

**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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 2006

INTRODUCER: Senator Burgess

SUBJECT: Emergency Management

DATE: March 30, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Stallard</u>	<u>Caldwell</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>McAuliffe</u>	<u>Sadberry</u>	<u>AP</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>RC</u>	_____

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**I. Summary:**

SB 2006 amends the State Emergency Management Act to better address the threat posed by a pandemic or other public health emergency.

The bill:

- Specifies that the State Emergency Management Act applies to pandemics and other public health emergencies.
- Requires the Division of Emergency Management (division) to include in the state comprehensive emergency management plan provisions addressing public-health-emergency preparedness, response, recovery, and mitigation. The division must develop the provisions in consultation with the Department of Health and the Agency for Health Care Administration.
- Requires the division to maintain an inventory of state-owned personal protective equipment.
- Amends several of the division's statutory duties to specify that those duties pertain to public health emergencies. For example, the bill requires the division's biennial report to the Legislature and the Governor to include the state's capability to respond to a public health emergency.
- Requires a state contract with a provider of care for a person with special needs to include the contractor's procedure for providing essential services during a public health emergency.
- Requires the division's statewide emergency shelter plan to address sheltering Floridians during a pandemic that necessitates physical distancing.
- Provides additional oversight and transparency regarding exercises of the executive branch's emergency powers, including:
  - Limiting emergency orders, proclamations, and rules to 30-day durations that can be renewed for 30-day periods as long as the emergency conditions persist.
  - Requiring the Governor, if he or she closes schools or businesses, to state specific reasons why the schools or businesses need to close and reassess the closure regularly.

- Requiring the Governor and state agencies to file emergency declarations or orders with the Division of Administrative Hearings.
- Authorizing the Legislature to pass a concurrent resolution to terminate orders and directives issued under a state of emergency, instead of only the state of emergency itself.
- Limiting suspension of regulatory statutes to 30-day durations that can be renewed for 30-day periods as long as the emergency conditions persist.
- Requiring budget amendments for the transfer of funds to respond to an emergency to be subject to Legislative Budget Commission approval the earlier of 6 months after the start of the state of emergency or upon its termination.
- Requiring a state agency to submit to the Legislature a detailed spending plan, when possible, before accepting federal grants or private donations.

The bill provides that all executive orders issued by the Governor before 30 days before the effective date of the bill expire as of the effective date of the bill. The orders can be renewed for 30-day periods. Further, any budget amendment submitted as of the effective date of the bill is subject to approval by the Legislative Budget Commission, in whole or in part.

The bill is not expected to have a significant negative fiscal impact on state agencies.

The bill takes effect July 1, 2021.

## II. Present Situation:

### COVID-19

The COVID-19 pandemic has drastically affected the state of Florida since the outbreak began affecting the United States in early 2020. The toll on individuals, businesses, and the economy has been catastrophic. According to the Department of Health, over 2 million positive COVID-19 cases have been diagnosed in the state, over 84,000 residents have been hospitalized, and over 33,000 Florida residents have died of the virus.<sup>1</sup>

Governor DeSantis issued Executive Order No. 20-52 on March 9, 2020, declaring a state of emergency and issuing guidelines to halt, mitigate, or reduce the spread of the outbreak. The order has been extended six times, most recently by Executive Order No. 21-45, issued on February 26, 2021.<sup>2</sup> Acting under the authority of the order declaring the state of emergency, in Fiscal Year 2020-2021, there have been over \$1 billion in budget amendments to respond to the COVID-19 crisis.<sup>3</sup>

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<sup>1</sup> Florida Department of Health, Division of Disease Control and Health Protection, *Florida COVID-19 Dashboard*, available at <https://experience.arcgis.com/experience/96dd742462124fa0b38ddedb9b25e429> (last visited Mar. 27, 2021).

<sup>2</sup> A state of emergency declared under the State Emergency Management Act may not last for more than 60 days unless it is renewed by the Governor. Section 252.36(2), F.S.

<sup>3</sup> See Office of Economic and Demographic Research, Revenue Estimating Conference, *General Revenue Fund Financial Outlook Statement*, (adopted December 21, 2020) available at [http://edr.state.fl.us/Content/revenues/outlook-statements/general-revenue/201221\\_GRoutl.pdf](http://edr.state.fl.us/Content/revenues/outlook-statements/general-revenue/201221_GRoutl.pdf) (last visited Mar. 27, 2021).

