

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 Rules

BILL: SR 682

INTRODUCER: Senator Diaz

SUBJECT: Venezuela/Juan Guaidó

DATE: March 5, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cantella</u>	<u>Phelps</u>	<u>RC</u>	<u>Pre-meeting</u>

I. Summary:

SR 682 expresses solidarity with the people of Venezuela in their pursuit of a strong and stable democratic government under which they may enjoy the political freedoms and economic security that are the hallmarks of democracy and calls for the recognition of Juan Guaidó as Venezuela’s new president.

Legislative resolutions have no force of law and are not subject to the approval or veto powers of the Governor.

II. Present Situation:

The government of Venezuela is “a multiparty, constitutional republic[.]”¹ Nicolás Maduro was elected President in 2013 after the death of Hugo Chávez.² Maduro won that election “by 1.5 percent margin amid allegations of pre- and post-election fraud, including government interference, the use of state resources by the ruling party, and voter manipulation.”³

On May 20, 2018, Maduro won reelection for a second six-year term with 67.7 percent of the vote amidst high voter abstention.⁴ As a result, “most Venezuelans and much of the international community considered Maduro’s May 2018 reelection illegitimate.”⁵ Juan Guaidó, the leader of the opposition-controlled National Assembly of Venezuela, has declared himself interim president after asserting election was fraudulently conducted to ensure Maduro would win a

¹ U.S. Department of State, Bureau of Democracy, Human Rights and Labor. *Venezuela 2016 Human Rights Report, Executive Summary*, p. 1, <https://www.state.gov/documents/organization/265834.pdf> (last visited March 1, 2019).

² Congressional Research Service Insight Report, *Venezuela: Background and U.S. Relations*, available at <https://crsreports.congress.gov/product/pdf/R/R44841> (last visited March 4, 2019)

³ See n. 1. *supra*

⁴ Congressional Research Service Insight Report, *Venezuela’s 2018 Presidential Elections*, available at <https://webcache.googleusercontent.com/search?q=cache:p67-ogCAUbsJ:https://fas.org/sgp/crs/row/IN10902.pdf+&cd=1&hl=en&ct=clnk&gl=u> (last visited March. 1, 2019).

⁵ Congressional Research Service In Focus Report, *Venezuela: Political Crisis and U.S. Policy* available at <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited March 4, 2019)

second six-year term.⁶ Guaidó cited Title V, Chapter II, Article 233 of the Constitution of the Bolivarian Republic of Venezuela, which states that if the president fails at his or her duties, or if there is an absence in leadership, the National Assembly's chief will take temporary charge of the nation.⁷

The United States, along with 53 other countries, have recognized Guaidó as the new interim President of Venezuela.⁸ President Trump released a statement on January 23, 2019 “officially recognizing the President of the Venezuelan National Assembly, Juan Guaidó, as the Interim President of Venezuela” and stating that the United States would press to restore Venezuela’s democracy and would “continue to hold the illegitimate Maduro regime directly responsible for any threats it may pose to the safety of the Venezuelan people.”⁹ U.S. Senator Marco Rubio joined President Trump in recognizing Juan Guaidó as the Provisional President of Venezuela.¹⁰ Consequently, Maduro cut diplomatic ties with the United States and told American diplomats to leave the country.

III. Effect of Proposed Changes:

SR 682 expresses solidarity with the people of Venezuela in their pursuit of a strong and stable democratic government under which they may enjoy the political freedoms and economic security that are the hallmarks of democracy and calls for the recognition of Juan Guaidó as Venezuela’s new president.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁶ Alex Ward, *Why thousands of protesters and Trump are demanding Venezuela’s president step down*, Vox (Jan. 23, 2019), <https://www.vox.com/world/2019/1/23/18193533/venezuela-maduro-protest-guaido-pence-trump-23-enero> (last visited March 4, 2019).

⁷ *Id.*

⁸ See n. 5, *supra*

⁹ White House statement, *Recognizing Venezuelan National Assembly President Juan Guaido as the Interim President of Venezuela*, January 23, 2019, available at <https://www.whitehouse.gov/briefings-statements/statement-president-donald-j-trump-recognizing-venezuelan-national-assembly-president-juan-guaido-interim-president-venezuela/> (last visited March 1, 2019).

¹⁰ US Senator Marco Rubio, *Rubio Welcomes US Recognition of Juan Guaidó as Venezuela’s Provisional President*, available at <https://www.rubio.senate.gov/public/index.cfm/press-releases?ID=36541F7F-8677-4FA1-85FF-E5E89A2A699A> (last visited March 4, 2019).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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 the following sections of the Florida Statutes:

This bill creates the following sections of the Florida Statutes:

This bill repeals the following sections 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.

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