

[View this email in your browser](#)



**THE  
BERMAN BRIEFING**



THE OFFICIAL PUBLICATION OF SENATE DISTRICT 26

---

---

# THE BERMAN BRIEFING

The Official Publication of Senate District 26



## SENATOR BERMAN'S 2024 LEGISLATIVE SESSION RECAP

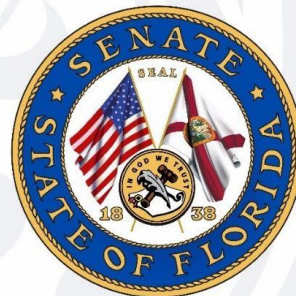
### OFFICE CONTACT

2300 High Ridge Rd Suite 161  
Boynton Beach, FL 33426

(561) 292-6014  
Berman.Lori@flsenate.gov

### TABLE OF CONTENTS

- Senator Berman's  
Legislative  
Accomplishments, 2-3
- Appropriations Projects, 4-5
- Budget of the State of  
Florida, 6-7
- Insurance, 8
- The Good, 9-11
- The Bad, 12-13
- The Ugly, 14-15
- Preemption Issues, 16-17



## SENATOR BERMAN'S LEGISLATIVE ACCOMPLISHMENTS – SPONSORED BILLS

*For a complete list of Senator Berman's bills that were filed but not passed, visit <https://www.flsenate.gov/Senators/S26>*



### **PASSED: CS/SB 148, Antisemitism**

This bill defines antisemitism in Florida Statute in order to assist in the monitoring and reporting of anti-Semitic hate crimes and discrimination, such as employment and housing. As a state with one of the highest Jewish populations in the country, it is vital to include the International Holocaust Remembrance Alliance's (or the IHRA's) definition of antisemitism in the Florida Statute. This bill includes an amendment that adds specific language and examples to protect First Amendment rights. It clarifies that antisemitism does not include criticism of Israel that is similar to criticism of other countries.



### **PASSED: SB 640 Purple Alert**

CS/SB 640 addresses revisions to the purple Alert, a bill I previously sponsored. The bill requires a statewide Purple Alert be issued only when an identifiable vehicle is involved. The Florida Department of Law Enforcement will issue statewide alerts that include activation of dynamic messaging signs and lottery terminals, and notifications to subscribers. If no identifiable vehicle is involved, dissemination of the alert will be limited to local distribution in the area where the person may be reasonably located. Local law enforcement would still be responsible for entering the case into the Florida Crime Information Center, notifying local media, informing all on-duty law enforcement officers, and alerting all law enforcement agencies having jurisdiction.





**PASSED: CS/CS/SB 1316, Florida Uniform Fiduciary Income and Principal Act**

This bill replaces the current Florida Uniform and Principal Income Act. More specifically, it allows for total-return investing under the “modern portfolio theory”, provides for the transformation of an established trust into a uni-trust, offers versatility for more individualized estate planning, and includes a governing law provision aimed at minimizing jurisdictional disputes.



**PASSED: CS/CS/HB 165, Sampling of Beach Waters and Public Bathing Spaces**

This bill requires the Department of Health (DOH) to adopt and enforce rules to protect the safety and health of people using the beach waters and public bathing places. It preempts to the state the release of health advisories of the results of bacteriological sampling of public bathing spaces and requires signage for when water is contaminated and unsafe to swim in.



**STOPPED IN HOUSE CS/CS/SB 932, Coverage for Diagnostic and Supplemental Breast Examinations**

This bill prohibits copayments or any cost sharing requirements for coverage of diagnostic and supplemental breast examinations within the state employee group health plan. Unfortunately, this bill did not move through the House. This bill will be filed again next year as it is an important, life saving piece of legislation.



