coast bringing beach erosion, heavy rainfall, and coastal and river flooding, but decreased to a tropical storm for the majority of the time it impacted Florida.¹⁷ The impacts of Hurricane Nicole on coastal communities exacerbated the impacts that Hurricane Ian had on the same areas.

Nicole caused significant damage to infrastructure and buildings along the east coast due to storm surge, as well as beach erosion. Portions of scenic Highway A1A required emergency repair caused by the erosion eating away at the highway's shoulder.¹⁸ Homes and other

¹¹ *Id.*

¹² State of Florida Executive Order 22-218, available at: <https://www.flgov.com/wp-content/uploads/2022/09/EO-22-218.pdf> (last visited Feb. 3, 2023).

¹³ *Id.*

¹⁴ FEMA, *Declaration of Major Disaster for Hurricane Ian* (DR-4673-FL), available at: [DR-4673-FL EHP Public Notice 001 | FEMA.gov](https://www.fema.gov/DR-4673-FL-EHP-Public-Notice-001) (last visited Feb. 3, 2023).

¹⁵ State of Florida Executive Order 22-268, available at: <https://www.flgov.com/wp-content/uploads/2022/11/EO-22-268.pdf> (last visited Feb. 3, 2023).

¹⁶ State of Florida Executive Order 22-253, available at: <https://www.flgov.com/wp-content/uploads/2022/11/EO-22-253-1.pdf> (last visited Feb. 3, 2023).

¹⁷ Executive Office of the Governor, *Florida Responds to Impacts from Tropical Storm Nicole*, available at: <https://www.flgov.com/2022/11/10/florida-responds-to-impacts-from-tropical-storm-nicole/> (last visited Feb. 3, 2023).

¹⁸ *Id.*

residences were washed away by the ocean due to sand erosion and storm surge.¹⁹ Nicole also caused inland flooding from heavy rainfall causing rivers to jump their banks.²⁰

On November 8, 2022, President Biden made a declaration of emergency for Hurricane Nicole for Florida,²¹ making the state eligible for a subset of emergency federal disaster assistance. On December 2, 2022, Governor DeSantis requested President Biden issue a major disaster declaration for Florida as a result of Hurricane Nicole and authorize additional federal disaster assistance and on December 15, 2022, President Biden issued the upgraded declaration.²²

Local Government Revenue Impacts

Ad Valorem Tax Due Dates and Discounts

Property taxes are, under normal circumstances, due and payable on November 1 of each year and delinquent on April 1 following the year in which they are assessed.²³ Taxes are subject to discount payment periods, which provide discounts at the rate of:

- 4 percent in the month of November;
- 3 percent in the month of December;
- 2 percent in the month of January; and
- 1 percent in the month of February.²⁴

Extension of Due Dates

On October 20, 2022, Governor DeSantis, by executive order, delayed due dates of property taxes for property owners whose property was completely destroyed or otherwise rendered uninhabitable by Hurricane Ian by 60 days.²⁵ The affected ad valorem taxes and non-ad valorem assessments levied in 2022 were due and payable on January 1, 2023, and will become delinquent on June 1, 2023. All dates or time periods, and associated provisions related to the collection or administration of delinquent taxes and non-ad valorem assessments, are extended based on the June 1, 2023 delinquency date.

The order also provided new tax discount periods for those property owners at the rate of:

- 4 percent in the months of November 2022, December 2022, and January 2023;
- 3 percent in the month of February 2023;
- 2 percent in the month of March 2023; and

¹⁹ CNN, *Beachfront homes in small Florida community washed away by Hurricane Nicole*, available at: <https://www.cnn.com/2022/11/12/us/volusia-county-homes-hurricane-nicole> (last visited Feb. 3, 2023).

²⁰ Click Orlando, *Nicole causes Halifax River to jump banks, flood portions of Port Orange*, available at: <https://www.clickorlando.com/news/local/2022/11/10/hurricane-nicole-causes-halifax-river-to-jump-banks-flooding-portions-of-port-orange/> (last visited Feb. 3, 2023).

²¹ FEMA, *Declaration of Emergency for Tropical Storm Nicole* (3587-EM-FL), FEMA, available at: <https://www.fema.gov/disaster-federal-register-notice/3587-em-fl-initial-notice> (last visited Feb. 3, 2023).

²² FEMA, *President Joseph R. Biden, Jr. Approves Major Disaster Declaration to Help Floridians Recover from Hurricane Nicole*, FEMA, available at <https://www.fema.gov/press-release/20221214/president-joseph-r-biden-jr-approves-major-disaster-declaration-help> (last visited Feb. 3, 2023).

²³ Section 197.333, F.S.

²⁴ Section 197.162, F.S.

²⁵ State of Florida Executive Order 22-242.

- 1 percent in the month of April 2023.

In Special Session 2022A, the Legislature passed ch. 2022-272, Laws of Florida, which acted as a codification of Executive Order 22-242, and also extended the provisions to completely destroyed or otherwise uninhabitable properties due to impacts of Hurricane Nicole.

Refund for Residential Improvements Rendered Uninhabitable by Catastrophic Events

In 2022 the Legislature created s. 197.319, F.S., to provide for the prorated refund of property taxes on residential properties rendered uninhabitable by a catastrophic event. The law defines “catastrophic event” as a calamity or misfortune not caused, either directly or indirectly, by the property owner with the intent to destroy the property.²⁶

If a residential property is rendered uninhabitable for 30 days or more by a catastrophic event, the property owner may be refunded a portion of their property taxes for the time the property was uninhabitable. To do so, the property owner must file an application for refund with the property appraiser.

The relief created by the provision is available to property owners solely as a refund of taxes paid. This law was effective January 1, 2023, and will first apply to the 2023 tax rolls.

Because the law was not in effect for Hurricanes Ian or Nicole, the Legislature in Special Session 2022A created s. 197.3181, F.S., to provide for a prorated refund of ad valorem taxes for only those properties rendered uninhabitable due to Hurricane Ian or Hurricane Nicole.

Under the section, if a residential improvement is rendered uninhabitable for at least 30 days due to Hurricane Ian or Hurricane Nicole, taxes originally levied and paid for in 2022 may be refunded pro rata based on a “damage differential” calculation. This is calculated by finding the percent change in value from the property’s January 1 value to that value minus that of the residential improvement rendered uninhabitable, then multiplying that percentage by the percentage of the year the improvement was rendered uninhabitable.

