THE FLORIDA SENATE
SENATOR WILTON SIMPSON
President

MEMORANDUM

TO: All Senators
FROM: Wilton Simpson
SUBJECT: 2021 Special Session B
DATE: October 29, 2021

Pursuant to the attached proclamation issued today by Governor DeSantis, the Legislature will convene in special session beginning on Monday, November 15, 2021.

I will release additional details regarding the updated Senate schedule as soon as they are finalized. A joint statement Speaker Sprowls and I have issued is below for your reference.

I look forward to seeing you all next week for our fourth interim committee week.

TALLAHASSEE, Fla. *(Oct. 29, 2021)* **--** Florida House Speaker Chris Sprowls (R-Palm Harbor) and Senate President Wilton Simpson (R-Trilby) issued the following joint statement regarding the upcoming special session of the Florida Legislature. A proclamation issued this afternoon by Governor Ron DeSantis calls for a special session from November 15-19, 2021.

"Over the last two years, Floridians have watched the freedoms of our friends and relatives in other states get stripped away one at a time. We will not stand by as the Biden Administration imposes an illegal and unconstitutional nationwide vaccine mandate that robs the American people of the dignity of work.

"Under the leadership of Governor DeSantis and the Florida Legislature, Florida has been a beacon of hope, and we intend to keep it that way. We look forward to working with Governor DeSantis and our colleagues to craft, debate and pass thoughtful legislation that keeps Florida open for business and prioritizes people, parents and businesses over government.

"During the special session, we will do everything within our power as a state to protect Floridians from the unconstitutional, un-American, and morally reprehensible overreaches on the part of the federal government."

PROCLAMATION

STATE OF FLORIDA
EXECUTIVE OFFICE OF THE GOVERNOR
TALLAHASSEE

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE
AND HOUSE OF REPRESENTATIVES

WHEREAS, Article III, Section 3 of the Florida Constitution permits the Governor to convene the Legislature in Special Session during which only such legislative business may be transacted as is within the purview of this Proclamation, or of a communication from the Governor, or as is introduced by consent of two-thirds of the membership of each house of the Legislature; and

WHEREAS, Article III, Section 3 of the Florida Constitution limits the duration of a Special Session to twenty (20) consecutive days; and

WHEREAS, the Biden Administration has undertaken, or is threatening to undertake, extraordinary efforts to coerce injections of the COVID-19 vaccine into Americans who otherwise would be unwilling to receive the vaccine for reasons of health, pregnancy, religious belief (including sincerely held moral or ethical beliefs), and prior infection; and

WHEREAS, the Biden Administration has cajoled and is threatening to require American businesses to mandate that their employees receive injections of the COVID-19 vaccine as a condition of employment, even if their employees would otherwise be unwilling to receive the vaccine for reasons of health, pregnancy, religious belief (including sincerely held moral or ethical beliefs), and prior infection; and

WHEREAS, under pressure from the Biden Administration and corporate media, some companies and governmental entities have begun mandating that their employees receive injections of the COVID-19 vaccine as a condition of employment; and

WHEREAS, forced vaccination of Americans will sow further distrust in government institutions and in corporate America, could deter Americans from voluntarily receiving the vaccine, will cause many Americans to lose their jobs and increase the burden on taxpayer-funded social services, could further exacerbate job shortages and supply chain disruptions, and will harm the economy; and

WHEREAS, Florida successfully reopened schools for in-person education during the COVID-19 pandemic, prior to any widely available vaccines, and proved that there was no meaningful difference in COVID-19 transmission rates between school districts with mask mandates and school districts without mask mandates; and

WHEREAS, the Department of Health has issued Emergency Rule 64DER21-15, Protocols for Controlling COVID-19 in School Settings, that gives parents the discretion to opt their children out of any forced masking requirements in schools; and

WHEREAS, the Department of Health's rule also provides protections for students and parents against overbroad quarantines of healthy students, ensuring in-person education for healthy students; and

WHEREAS, several school districts in Florida have, with the assistance and encouragement of the Biden Administration, blatantly defied the Department of Health rule, as well as the State Board of Education's efforts to enforce the rule; and

WHEREAS, the forced masking and unnecessary quarantining of healthy school children over the objections of their parents infringes upon the parents' ability to make health care and education decisions for their children and undermines the ability of Florida school children to receive the quality education they deserve; and

WHEREAS, it is sound public policy to protect the individual liberties of our citizens and to protect the rights of individuals to make the best health care decisions for themselves; and

WHEREAS, a Special Session of the Florida Legislature is necessary to address the Biden Administration's unprecedented efforts to coerce or pressure workers into receiving injections of the COVID-19 vaccine and to interfere with the enforcement of state law governing the use of masks and quarantines in public schools; and

WHEREAS, a Special Session of the Florida Legislature is also necessary to protect workers from the loss or denial of employment solely because they refuse injection of the COVID-19 vaccine and to address employer COVID-19 vaccination mandates; and

WHEREAS, a Special Session of the Florida Legislature is further necessary to protect the right of parents to decide whether their children should wear masks at school or be subject to unnecessary quarantines, and to ensure that school districts are held accountable for violating state laws and policies.

NOW, THEREFORE, I, RON DESANTIS, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1) of the Florida Constitution, do hereby proclaim as follows:

Section 1. The Legislature of the State of Florida is convened in Special Session commencing at 12:00 p.m., Monday, November 15, 2021, and extending no later than 12:00 p.m., Friday, November 19, 2021.

Section 2. The Legislature of the State of Florida is convened in Special Session for the sole and exclusive purpose of considering legislation to (1) protect workers against COVID-19 vaccine mandates and address employer policies that force COVID-19 vaccination; and (2) clarify that Florida law vests student masking decisions in the hands of parents and strengthen enforcement of the protections in the Parents' Bill of Rights, Chapter 1014, Florida Statutes, and

other related statutes as necessary to ensure Florida's school districts adhere to the requirements of state law. Specifically, the Legislature should consider legislation to:

a. Protect current and prospective employees against unfair discrimination on the basis of COVID-19 vaccination status and ensure robust enforcement for this protection;
b. Ensure that educational institutions and government entities are prohibited from unfairly discriminating against current and prospective employees, students, and residents on the basis of COVID-19 vaccination status;
c. Ensure that employees improperly denied employment on the basis of COVID-19 vaccination status can be eligible for reemployment benefits and, if needed, ensure that employees injured by a COVID-19 vaccination taken pursuant to a company policy are covered by workers' compensation;
d. Appropriate a sufficient amount of funds to investigate complaints regarding COVID-19 vaccination mandates and to take legal action against such mandates, including mandates imposed by the Federal Government;
e. Clarify that the Parents' Bill of Rights, Chapter 1014, Florida Statutes, vests the decision on masking with parents, not government entities, and that schools must comply with Department of Health rules that govern student health, including rules that ensure healthy students can remain in school;
f. Limit mandates by school districts on students or employees regarding COVID-19 and related mitigation measures;
g. Provide adequate enforcement mechanisms to ensure that Florida law is followed and the rights of parents are honored;
h. Direct the State to evaluate whether it should assert jurisdiction over occupational safety and health issues for government and private employees;
i. Repeal the authority for the State Health Officer to order forced injections or vaccinations under Section 381.00315, Florida Statutes, originally enacted in 2002; and
j. Create as necessary public records exemptions related to complaints and investigations described herein.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Session at the Capitol, this 29th day of October, 2021.

RON DESANTIS, GOVERNOR

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SECRETARY OF STATE
TALLAHASSEE, FL

ATTEST:

SECRETARY OF STATE