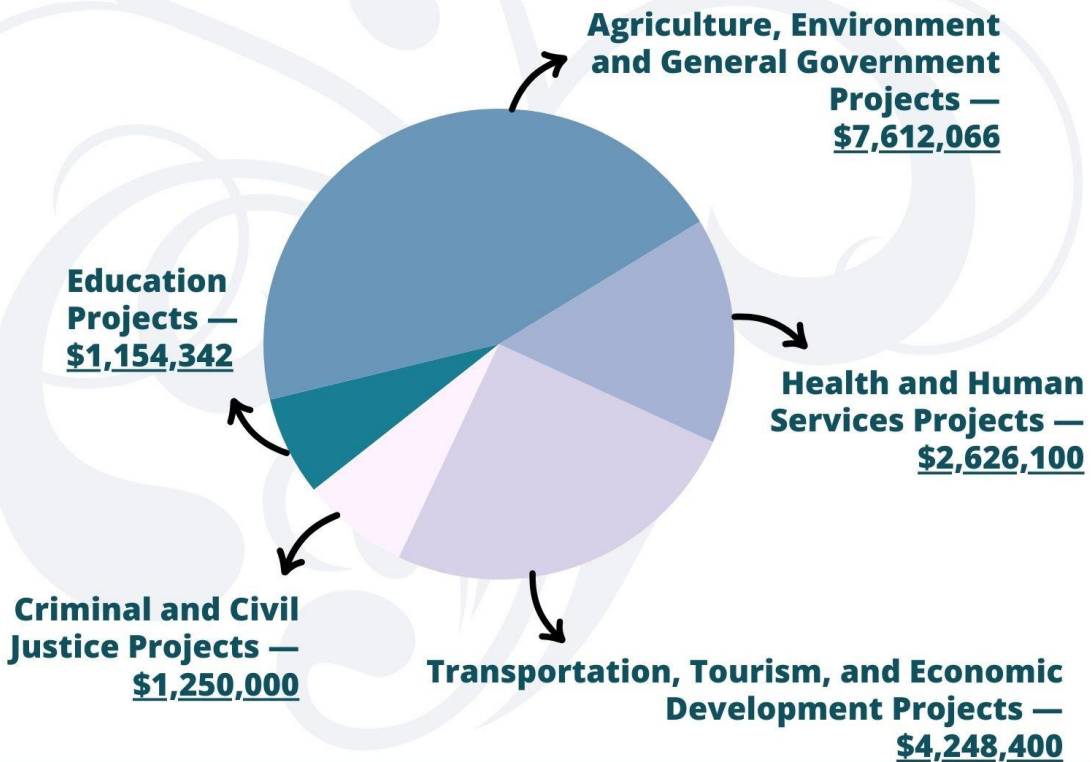
## APPROPRIATIONS PROJECTS



For fiscal year 2024-25, Senator Berman secured...

# \$16,890,908

...in the state budget for special projects in our community. These projects will go far in improving water quality, building lasting infrastructure, expanding critical social services offered by non-profits, and preparing students for success. **However, some of these items may be subject to the Governor's line-item veto.**



## Fiscal Year 2024-25 BUDGET OF THE STATE OF FLORIDA

### PASSED: CS/SB 7074, Taxation

This year, the Legislature passed CS/SB 7074, a robust tax package that provides over \$1 billion in tax cuts for Floridians. The bill:

Creates several sales tax holidays:

- 14-day “back-to-school” sales tax holiday from 6/29/24 through 8/11/24.
- 28-day hurricane preparedness” sales tax holiday over two separate time periods, from 7/1/24 through 8/6/24 and 8/24/24 through 7/31/24, for disaster preparation purchasing.
- 1-month “Freedom Summer” sales tax holiday from 7/1/24 to 7/31/24, for specified admissions, boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, and residential pool.
- 7-day “Tool Time” sales tax holiday from 9/1/24 through 9/7/24, for specific tools and safety equipment.

Additionally, the bill:

- Increases the Strong Families Tax Credit limit from \$20 million to \$40 million.
- Grants automatic expansion of the deadline for a retail dealer or corporation to file sales and corporate income tax and utilize tax remittances and tax returns during a declared emergency or a state of emergency.
- Makes the distribution permanent from the use tax and sales which must be utilized for certain racing purposes and thoroughbred breeding.
- Reduces the tax rates that will be levied on natural gas fuel by 50% for one year.
- Provides for a \$15 million annual distribution until 2054 from the Alcoholic Beverage Tax to the University of Miami Sylvester Comprehensive Cancer Center; the University of Florida Health Shands Cancer Center; and the Mayo Clinic Comprehensive Cancer Center in Jacksonville
- Deletes the requirement that a nonresident purchaser of an aircraft or boat who will remove the vehicle from Florida read the entire statute.
- Allows DOR to reopen assessments if the taxpayers failed to acknowledge to certain requests.
- Allows DOR to include in a garnishment notice and levy additional fees and costs.
- Includes a one-year relief for residential property insurance policyholders, covering the cost of insurance premium tax and the State Fire Marshal assessment for residential property insurance policies written between October 1, 2024, and September 30, 2025, for a twelve-month coverage period.
- The bill also includes a one-year insurance premium tax relief on flood insurance policies, reducing the cost of flood insurance policies written between October 1, 2024, and September 30, 2025.