The section additionally allows applications for refunds to be filed electronically, no later than April 1, 2023, on a form prescribed by the DOR and furnished by the property appraiser. An applicant must identify the parcel containing the residential improvement rendered uninhabitable, as well as the number of days the improvement was uninhabitable during 2022. This application must be accompanied by supporting documentation and verified under oath. Failure to file such an application by April 1, 2023, waives a property owner’s claim for a refund of taxes under this section.

Upon review, no later than June 1, 2023, the property appraiser must either notify the applicant of ineligibility or notify both the applicant and tax collector if the applicant is eligible for a refund. Applicants found ineligible may file a petition with the value adjustment board requesting that such a refund be granted. Refunds are to be processed by the tax collector upon timely payment of 2022 property taxes by the property owner, or immediately if such taxes have already been paid.

²⁶ Section 197.319(1)(a), F.S.

By September 1, 2023, the tax collector is required to notify DOR of the total reduction in taxes for all properties that qualified for a refund, and the governing board of each affected local government of the reduction in their taxes as a result of refunds.

Federal Community Disaster Loan Program

The FEMA administers the Community Disaster Loan Program to provide funding for local governments impacted by a disaster to operate their essential community services after a substantial revenue loss.²⁷ To be eligible for a loan the local government must demonstrate a substantial loss (greater than 5 percent) of tax and other revenues for the current or succeeding fiscal year as a result of a major disaster.²⁸ Loan amounts are based on the cumulative estimated revenue loss for the fiscal year of the disaster and the subsequent three fiscal years or 25 percent of the approved operating budget of the local government for the fiscal year in which the disaster occurred, with a cap of \$5 million. The loans may only be used for essential services, including police and fire protection, revenue collection, hazard insurance, trash collection, and public facilities maintenance.²⁹ The term of the loans are 5 years and can be extended to up to 10 years. The interest rates are determined by the Secretary of the Treasury.³⁰

Florida Small Business Emergency Bridge Loan Program

The Department of Economic Opportunity (DEO) administers the Florida Small Business Emergency Bridge Loan Program to provide short-term, zero-interest loans to “bridge the gap” between the time a disaster impacts a business and when the business has secured longer term recovery funding.³¹

In response to Hurricane Ian, the Governor announced \$50 million would be available through the program to small businesses impact by the Hurricane, with \$10 million specifically dedicated to agricultural producers.³²

III. Effect of Proposed Changes:

SB 2-B creates s. 288.066, F.S., to establish the Local Government Emergency Response Bridge Loan within the Department of Economic Opportunity (DEO) to provide financial assistance to local governments impacted by Hurricane Ian or Hurricane Nicole. The purpose of the loan program is to assist these local governments in maintaining operations by bridging the gap

²⁷ FEMA, *Community Disaster Loan Program*, available at <https://www.fema.gov/assistance/public/community-disaster-loan> (last visited Feb. 3, 2023).

²⁸ FEMA, *Fact Sheet: What is the Community Disaster Loan (CDL) Program?*, available at <https://www.fema.gov/assistance/public/community-disaster-loan> (last visited Feb. 3, 2023).

²⁹ *Id.*

³⁰ *Id.*

³¹ Florida Department of Economic Opportunity (DEO), *Florida Small Business Emergency Bridge Loan Program*, available at <https://deosera.force.com/RebuildFloridaBusinessLoanFund/s/> (last visited Feb. 3, 2023).

³² Executive Office of the Governor, *Governor Ron DeSantis Activates the Florida Small Business Emergency Bridge Loan Program, Making \$50 Million Available – At Least \$10 Million of Which Must Go to Assist Agricultural Businesses Impacted by Hurricane Ian*, available at <https://www.flgov.com/2022/10/04/governor-ron-desantis-activates-the-florida-small-business-emergency-bridge-loan-program-making-50-million-available-at-least-10-million-of-which-must-go-to-assist-agricultural-businesses/> (last visited Feb. 3, 2023)/

between the time that the declared disaster occurred and the time that additional funding sources or revenues are secured to provide them with financial assistance.

The loans may be issued during the 2022-2023 fiscal year or the 2023-2024 fiscal year, subject to appropriation. The loans are interest-free with the loan amount determined based upon demonstrated need. The loans must be paid back within one year, unless extended by up to six months by the DEO based on the local government's financial condition.

To be eligible a local government must be a county or municipality located in an area designated in the Federal Emergency Management Agency disaster declarations for Hurricane Ian or Hurricane Nicole. Also, the local government must show that it may suffer or has suffered substantial loss of its tax or other revenues as a result of the hurricane and demonstrate a need for financial assistance to enable it to continue to perform its governmental operations.

A local government may only use loan funds to continue local governmental operations or to expand and modify such operations to meet disaster-related needs. The funds may not be used to finance or supplant funding for capital improvements or to repair or restore damaged public facilities or infrastructure. The DEO must coordinate with the Division of Emergency Management to assess whether such loans would affect reimbursement under federal programs for disaster-related expenses.

The bill grants DEO with rulemaking authority to implement the program and grants emergency rulemaking authority.

This program expires June 30, 2027. As loans are repaid, the DEO will remit the payments back to the General Revenue Fund and upon expiration, the DEO must return all unencumbered funds and loan payments back to the General Revenue Fund.

The bill appropriates \$50 million in nonrecurring funds from the General Revenue Fund to the DEO to implement the loan program. The funds are available for the current fiscal year and are authorized to be carried forward for the 2023-2024 fiscal year.

The bill transfers the nonrecurring sum of \$650 million from the General Revenue Fund to the Emergency Preparedness and Response Fund to be used for preparing and responding to a declared state of emergency.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Section 19 of Article VII, Florida Constitution requires increased taxes or fees to be passed in a separate bill and by two-thirds vote of the membership of each house of the Legislature. This bill does not increase any taxes or fees, and thus the increased tax or fee requirements do not apply.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill appropriates \$50 million from the General Revenue Fund to the DEO to fund the Local Government Emergency Bridge Loan Program.

The bill transfers \$650 million from the General Revenue Fund to the Emergency Preparedness and Response Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 288.066 of the Florida Statutes.

This bill creates undesignated sections of Florida law.

