

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

[2021s02006.hms]

BILL: CS/CS/SB 2006, 1st Eng.

INTRODUCER: Rules Committee; Appropriations Committee; and Senator Burgess

SUBJECT: Emergency Management

DATE: April 28, 2021

I. Amendments Contained in Message:

House Amendment – 783711 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment – 783711:

- Authorizes the Governor, the presiding officers of the Legislature, the Lieutenant Governor, the Surgeon General, and the Director of the Division of Emergency Management to disseminate public service announcements during an emergency. The amendment specifies that two ethics statutes do not apply to this provision. One of these statutes pertains to the receipt of gifts by public figures and the other regulates lobbyists.
- Changes the bill provisions targeting potentially burdensome county ordinances, orders, or other exercises of police power by political subdivisions. The amendment:
 - Focuses more narrowly on emergency *orders* that infringe rights or liberties. (It also exempts orders in response to a hurricane or other weather-related emergency.)
 - Requires orders that infringe rights or liberties to be narrowly tailored to serve a “compelling public health or safety purpose.” When the bill was sent to the House, it required local exercises of police powers that infringed rights or liberties to be narrowly tailored to serve a “compelling governmental interest.” So, the amendment targets a smaller category of local actions (emergency orders), but allows these to be upheld in court only if they serve one type of governmental interest (a public health or safety purpose).
 - Limits emergency orders to 7 days, instead of 10, and limits renewals of an order to 5, for a total of 42 days (prior to the amendment, the bill did not cap the total times an order could be renewed).
 - Removes the authorization for governing bodies of political subdivisions to meet virtually to renew emergency orders.
 - Authorizes the Governor to invalidate an order that unnecessarily restricts individual rights or liberties.
- Removes the bill’s express authorization for the State Health Officer to create screening protocols consistent with the bill’s provision prohibiting governmental, educational, and business entities to require proof of COVID-19 vaccination or recovery to receive services.
- Removes a provision that causes the expiration of any executive order that is issued:

- Pursuant to an emergency declaration by the Governor; and
- More than 60 days before July 1, 2021.
- Removes the bill's requirement that the Department of Business and Professional Regulation review all executive orders issued under its delegated authority during the COVID-19 pandemic and make recommendations to the Legislature regarding any issues that should be codified in law.