## INSURANCE

### LET'S TALK PROPERTY INSURANCE:

Despite the fact that property insurance continues to be a major concern for most homeowners, the Legislature did very little to address the problem. Republican leadership stated that actions taken in past sessions need time to work. Disappointingly, these were the only laws passed this session addressing insurance.

#### PASSED: CS/CS/HB 1029, My Safe Florida Home For Condos

- Creates a pilot program to allow Condos to apply for \$175,000 from My Safe Florida Home authorized improvements.
- Funded with 30 million dollar appropriation.

#### PASSED: SB 7028, My Safe Florida Home

- Adds \$200 million to this existing program and gives priority to low income and elderly residents.
- The program provides grants of up to \$10,000 for hurricane mitigation such as improved doors, windows and roof support.

#### PASSED: CS/CS/HB 1503, Citizens Property Insurance Corporation

- CS/CS/HB 1503 brings crucial improvements to Citizens Property Insurance Corporation.
  - Requires non homesteaded properties to be taken out of Citizens if a surplus lines carrier not admitted in Florida makes an offer within 20% of the Citizen's rate.
  - The surplus carrier must be rated A- or better.
  - In the future, non primary residences will be ineligible for Citizen's coverage.
  - Presently would affect about 77,000 policies.

#### PASSED: CS/CS/1611, Insurance

- CS/CS/HB 1611 focuses on elevating reporting accuracy, empowering regulatory bodies, refining financial standards, and addressing insurance issues during emergencies.
  - Prohibits insurers from cancelling and non-renewing policies of properties damaged during hurricanes or win loss within a certain time frame.
  - Gives the financial services commission rulemaking authority to regulate how and in what format insurers provide notice to the office of Insurance Regulation of non-renewal.

## THE GOOD



### **PASSED: CS/SB 7016, Live Healthy Act**

CS/SB 7016 was Senate President Kathleen Passidomo's top priority for this Session. This bill, referred to as Live Healthy, provides a multifaceted approach to improving and aiding Florida's healthcare workforce.

- Directs supplemental opportunities for Healthcare professionals for education, training, and retention within the state of Florida
- Addresses new medical graduates leaving Florida to work elsewhere by providing funds for the expansion of medical residency programs within Florida
- Offers additional sites for clinical training for more rural areas, moreover removing some of the obstacles to quality healthcare
- Expands the dental student loan repayment program while providing other dental benefits
- Expands Florida's Medical Education Reimbursement and Loan Repayment (FRAME) Program, permitting mental health professionals to qualify, and increasing award quantity for all qualifying health care professionals
- Requires the Department of Health to provide a digital list of providers for free healthcare screenings

Appropriations: over \$717 million



### **PASSED: CS/CS/HB 159, HIV Infection Prevention Drugs**

CS/CS/HB 159 allows licensed pharmacists to administer testing for HIV as well as order and dispense HIV infection prevention drugs.



### **PASSED: HB 849, Veterinary Practices**

HB 849 creates the Providing Equity in telehealth Services (PETS) Act, establishing framework for the practice of veterinary Telehealth. Veterinarians will be able to perform patient evaluations and prescribe medications this way. This will help to address the shortages surrounding veterinary care and financial and logistical obstacles for veterinarian patients.



### **PASSED: CS/CS/SB 1364, Everglades Protection Area**

CS/CS/SB 1364 amends growth policy and local government planning for Miami Dade County for land within two miles of the Everglades Protection Area (EPA).

This bill will trigger greater scrutiny and oversight of EPA development.