IX. Additional Information:

- A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Albritton

27-00002-23B

20232B__

A bill to be entitled

An act relating to emergency response; creating s. 288.066, F.S.; creating the Local Government Emergency Bridge Loan Program within the Department of Economic Opportunity, subject to appropriation; providing the program's purpose; specifying program eligibility requirements; authorizing the department to provide interest-free loans to eligible local governments through specified means; requiring the loan amount to be based on demonstrated need of the local government and disbursed in a lump sum; providing for the terms of the loan; authorizing the department to extend the term of the loan; specifying authorized and prohibited uses of any loan funds provided under the program; authorizing local governments to make loan payments at any time; requiring repayment in accordance with the terms of the loan; authorizing the department to approve loans through the end of the 2023-2024 fiscal year, subject to the availability of funds; requiring the department to coordinate with the Division of Emergency Management to determine if the loan program conflicts with applicable federal programs; requiring the department to transfer any loan payments, upon receipt, to the General Revenue Fund; authorizing the department to adopt rules; providing for expiration of the program; authorizing the department to adopt emergency rules; providing appropriations; providing an effective date.

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

27-00002-23B

20232B__

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 288.066, Florida Statutes, is created to read:

288.066 Local Government Emergency Bridge Loan Program.—

(1) CREATION.—The Local Government Emergency Bridge Loan Program is created, subject to appropriation, within the department to provide financial assistance to local governments impacted by Hurricane Ian or Hurricane Nicole. The purpose of the loan program is to assist these local governments in maintaining operations by bridging the gap between the time that the declared disaster occurred and the time that additional funding sources or revenues are secured to provide them with financial assistance.

(2) ELIGIBILITY.—To be eligible for a loan under the program, a local government must be a county or a municipality located in an area designated in the Federal Emergency Management Agency disaster declarations for Hurricane Ian or Hurricane Nicole. The local government must show that it may suffer or has suffered substantial loss of its tax or other revenues as a result of the hurricane and demonstrate a need for financial assistance to enable it to continue to perform its governmental operations.

(3) LOAN TERMS.—

(a) The department may provide interest-free loans to eligible local governments through a promissory note or other form of written agreement evidencing an obligation to repay the borrowed funds.

(b) The amount of each loan must be based upon demonstrated

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

27-00002-23B

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need and must be disbursed to the local government in a lump sum.

(c) The term of the loan is one year, unless otherwise extended by the department. The department may extend loan terms for up to 6 months based on the local government's financial condition.

(4) USE OF LOAN FUNDS.—A local government may use loan funds only to continue local governmental operations or to expand or modify such operations to meet disaster-related needs. The funds may not be used to finance or supplant funding for capital improvements or to repair or restore damaged public facilities or infrastructure.

(5) LOAN REPAYMENT.—

(a) The local government may make payments against the loan at any time without penalty. Early repayment is encouraged as other funding sources or revenues become available.

(b) Loans become due and payable in accordance with the terms of the agreement.

(6) ADMINISTRATION.—

(a) The department may approve loans in the 2022-2023 fiscal year or the 2023-2024 fiscal year up to the total amount appropriated.

(b) The department must coordinate with the Division of Emergency Management to assess whether such loans would affect reimbursement under federal programs for disaster-related expenses.

(c) Upon receipt of any loan payment from a local government, the department shall transfer the funds to the General Revenue Fund.

27-00002-23B

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(7) RULES.—The department may adopt rules to implement this section.

(8) EXPIRATION.—This section expires June 30, 2027. Upon expiration, all unencumbered funds and loan repayments revert to the General Revenue Fund.

Section 2. The Department of Economic Opportunity may, and all conditions are deemed to be met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer s. 288.066, Florida Statutes, as created by this act. Notwithstanding any other law, emergency rules adopted pursuant to this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

Section 3. For the 2022-2023 fiscal year, the sum of \$50 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Economic Opportunity to fund the Local Government Emergency Bridge Loan Program established by this act. Any unexpended balance of these funds as of June 30, 2023, must revert and is appropriated for the 2023-2024 fiscal year to the Department of Economic Opportunity for the same purpose.

Section 4. The Chief Financial Officer shall immediately transfer the nonrecurring sum of \$650 million from the General Revenue Fund to the Emergency Preparedness and Response Fund in the Executive Office of the Governor to be used for preparing for and responding to a declared state of emergency.

Section 5. This act shall take effect upon becoming a law.

2/7/2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2B

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Chris Holley**

Phone **239.765.0202**

Address **City of Fort Myers Beach 2525 Estero Blvd**
Street

Email **townmanager@fmbgov.com**

Fort Myers Beach FL 33931

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

2/6/23

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

2B

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jeffery Branch

Phone 850-701-3655

Address 301 South Bronough ST, STE 300

Email JBranch@FLCities.com

Street

Tallahassee

Florida

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida League of Cities

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 4-B

INTRODUCER: Senator Martin

SUBJECT: Statewide Prosecutor

DATE: February 3, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Siples	Yeatman	FP	Favorable

I. Summary:

Current law authorizes the Office of Statewide Prosecution to investigate and prosecute a list of enumerated crimes if certain conditions are met. This bill removes election-related issues from that enumerated list, relocates them to a new paragraph, and more clearly delineates the election-related crimes over which the statewide prosecutor has concurrent jurisdiction with the state attorneys to prosecute.

The bill is effective upon becoming a law.

II. Present Situation:

The attorney general is the chief legal officer of the State of Florida.¹ The State Constitution establishes a position of statewide prosecutor within the Office of the Attorney General. The statewide prosecutor is appointed by the attorney general from a list of at least three persons nominated by the judicial nominating commission² for the Supreme Court³ and serves a term of four years that run concurrently with the attorney general.⁴ The statewide prosecutor:

- Must be an elector of the state;
- Must have been a member of The Florida Bar for the five years preceding appointment; and
- May not engage in the private practice of law during his or her service as statewide prosecutor.⁵

The State Constitution provides that the statewide prosecutor has concurrent jurisdiction with state attorneys to prosecute violations of criminal laws:

¹ Art. IV, s. 4(b), FLA. CONST.

² The State Constitution specifies that there shall be a separate judicial nominating commission for the Supreme Court, each district court of appeal, and each judicial circuit for all trial courts within the circuit (Art. V, s. 11(d), FLA. CONST.).

³ Art. IV, s. 4(b), FLA. CONST.

⁴ Section 16.56(2), F.S.

⁵ *Id.*

- Occurring, or having occurred, in two or more judicial circuits as part of a related transaction; or
- When any such offense is affecting or has affected two or more judicial circuits as provided by general law.⁶

The authority of the statewide prosecutor is further defined in statute, which creates an Office of Statewide Prosecution (office) in the Department of Legal Affairs.⁷ Current law specifies a number of criminal offenses that the office may investigate and prosecute if:

- Such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction; or
- Such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits.⁸

That list of offenses includes any crime involving voter registration, voting, or candidate or issue petition activities.⁹ An information or indictment charging any of the enumerated offenses must state the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Current law also authorizes the office to investigate and prosecute any of the enumerated crimes if it is facilitated by or connected to the use of the Internet. Any such crime is considered a crime occurring in every judicial circuit within the state.¹⁰

III. Effect of Proposed Changes:

The bill removes any crime involving voter registration, voting, or candidate or issue petition activities from the enumerated list of offenses and creates a new paragraph specifying the authority of the office for election-related crimes. Specifically, the bill authorizes the office to investigate and prosecute any crime involving the following activities if certain conditions are met:

- Voting in an election in which a candidate for a federal or state office is on the ballot;
- Voting in an election in which a referendum, an initiative, or an issue is on the ballot;
- The petition activities of a candidate for a federal or state office;
- The petition activities for a referendum, an initiative, or an issue;
- Voter registration; or
- Any attempt, solicitation, or conspiracy to commit any of the crimes enumerated above.

The bill provides that the office has the power to investigate and prosecute such election-related crimes only if:

- Such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction; or

⁶ Art. IV, s. 4(b), FLA. CONST.

⁷ Section 16.56(1), F.S.

⁸ Section 16.56(1)(a), F.S.

⁹ Section 16.56(1)(a)13., F.S.

¹⁰ Section 16.56(1)(b), F.S.

- Such offense is affecting, or has affected, two or more judicial circuits.

The bill requires an information or indictment charging one of the enumerated election-related offenses to state the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties which the crimes are alleged to have affected.

As a conforming change, the bill provides that the authority of the office to investigate and prosecute any enumerated crime that is facilitated by or connected to the use of the Internet also applies to the new paragraph containing election-related offenses.

The bill is effective upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Art. IV, s. 4(b) of the State Constitution allows the Legislature to provide by general law the criminal offenses affecting or having affected two or more judicial circuits that are subject to the jurisdiction of the statewide prosecutor.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 16.56 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Martin

33-00001-23B

20234B__

A bill to be entitled

An act relating to the statewide prosecutor; amending s. 16.56, F.S.; specifying that certain crimes facilitated by or connected to the use of the Internet occur in every judicial circuit within the state; authorizing the Office of Statewide Prosecution to investigate and prosecute crimes involving voting in an election for a federal or state office, voting in an election on a referendum, an initiative, or an issue, the petition activities for a federal or state office, the petition activities for a referendum, an initiative, or an issue, or voter registration; providing applicability; requiring certain informations or indictments to contain specified general allegations; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.—

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery,

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00001-23B

20234B__

carjacking, home-invasion robbery, and patient brokering;

2. Any crime involving narcotic or other dangerous drugs;

3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a violation of s. 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of s. 895.03 is terminated for any reason;

4. Any violation of the Florida Anti-Fencing Act;

5. Any violation of the Florida Antitrust Act of 1980, as amended;

6. Any crime involving, or resulting in, fraud or deceit upon any person;

7. Any violation of s. 847.0135, relating to computer pornography and child exploitation prevention, or any offense related to a violation of s. 847.0135 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;

8. Any violation of chapter 815;

9. Any violation of chapter 825;

10. Any criminal violation of part I of chapter 499;

11. Any violation of the Florida Motor Fuel Tax Relief Act of 2004;

12. Any criminal violation of s. 409.920 or s. 409.9201;

13. ~~Any crime involving voter registration, voting, or~~

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00001-23B

20234B__

~~candidate or issue petition activities;~~

~~14.~~ Any criminal violation of the Florida Money Laundering Act;

~~14.15.~~ Any criminal violation of the Florida Securities and Investor Protection Act;

~~15.16.~~ Any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or

~~16.17.~~ Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

(b) Investigate and prosecute any crime enumerated in paragraphs (a) and (c) ~~paragraph (a)~~ facilitated by or connected to the use of the Internet. Any such crime is a crime occurring in every judicial circuit within the state.

(c) Investigate and prosecute any crime involving:

1. Voting in an election in which a candidate for a federal

33-00001-23B

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or state office is on the ballot;

2. Voting in an election in which a referendum, an initiative, or an issue is on the ballot;

3. The petition activities of a candidate for a federal or state office;

4. The petition activities for a referendum, an initiative, or an issue; or

5. Voter registration;

or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting, or has affected, two or more judicial circuits. Informations or indictments charging such offenses must contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes are alleged to have affected.

(d) Upon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes.

(e) ~~(d)~~ Request and receive from any department, division, board, bureau, commission, or other agency of the state, or of any political subdivision thereof, cooperation and assistance in the performance of its duties.

Section 2. This act shall take effect upon becoming a law.

2/7/23

The Florida Senate
APPEARANCE RECORD

4-B

Meeting Date

FISCAL Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

JONATHAN WEBBER

Phone

954-593-4449

Address

400 Washington Ave

Email

JONATHAN.WEBBER@SPLCenter.org

Street

Montgomery

AL

36104

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

SPLC Action Fund

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 4B

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

2-7-23

Committee

Fiscal Policy

Name

Genesis Robinson

Phone

386-341-6346

Address

425 Central Ave

Email

Genesis@eqval-ground.com

Street

Orlando

City

FL

State

32174

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate
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2/7/23

Meeting Date

Fiscal Policy

Committee

SB 4-B

Bill Number or Topic

Amendment Barcode (if applicable)

Name

John Guard, Office of Attorney General

Phone

850-544-8303

Address

PL-01, The Capitol

Street

Email

john.guard@myfloridagov

Tallahassee

City

FL

State

32399

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Office of Attorney
General

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/7/2023

Meeting Date

Fiscal Policy

Committee

SB 4B

Bill Number or Topic

Amendment Barcode (if applicable)

Name Yenissel Vilorio

Phone 786-419-6049

Address PO Box 260230

Street

Email Yenissel@stateinnovation.org

Madison

City

WI

State

53726-0230

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

State Innovation Exchange Action

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 4

2/7/23

Meeting Date

Fiscal Policy - Senate

Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name **Kara Gross**

Phone **786-363-4436**

Address **4343 West Flagler St.**

Email **kgross@aclufl.org**

Street

Miami

FL

33134

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:

ACLU of Florida

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

2/7/23

Meeting Date

Fiscal Policy

Committee

5134-B

Bill Number or Topic

Amendment Barcode (if applicable)

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name Brad Ashwell

Phone 850-294-1008

Address 1536 Chulivene
Street

Email brad@allvotingislocal

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

All Voting is Local
Action

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

February 7, 2023

The Florida Senate

DUPLICATE

APPEARANCE RECORD

4 B

Meeting Date

Fiscal Policy

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Bill Number or Topic

Committee

Pamela Burch Fort

Amendment Barcode (if applicable)