## THE GOOD



### **PASSED: CS/CS/SB 328, "Live Local Act"**

CS/CS/SB 328 is the amendment to the Live Local Act, signed into law last year, which aimed to tackle affordable housing, a priority issue for many Floridians. This legislative session, the Senate passed an amended Live Local Act (SB 328) that addresses some of the questions and concerns about the original bill. This amendment was created in order to encourage developers to build more affordable housing by clarifying some of the regulations surrounding the building and development of these properties. These clarifications along with the addition of tax exemptions are designed to make the Live Local Act more effective in providing affordable housing for Floridians.

- Appropriates \$100 million to the State Housing Trust Fund for the Florida Hometown Hero Program
- Maximum density and height allowances do not include bonuses or exemptions as incentives for development
- Reduces parking requirements for developments near transit stops and major transportation hubs
- Non-restricted units in qualifying developments can be for sale or rent
- Series of missing middle property tax exemption provisions
  - Property appraisers maintain ultimate authority to grant exemptions
  - Outlines methods for property appraisers to determine value of exempted units
  - Requires fewer units in the Keys to be set aside for income-limited families



### **PASSED: CS/HB 241, Coverage for Skin Cancer Screening**

CS/HB 241 requires all contracted state group health insurance plans to provide coverage and payment (without copay) for annual skin cancer screenings. Insurance plans may not bundle payments for skin cancer screenings with any other procedure or service.



### **PASSED: CS/CS/CS/SB 86, Hope Cards for Persons Issues Orders of Protection**

CS/CS/CS/SB 86 created the Hope Card Program to provide petitioners with a final protective order with a laminated or digital card containing information about a permanent protective order, the respondent's identifying features, and the protected children.



### **PASSED: CS/CS/SB 462, Excusal from Jury Service**

This bill creates an additional option for excusal for jury duty. This excusal option includes mothers who have given birth up to 6 months prior to the report date for jury service.

## THE GOOD



### **PASSED: CS/SB 21, Dozier School for Boys and Okeechobee School Victim Compensation Program**

CS/HB 21 creates the Dozier School for Boys and Okeechobee School Victim Compensation Program to compensate the victims of these abusive schools who were raped, beaten, and some even killed. The Commissioner of Education may also award a standard high school diploma to each person compensated under the program. The bill appropriates \$20 million for the compensation program. It also requires the Department of Legal Affairs to accept, review, and approve/deny applications for the payment of compensation.



### **PASSED: CS/HB 133 Criminal History of Licensees and Employees**

CS/HB 133 provides a pathway for an individual with a criminal conviction to become licensed as a barber or cosmetologists by reducing criminal look back time frame and allowing certain training or certifications obtained by inmates to satisfy training requirements for licensure.

## THE BAD



### PASSED: CS/CS/CS/SB 632: Taking of Bears

CS/CS/CS/SB 632 creates a “Stand Your Ground” law for bears, authorizing lethal force for taking of bears if a person believes it is necessary to protect life OR property. While aiming to allow persons to defend themselves and their property, the bill fails to address the necessity of better trashcans and the potential of endangering bears. The law in Florida already allows individuals to kill a bear if they feel threatened. The lack of attention to cleaning up trash and the inefficiency of current trash cans raise valid questions about the practicality and fairness of such a proposal. The potential damaging effect on bears by shooting at them on residents’ property, which may allow for an imbalance in Florida’s environment, is a valid concern that deserves careful consideration. Further, this bill creates safety concerns regarding stray bullets and the dangers they pose in our communities.



### PASSED: CS/HB 1291, Educator Preparation Programs

CS/HB 1291 is another addition to the Governor’s Stop WOKE agenda in Florida. It limits the ability of teachers to have discussions on racism, sexism, and oppression. The bill specifies that no educator preparation program may include curriculum on systemic racism, sexism, or oppression and how they have created economic and social inequalities.



### PASSED: CS/HB 415, Pregnancy and Parenting Resources Website

CS/HB 415 requires the Department of Health to create a pregnancy and parenting resources website for expectant families. Major concerns about this bill stem from the controversial health policies of the State Surgeon General and having true, authentic resources for Florida parents. This website has potential to be hijacked by organizations with political agendas. There is no mention of abortion, domestic abuse, HIV, or mental health resources in the bill.