850-425-1344

Name

Phone

Address

104 S. Monroe Street

Email

TcgLobby@aol.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Common Cause FL & NAACP FL
State Conference

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/7/23

Meeting Date

Fiscal Policy

Committee

SB 4B

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone 772-532-1371

Address 1605 Airport Dr.
Street

Email jackson@Floridaforall.vote

Tallahassee FL

City

State

32304

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida
Rising

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 6-B

INTRODUCER: Senator Ingoglia

SUBJECT: Transportation of Inspected Unauthorized Aliens

DATE: February 3, 2023

REVISED: 2/07/23

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Parsons	Yeatman	FP	Favorable

I. Summary:

SB 6-B creates the Unauthorized Alien Transport Program within the Division of Emergency Management. The division will implement a program to facilitate the transport of inspected unauthorized aliens within the United States, consistent with federal law. The division is authorized to contract for services to implement the program, notwithstanding s. 287.057, F.S., relating to competitive procurement laws. The program expires June 30, 2025. The bill appropriates \$10 million to the division for Fiscal Year 2022-2023 for the program.

The bill repeals section 185 of ch. 2022-156, Laws of Florida. All payments made pursuant to that section are deemed approved and any unexpended balance of funds appropriated to the Department of Transportation immediately revert.

This bill takes effect upon becoming a law.

The fiscal impact of the bill is neutral.

II. Present Situation:

The federal government has broad power over immigration and alien status.¹ This broad power is enforced through an extensive set of rules governing alien admission, removal, and conditions for continued presence within the United States, including the Immigration and Nationality Act.² While the federal government's authority over immigration is well established, the United States Supreme Court has recognized that not "every state enactment which in any way deals with aliens is a regulation of immigration and thus per se preempted" by the federal government.³

In federal fiscal year 2020, the U.S. Border Patrol and Office of Field Operations had 646,822 enforcement actions for the year; in 2021, that total increased to over 1.9 million actions, an

¹ *Arizona v. United States*, 567 U.S. 387 (2012).

² 8 U.S.C. 1108, et seq.

³ *De Canas v. Bica*, 424 U.S. 351, 355 (1976); see *Arizona*, 567 U.S. 387.

increase of over 200 percent. The total enforcement actions in federal fiscal year 2022 was about 2.8 million, another 41 percent increase, and to date for 2023, the total is already over 860,000.⁴ These statistics include individuals “encountered at ports of entry who are seeking lawful admission into the United States but are determined to be inadmissible, individuals presenting themselves to seek humanitarian protection under our laws, and individuals who withdraw an application for admission and return to their countries of origin within a short timeframe.” The total also includes encounters that led to apprehensions or expulsions; apprehensions refer to individuals who were physically controlled or temporarily detained due to being unlawfully present in the United States.

In addition to the dramatic increase in border encounters, the recidivism rate has also increased. “Recidivism refers to percentage of individuals apprehended more than one time by the Border Patrol within a fiscal year.”⁵ In federal fiscal year 2019, the rate was only 7 percent. However, that climbed to an increase of 26 percent in federal fiscal year 2020 and 27 percent in federal fiscal year 2021.

Encounters with criminal noncitizens were:

FFY 2020	FFY 2021	FFY 2022	FFY 2023 to date
9,447	17,330	29,021	6,980

“Criminal noncitizens refers to noncitizens who have been convicted of crime, whether in the United States or abroad, so long as the conviction is for conduct which is deemed criminal by the United States.”⁶

In ch. 2022-156, Laws of Florida, the General Appropriations Act, the Department of Transportation was appropriated \$12 million from general revenue to implement a program to facilitate the transport of unauthorized aliens from this state consistent with federal law.⁷ An “unauthorized alien” was defined to mean a person who is unlawfully present in the U.S. according to the terms of the federal Immigration and Nationality Act.

In September 2022, the DOT chartered two planes to relocate migrants from Texas to Massachusetts, with the flights stopping in Crestview, Florida. The flights were funded through the appropriation in ch. 2022-156, Laws of Fla.⁸ Following these flights, several lawsuits⁹ were

⁴ U.S. Customs and Border Protection, *CBP Enforcement Statistics Fiscal Year 2023*, available at <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics> (last visited February 3, 2023). The federal fiscal year is October to September.

⁵ *Id.*

⁶ *Id.*

⁷ Section 185, ch. 2022-156, Laws of Florida.

⁸ Transparency Florida, 2022-23 Payments by Vendor- Operational, Department of Transportation, http://www.transparencyflorida.gov/Disbursements/DisbByVendorPmt.aspx?FY=23&Obj=139900&DisbDate=0000&BE=55150200&AC=108845&Fund=1000&FundType=&LI=*****&AmtType=O&Vend=VERTOL+SYSTEMS+COMPANY+INC&ObjSrch=&ST=&OB=Y&SC= F (last visited Feb. 3, 2023).

⁹ *Alianza Americas v. DeSantis*, No. 22-CV-11550-ADB (D. Mass. Nov. 29, 2022); *Florida Immigrant Coalition, Inc. v. DeSantis*, No. 22-CV-23927 (S.D. Fla. Dec. 1, 2022); *Pizzo v. DeSantis*, 2022-CA-1681 (Fla. 2d Cir. Ct. Dec. 5, 2022).

filed which allege, in part, that neither section 185 nor Florida law provides authority for the transport of aliens from states other than Florida,¹⁰ and that section 185 violates the Florida Constitution by failing to comply with the competitive solicitation process in ch. 287, F.S., and by creating a new substantive program within an appropriations bill.¹¹

On January 6, 2023, the Governor issued Executive Order No. 23-03, Emergency Management – Illegal Migration. Based on findings of unprecedented interdictions, attempts of entry, and border patrol encounters, the Governor designated the migration of unauthorized aliens to Florida as likely to constitute a major disaster and designated the director of the Division of Emergency Management as the state coordinating officer for the disaster with direction to execute response, recovery, and mitigation plans necessary to cope with the emergency. The order also activates the Florida National Guard, as needed, to assist with the efforts. The order waives contracting policies and requirements, allows for expenditure of state funds through the Emergency Preparedness and Response Fund, and authorizes medical professionals, social workers, and counselors with good and valid licenses issued by other states to provide humanitarian aid services.

Chapter 287, F.S., regulates state agency procurement of personal property and services. The term “agency” is defined broadly to mean any unit of the executive branch of state government.¹² The Department of Management Services (DMS) is responsible for overseeing state purchasing activity, including professional and contractual services, as well as commodities needed to support agency activities.¹³

The DMS is authorized to evaluate contracts let by the federal government, another state, or a political subdivision for the provision of commodities and contract services and, when it is determined to be cost effective and in the best interest of the state, to enter into written agreements authorizing a state agency to make purchases under such contract.¹⁴ The DMS negotiates contracts and purchasing agreements that are intended to leverage the state’s buying power.

Section 287.017, F.S., establishes the purchasing categories, which are threshold amounts linked to other requirements in ch. 287, F.S., as follows:

- Category One: \$20,000;
- Category Two: \$35,000;
- Category Three: \$65,000;
- Category Four: \$195,000; and

¹⁰ *Alianza Americas v. DeSantis*, No. 22-CV-11550-ADB (D. Mass. Nov. 29, 2022); *Pizzo v. DeSantis*, 2022-CA-1681 (Fla. 2d Cir. Ct. Dec. 5, 2022).

¹¹ *Pizzo v. DeSantis*, 2022-CA-1681 (Fla. 2d Cir. Ct. Dec. 5, 2022); Art. III, s. 6, Fla. Const. provides that laws revising or amending current laws shall set out in full the revised or amended act, section, subsection or paragraph of a subsection. Art. III, s. 12, Fla. Const. provides that laws making appropriations for salaries of public officers and other current expenses of the state shall contain provisions on no other subject.

¹² Section 287.012(1), F.S., defines the term “agency” to mean any of the various state officers, departments, boards, commissions, divisions, bureaus, and councils and any other unit of organization, however designated, of the executive branch of state government. “Agency” does not include the university and college boards of trustees or the state universities and colleges.

¹³ See ss. 287.032 and 287.042, F.S.

¹⁴ Section 287.042(16), F.S.

- Category Five: \$325,000.

Section 287.056, F.S., requires agencies and permits eligible users¹⁵ to purchase commodities and contractual services from purchasing agreements and state term contracts¹⁶ procured by the DMS. Agencies and eligible users may use a request for quote, to obtain written pricing or services information from a state term contract vendor to determine whether a more favorable price, term, or condition than that provided in the state term contract is available.¹⁷ The use of a request for quote does not constitute a decision subject to protest.¹⁸ Rule 60A-1.043, Florida Administrative Code, requires agencies to request at least two quotes from state term contracts with multiple vendors, unless (i) the purchase is less than Category One (\$20,000), or (ii) the state term contract requires otherwise. Agencies must document the justification for a selection based on receipt of less than two quotes.¹⁹

With certain exceptions,²⁰ the procurement of commodities or contractual services in excess of Category Two, \$35,000, requires agencies to use a competitive solicitation process.²¹ Any form of competitive solicitation must be made available simultaneously to all vendors, must include the time and date for the receipt of bids, proposals, or replies, and must include all contractual terms and conditions applicable to the procurement.²² Depending on the cost and characteristics of the needed good or service, the complexity of the procurement, and the number of available vendors, agencies may use a variety of methods, including:

- Single source contracts,²³ used when an agency determines that only one vendor is available to provide a commodity or service at the time of purchase;
- Invitations to bid (ITB),²⁴ used when an agency determines that standard services or goods will meet needs, wide competition is available, and the vendor's experience will not greatly influence the agency's results. The agency specifically defines the scope of work for the contractual service and establishes precise specifications for the commodity or group of commodities;
- Requests for proposals (RFP),²⁵ which are used when the procurement requirements allow for consideration of various solutions and the agency believes more than two or three vendors exist who can provide the required goods or services; and
- Invitations to negotiate (ITN),²⁶ which are used when negotiations are determined to be necessary to obtain the best value and involve a request for highly complex, customized, mission-critical services, by an agency dealing with a limited number of vendors. Agencies

¹⁵ Section 287.012(11), F.S., defines "eligible user" to mean any person or entity authorized by the DMS pursuant to rule to purchase from state term contracts or to use the online procurement system.

¹⁶ Section 287.012(28), F.S., defines "state term contract" to mean a term contract that is competitively procured by the DMS pursuant to s. 287.057, F.S., and that is used by agencies and eligible users pursuant to s. 287.056, F.S.

¹⁷ Section 287.056(2), F.S.

¹⁸ Section 287.056(2), F.S.

¹⁹ Rule 60A-1.043, F.A.C.

²⁰ Section 287.057(3)(e), F.S.

²¹ Section 287.057(1), F.S.

²² *Id.*

²³ Section 287.057(3)(c), F.S.

²⁴ Section 287.057(1)(a), F.S.

²⁵ Section 287.057(1)(b), F.S.

²⁶ Section 287.057(1)(c), F.S.

must specify the criteria in determining the acceptability and selection of the vendors in which the agency will invite to negotiate.

III. Effect of Proposed Changes:

The bill creates the Unauthorized Alien Transport Program with the Division of Emergency Management. The division will implement a program to facilitate the transport of inspected unauthorized aliens²⁷ within the United States, consistent with federal law. The division is authorized to contract for services to implement the program, notwithstanding s. 287.057, F.S., relating to competitive procurement laws. The program expires June 30, 2025. The bill appropriates \$10 million to the division for Fiscal Year 2022-2023 for the program.

The bill repeals section 185 of ch. 2022-156, Laws of Florida. All payments made pursuant to that section are deemed approved and any unexpended balance of funds appropriated to the Department of Transportation immediately revert.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Section 19 of Article VII, Florida Constitution requires increased taxes or fees to be passed in a separate bill and by two-thirds vote of the membership of each house of the Legislature. This bill does not increase any taxes or fees, and thus the increased tax or fee requirements do not apply.

E. Other Constitutional Issues:

None identified.

²⁷ The bill defines “inspected unauthorized alien” as individual who has documentation from the federal government indicating that the government processed and released him or her into the United States without admitting the individual in accordance with the federal law. The term must be interpreted consistently with any applicable federal statutes, rules, or regulations.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill appropriates \$10 million in nonrecurring funds from the General Revenue Fund to the Division of Emergency Management for Fiscal Year 2022-2023.

The bill repeals section 185 of ch. 2022-156, Laws of Florida. All payments made pursuant to that section are deemed approved and any unexpended balance of funds appropriated to the Department of Transportation immediately revert. As of January 31, 2023, there were a total of \$1.565 million in disbursements from this appropriation, leaving a balance of \$10.435 million.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Division of Emergency Management is authorized to adopt rules to implement the program created by the bill.