### PASSED: CS/SB 7014: Ethics

This bill creates strict deadlines and requirements for investigations by the Commission on Ethics. This bill will undermine the Florida Ethics investigation process for elected officials. It will be harder to investigate corruption in local and state government, decreasing accountability and transparency. Local watchdog agencies will now have virtually no power to help keep government officials responsible for their actions and expose bad actors. This bill started out positively by created stricter deadlines and requirements by the commission of ethics. A last minute amendment to the bill changed how investigations can be initiated which will severely undermine the ability of local ethics panels to instigate their own ethics investigations. Trustworthy sources of public information, such as investigative journalism by news media, are disregarded. This is considered as 'hearsay.' Consequently, the bill renders both state and local ethics commissions ineffective in addressing complaints of misconduct that are not blatantly evident to the public eye.





### **PASSED: CS/CS/HB 1645, Energy Resources**

CS/CS/HB 1645 makes several concerning changes in the energy sector, including production and regulation. Among many other things, concerns include preemption of local governments, increasing customer bills, banning offshore wind, expanding the use of natural gas, and taking away mentions of climate change in Florida Statute.

#### **Preemptions**

- **Natural Gas Resiliency Facilities**
  - Preempts local governments from making any future changes to comp plans, land use, zoning or land development regulations conflicting with “resiliency facilities”
  - Resiliency facilities are defined as any public facility used to hold natural gas reserves for temporary use during outages
- **Fuel sources/appliances**
  - expands preemption of local governments from taking action to restrict use of appliances, like gas stoves, to development districts
  - prohibits HOAs from restricting types of fuel sources of energy production available

#### **State Energy Policy**

- Revises state legislative intent and goals related to energy policy by eliminating any reference to climate change and energy efficiency

#### **Wind**

- Prohibits the construction, operation, or expansion of offshore wind energy facilities and wind turbines located on real property within one mile of the state’s coastline or on waters of the state



### **PASSED: HB 1451, Identification Documents**

This bill prohibits counties and municipalities from accepting community IDs as valid identification. Community IDs have been a way to provide identification to undocumented immigrants through a nonprofit that partners with a municipality. Police have shown strong support for the use of community IDs as they have been found to increase trust between undocumented immigrants and local police agencies. These IDs have even improved the efficiency of police work in cases involving undocumented immigrants.



### **PASSED: CS/HB 1347, Consumer Finance Loans**

This bill increases the allowable interest rates on consumer finance loans. The rationale for increasing interest rates is that many people turn to predatory loans online after not qualifying for rates under the current statute. Lending with higher interest rates to people that cannot currently qualify under current statute only corners them into loans they will not be able to pay back.



### **PASSED: CS/CS/HB 49, Employment**

This bill removes restrictions regarding the number of work hours that sixteen and seventeen-year old’s work, allowing them to work the same number of hours as a person who is eighteen-years old or older. In other words, they would be allowed to work more than 4 continuous hours without a thirty-minute break, are permitted to work more than eight hours a day when there is school the next day and 40 hours per week, and they would be authorized to work more than six consecutive days a week. This bill also enforces county and municipal governments with specific curfews to generate new exemptions.

**THE UGLY:**

**These bills have serious constitutional concerns and will probably be challenged in court, leading to tax payer funded attorneys fees and have potential to be overruled by the courts.**



**PASSED: HB 931, School Chaplains**

HB 931 authorizes each school district or charter school to allow volunteer school chaplain to provide support, services, and programs to students as assigned by the governing board. This bill provides no guidelines or requirements for appointment of school chaplains. Schools that decide to have school chaplains interacting with students should have guidelines in place. For instance, there is nothing relating to professional requirements and there is also no requirement specifying what religions are included. This dangerous bill opens up the potential for little variety of religious affiliations among these chaplains, for untrained personal to be interacting with students, and may result in religious indoctrination in schools.