VIII. Statutes Affected:

The bill creates an undesignated section of Florida law.

This bill repeals section 185 of chapter 2022-156, Laws of Florida.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Ingoglia

11-00003-23B

20236B__

A bill to be entitled

An act relating to transportation of inspected unauthorized aliens; defining the term "inspected unauthorized alien"; providing legislative findings; creating the Unauthorized Alien Transport Program within the Division of Emergency Management to facilitate the transport of inspected unauthorized aliens within the United States; authorizing the division to contract for services to implement the program; authorizing the division to adopt rules to implement the program; providing for future expiration; repealing s. 185 of chapter 2022-156, Laws of Florida; deeming certain payments approved; reverting appropriated funds; providing an appropriation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) As used in this section, the term "inspected unauthorized alien" means an individual who has documentation from the United States Government indicating that the United States Government processed and released him or her into the United States without admitting the individual in accordance with the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The term must be interpreted consistently with any applicable federal statutes, rules, or regulations.

(2) The Legislature finds that the Federal Government has failed to secure the nation's borders and has allowed a surge of inspected unauthorized aliens to enter the United States. In

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

11-00003-23B

20236B__

January 2023, the Governor issued Executive Order 23-03, directing state law enforcement agencies and other state agencies to take necessary actions to protect Floridians from the impacts of the border crisis. Without such action, detrimental effects may be experienced in Florida, including increased crime, diminished economic opportunities and wages for American workers, and burdens on the education and health care systems. The Legislature finds that the Federal Government has proven itself unwilling to address this crisis.

(3) To mitigate the effects of this crisis on the State of Florida, the Unauthorized Alien Transport Program is created within the Division of Emergency Management within the Executive Office of the Governor for the purpose of facilitating the transport of inspected unauthorized aliens within the United States, consistent with federal law. Notwithstanding s. 287.057, Florida Statutes, the division is authorized to contract for services to implement the program.

(4) The division may adopt rules to implement the program.

(5) This section expires June 30, 2025.

Section 2. Section 185 of chapter 2022-156, Laws of Florida, is repealed. All payments made pursuant to that section are deemed approved. Any unexpended balance of funds appropriated to the Department of Transportation under that section shall immediately revert. For the 2022-2023 fiscal year, the nonrecurring sum of \$10 million from the General Revenue Fund is appropriated to the Division of Emergency Management within the Executive Office of the Governor for the Unauthorized Alien Transport Program created by this act.

Section 3. This act shall take effect upon becoming a law.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 6B

Bill Number or Topic

2/7/2023

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Yenisbel Vilorio

Phone

786-419-6049

Address

PO Box 260230

Email

yenisbel@stateinnovation.org

Madison

City

WI

State

53726-0230

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

State Innovation Exchange Action

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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2/7/23

Meeting Date

SB 6

Bill Number or Topic

Piscataway

Committee

Amendment Barcode (if applicable)

Name Dr. Rich Templin

Phone 850-224-6926

Address 133 S. Monroe
Street

Email

Tallahassee
City

FL
State

32304
Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida AFL-CIO

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

February 7, 2023

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

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SB 6B

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Aliki Moncrief**

Phone **(850) 620-4656**

Address **1700 N. Monroe St. #11-286**

Street

Email **contact@fcvoters.org**

Tallahassee

FL

32303

City

State

Zip

Reset Form

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Conservation Voters

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

2/7/23

The Florida Senate
APPEARANCE RECORD

6-B

Meeting Date

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

JONATHAN WEBBEN

Phone

954-593-4449

Address

400 Washington Ave

Email

JONATHAN.WEBBEN@SPLCcenter.org

Street

Montgomery

AL

36104

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

SPLC Action Fund



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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6-B

Bill Number or Topic

Amendment Barcode (if applicable)

2/7/2023
Meeting Date

Fiscal Policy
Committee

Name Karen Woodall

Phone 850-321-9386

Address 579 E. Call St.

Email fcfc@yahoo.com

Tallahassee, FL 32301
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Center for
Fiscal & Economic Policy

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 6-B

Bill Number or Topic

2/17/23

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Aurelie Colon

Phone 9548818595

Address 1951 NW 7th Ave

Email aurelie@latinainstitute.org

Street

Miami

City

FL

State

33136

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing: National Latina Institute for Reproductive Justice FL

☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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2/7/23

Meeting Date

Fiscal Policy - Senate

Committee

SB 6

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Kara Gross**

Phone **786-363-4436**

Address **4343 West Flagler St.**

Email **kgross@aclufl.org**

Street

Miami

City

FL

State

33134

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

ACLU of Florida

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
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2/7/23

Meeting Date

SB 6B

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone 772-532-1371

Address 1605 Airport Dr.

Street

Email jackson@FloridaForAll.vote

Tallahassee

City

FL

State

32304

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida
Rising

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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2/7/2023

Meeting Date

Fiscal Policy

Committee

6-B

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Barbara DeVane

Phone

850-251-4280

Address

625 W. Brevard

Street

Email

Tallahassee, FL 32301

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida N.O.W.