**PASSED: CS/CS/HB 3, Online Proections for Minors**

This bill prohibits certain specified social media platforms from allowing 16 year old and younger from creating accounts. Fourteen and fifteen year old's can only have such social media accounts with parental permission. Additionally, it required porn apps and sites to verify the users and denied users under 18 from accessing them. There were concerns with this bill regarding the First Amendment due to the age-verification requirement. In fact in 2004, the U.S. Supreme Court held a similar law unconstitutional. On March 1, 2024, Governor DeSantis vetoed the original version of the bill CS/HB 1, and then the House added the amended version onto CS/HB 3, which was then passed.



**PASSED: CS/CS/HB 1365, Unauthorized Public Camping and Public Sleeping**

This bill prohibits municipalities and counties from allowing public sleeping or camping on public property without a temporary permit. Local governments are allowed to newly-designate government owned property, depending on minimum sanitation and safety standards, to arrange authorized public camping or sleeping for only one year. This bill is the wrong way to deal with homelessness in Florida, preempting local governments, and forcing local governments to pay for the temporary locations.





### **STOPPED: SB 476, Civil Liability for the Wrongful Death of an Unborn Child**

This bill gave parents the ability to sue for damages for the wrongful death of an unborn child, and it defined the term unborn child as “a member of the species Homo sapiens, at any stage of development, who is carried in the womb.” In other words, a fetus is to be recognized as a person with rights from the moment of conception, creating a way for fetal personhood. An amendment was added to the bill specifying that the mother of the unborn child cannot be sued for the wrongful death of her child; however, this bill allows for the harassment of abortion providers being sued for administering health care.



### **STOPPED: SB 1122: Protection of Historic Monuments and Memorials**

This bill attempted to preempt the regulation of specified monuments and memorials, e.g., confederate monuments, from the state and prohibit people from taking action against offensive monuments and memorials on public property. This bill would force our minority populations in Florida to look at statues of their historical oppressors and take away the power of their local governments to listen to their constituents and regulate these monuments.





## PREEMPTION ISSUES



### **PASSED: CS/SB 280, Vacation Rentals**

This bill is the latest attempt at a comprehensive vacation rental bill. Since 2011, most similar bills have fallen short of the finish line. It addresses these vacation rental properties by requiring local registration programs, limiting local enforcement ability, placing requirements on advertising platforms, and creating vacation rental license information system. This bill takes away a lot of the power from local governments to solve local problems, and it does not give DBPR any additional resources to help with enforcement.



### **PASSED: CS/CS/SB 1084, Department of Agriculture and Consumer Services**

This bill preempts regulation of electric vehicle charging stations to the state. This preemption is aimed at preventing local governments from requiring the installation of electric vehicle charging stations at specific locations. This bill also completely bans the sale of cultivated meat across the state.



### **PASSED: CS/HB 705, Public Works Projects**

This bill revises the definition of “public works project” to include every project paid for with state or local funds, ranging from new buildings, to water systems, and even roads, which enlarges the existing preemption in state law. In other words, it preempts local bidding preferences and specific above-minimum wages, even for public projects that are locally financed in communities of higher cost. The alteration in the bill prevents local governments from applying local preference points, ignoring the project’s funding source.

## PREEMPTION ISSUES

**PASSED: CS/SB 1526, Local Regulation of Nonconforming and Unsafe Structures**

This bill preempts local governments from preventing or restricting the demolition of “nonconforming or unsafe structures.” It allows for the destruction of a structure if it does not conform to the requirements in Florida’s coastal cities; authorizes an automatic replacement of the demolished structure, but does not require it to have any of the historical features of the former structure; prohibits local governments from enforcing additional restrictions on the destruction or redevelopment that do not coincide with existing requirements or public hearings on permit applicants; and exempts the buildings on the National Register of Historic Places. There was an amendment added to this bill stating that it applied to structures “seaward of the coastal construction line” and exempted national historic districts set up by 2000. This bill does not take into account that Florida’s historic districts and buildings are important to history and culture. It is crucial to note that the protection of communities and preserving the heritage and history of communities are not mutually exclusive.





### District Office

2300 High Ridge Road  
Suite 161  
Boynton Beach, FL, 33426  
(561) 292-6014



### Tallahassee Office

216 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399  
(850) 487-5026



### Email

berman.lori.web@flsenate.gov

## CONTACT US



### Facebook

facebook.com/loribermanfla



### Twitter

@loriberman



### Instagram

@senloriberman