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 2/7/2023 1:00:26 PM

Ends: 2/7/2023 2:59:53 PM **Length:** 01:59:28

1:00:28 PM	Chair calls meeting to order
1:03:14 PM	Quorum is present
1:03:21 PM	Senator Ingoglia presents SB 6 B
1:04:17 PM	Senator Torres asks question about DOT
1:05:16 PM	Senator Ingoglia responds regarding DOT spending
1:05:33 PM	Senator Torres continues dialog regard DOT payments
1:06:12 PM	Senator Ingoglia responds
1:06:38 PM	Senator Jones asks question
1:07:26 PM	Senator Ingoglia clarifies question
1:08:02 PM	Senator Jones clarifies question
1:08:17 PM	Senator Ingoglia responds
1:08:40 PM	Senator Jones asks question
1:09:24 PM	Senator Ingoglia responds
1:09:49 PM	Senator Jones asks question
1:10:34 PM	Senator Ingoglia responds
1:11:07 PM	Senator Ingoglia responds
1:11:27 PM	Senator Jones about allocation of funds
1:11:48 PM	Senator Ingoglia clarifies answer
1:12:23 PM	Senator Jones asks question
1:13:32 PM	Senator Ingoglia responds
1:14:40 PM	Senator Jones asks about states communicating with other Sanctuary States
1:15:39 PM	Senator Jones asks again about violation of federal law regarding transfer of aliens
1:16:30 PM	Senator Ingoglia responds
1:16:42 PM	Senator Osgood asks about transporting individuals
1:17:24 PM	Senator Ingoglia responds
1:19:07 PM	Senator Osgood asks about budget components
1:20:06 PM	Senator Ingoglia about law enforcement role
1:20:46 PM	Senator Ingoglia responds
1:21:27 PM	Senator Osgood asks question
1:22:26 PM	Senator Ingoglia responds
1:23:07 PM	Senator Osgood appreciates the Sponsor answering all her questions
1:23:53 PM	Senator Ingoglia comments
1:24:15 PM	Senator Stewart asks about Cuban refugees
1:25:10 PM	Senator Ingoglia responds
1:25:46 PM	Senator Berman asks about Borders
1:26:45 PM	Senator Ingoglia responds with definition
1:27:01 PM	Senator Berman asks about Governors Executive Order
1:27:31 PM	Senator Ingoglia clarifies
1:28:04 PM	Senator Berman asks about discussion in other states
1:28:47 PM	Senator Ingoglia responds
1:29:01 PM	Senator Berman asks about transparency in other states
1:29:36 PM	Senator Ingoglia says he can't speak on other states
1:29:52 PM	Chair Hutson asks about illegals being processed
1:30:42 PM	Senator Ingoglia responds
1:30:54 PM	Chair Hutson clarifies
1:31:04 PM	Senator Thompson asks about repeal of last year's law
1:31:22 PM	Senator Ingoglia responds
1:32:19 PM	Senator Thompson asks about funds
1:32:57 PM	Senator Ingoglia responds
1:33:08 PM	Senator Thompson asks about concerns about voting on this bill now
1:33:30 PM	Senator Ingoglia comments
1:34:46 PM	Senator Ingoglia speaks on old program

1:35:45 PM Senator Thompson asks question
1:36:29 PM Senator Ingoglia responds
1:37:00 PM Senator Garcia asks question
1:40:20 PM Senator Ingoglia responds
1:41:34 PM Senator Ingoglia in comments
1:42:36 PM Senator Torres asks about seeking asylum
1:43:36 PM Senator Ingoglia responds
1:44:10 PM Senator Jones asks a question
1:44:49 PM Senator Ingoglia responds
1:45:35 PM Senator Jones asks question
1:46:07 PM Senator Ingoglia responds
1:46:34 PM Senator Berman comments
1:47:07 PM Public comments
1:47:31 PM Chair reads names of those waiving in opposition
1:48:00 PM Aurelie Colon, National Latina Institute for Reproductive Justice FL, speaks against
1:49:05 PM Karen Woodall, FL Center for Fiscal and Economic Policy, speaks against bill
1:51:36 PM Jonathan Webber SPLC Action Fund speaks against the bill
1:53:38 PM Senator Albritton makes motion for time certain vote on SB 6 B
1:53:39 PM Chair picks back up speakers, speaker not present
1:54:37 PM Dr. Rich Templin Florida AFLCIO speaks against bill
1:59:11 PM Yenisbel Vilorio State Innovation on Exchange Action speaks against
2:00:44 PM Chair Hutson calls bill in debate
2:01:43 PM Senator Jones in debate
2:06:04 PM Senator Jones speaks against bill
2:07:03 PM Senator Torres in debate
2:07:27 PM Senator Torres speaks on housing crisis and Floridian's needs
2:08:18 PM Senator Osgood in debate
2:10:16 PM Senator Osgood speaks on her concerns on implementation of this bill
2:11:15 PM Senator Berman in debate
2:12:05 PM Senator Berman speaks in debate
2:13:32 PM Senator Thompson in debate
2:15:29 PM Senator Thompson continues debate against bill
2:17:04 PM Senator Stewart in debate
2:18:04 PM Senator Mayfield in debate/comments in support of this bill
2:19:02 PM Senator Mayfield in debate
2:20:09 PM Senator Ingoglia to close on his bill
2:23:25 PM Senator Ingoglia speaks on stats at border control
2:25:53 PM Roll call vote on SB 6B is reported favorably
2:26:53 PM Tab 1 Emergency Response
2:27:17 PM SB 2-B by Senator Albritton
2:28:05 PM Senator Torres asks about monies helping counties for flooding
2:29:05 PM Senator Albritton responds on a needs based program
2:29:22 PM Senator Osgood asks about water plant
2:29:55 PM Senator Albritton responds
2:30:35 PM Speaker Chris Holley City of Fort Myers speaks in support of bill
2:31:20 PM Chair reads speakers waiving in support
2:31:34 PM Senator Albritton waives close
2:31:45 PM Roll call vote on SB 2-B reported favorably
2:32:16 PM Tab 2 SB 4-B by Senator Martin Statewide Prosecutor
2:33:05 PM Senator Martin explains bill
2:34:33 PM Senator Thompson asks question regarding specific crimes
2:35:33 PM Senator Martin responds
2:35:40 PM Senator Thompson clarifies question
2:36:37 PM Senator Martin responds
2:36:45 PM Senator Thompson asks question
2:37:39 PM Senator Martin responds
2:38:57 PM Senator Martin clarifies the bill
2:39:58 PM Senator Jones for questions
2:40:15 PM Senator Martin responds
2:40:40 PM Senator Jones asks about the cost of running this office
2:41:25 PM Senator Martin responds
2:41:44 PM Senator Jones asks question

2:42:35 PM	Senator Martin responds
2:45:05 PM	Senator Osgood asks about Statewide Prosecutors roll
2:46:07 PM	Senator Martin responds
2:47:14 PM	Senator Osgood asks about fraud
2:48:14 PM	Senator Martin responds
2:48:32 PM	Senator Albritton motion for time certain vote 2:58 pm
2:49:14 PM	No objection to Senator Albritton's motion for time certain vote
2:49:37 PM	Senator Berman asks question
2:49:54 PM	Senator Martin responds on statute of limitations
2:50:13 PM	Senator Berman asks questions
2:50:36 PM	Senator Martin responds
2:52:51 PM	Senator Berman final question
2:53:51 PM	Senator Martin asks question
2:54:16 PM	Senator Martin responds
2:54:49 PM	Senator Torres asks question
2:55:50 PM	Senator Martin responds
2:56:02 PM	Public testimony
2:56:12 PM	Speakers waiving against and for bill read by Chair
2:56:45 PM	Speaker Genesis Robinson speaks against bill
2:57:39 PM	Chair calls for time certain vote
2:58:39 PM	Senator Martin waives close
2:58:52 PM	Roll call vote for SB 4-B reported favorably
2:59:23 PM	Chair Hutson adjourns meeting