## State Emergency Management Act

The State Emergency Management Act, ch. 252, F.S., was enacted to be the legal framework for this state's emergency management activities, recognizing the state's vulnerability to a wide range of emergencies, including natural, manmade, and technological disasters.<sup>4</sup> In order to reduce the state's vulnerability to these circumstances and to prepare to respond to them, the act promotes the state's emergency readiness through enhanced coordination, long-term planning, and adequate funding.<sup>5</sup>

The act creates the Division of Emergency Management (division) within the Executive Office of the Governor and grants the division with powers and duties necessary to mitigate the vulnerability of life, property, and economic prosperity due to natural and manmade disasters.<sup>6</sup>

The responsibilities of the division include:

- Carrying out the State Emergency Management Act;
- Maintaining a comprehensive statewide program of emergency management; and
- Coordinating with efforts of the federal government with other departments and agencies of state government, with county and municipal governments and school boards, and with private agencies that have a role in emergency management.<sup>7</sup>

The act also delineates the Governor's authority to declare a state of emergency, issue executive orders, and otherwise lead the state during emergencies. This authority is subject in some aspects to the Legislature's authority. For example, the Legislature may pass a concurrent resolution to end a state of emergency declared by the Governor.

The remainder of the Present Situation is set forth in the Effect of Proposed Changes section to provide immediate context for the changes made by the bill.

### III. Effect of Proposed Changes:

#### State Emergency Management Act

##### *Present Situation*

While the State Emergency Management Act addresses appropriate response, recovery, and mitigation activities related to Florida's vulnerability to a wide range of emergencies, including natural, manmade, and technological disasters, the act itself does not specifically address public health emergencies, such as COVID-19. However, the Florida Supreme Court concluded in *Abramson v. Desantis* that the COVID-19 pandemic is a "natural emergency" within the meaning of the State Emergency Management Act.<sup>8</sup>

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<sup>4</sup> Section 252.311(1), F.S.

<sup>5</sup> Section 252.311(2), F.S.

<sup>6</sup> Sections 252.32(1)(a) and 252.34(3), F.S.

<sup>7</sup> Section 252.35(1) and (2), F.S.

<sup>8</sup> *Abramson v. Desantis*, No. SC 20-646, 2020 WL 3464376 (Fla. June 25, 2020).

### *Effect of Proposed Changes*

Several sections of the bill amend current law to reflect the intent for the state's emergency management plans to address Florida's vulnerability to public health emergencies and to emergencies of an extended nature.

**Section 1** of the bill amends s. 252.311, F.S., to provide the act's legislative intent includes:

- Preparing for and efficiently responding to public health emergencies.
- Minimizing the negative effects of a pandemic or other extended state of emergencies. These negative effects include school and business closures, which can negatively impact families and the economy.
- Transparency of all aspects of emergency preparedness, response, and recovery.

**Section 2** of the bill amends s. 252.34(8), F.S., to add public health emergency to the definition of "natural emergency."

### **State Comprehensive Emergency Management Plan**

#### *Present Situation*

At the top of the division's statutory list of duties is the creation of a state comprehensive emergency management plan.<sup>9</sup> The plan must be integrated into and coordinated with the plans and programs of the federal government. The plan is submitted to the Senate President, the Speaker of the House of Representatives, and the Governor by February 1 of every even-numbered year.<sup>10</sup>

The plan must:

- Address the need for coordinated and expeditious deployment of the National Guard and other state resources.
- Establish a system of communications and warnings for the public and emergency management agencies to be used during natural disasters and other emergencies.
- Establish guidelines and schedules for annual exercises that evaluate the ability of the state and its political subdivisions to respond to disasters and support local emergency management agencies.
- Assign lead and support responsibilities to state agencies and personnel.<sup>11</sup>

Additionally, the plan must include components for evacuation, sheltering, and post-disaster relief.<sup>12</sup>

### *Effect of Proposed Changes*

**Section 3** of the bill amends s. 252.35, F.S., requiring the division to include provisions in the plan that address public health emergency preparedness, response, recovery, and mitigation. In developing these provisions, the division must consult with the Department of Health, the

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<sup>9</sup> Section 252.35(2)(a), F.S.

<sup>10</sup> Section 252.35(2), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

Agency for Health Care Administration, and other agencies as determined appropriate by the division.

Related to the requirement for a communications and warning system, the bill specifies that the system includes warning of developing public health emergency situations.

### **Other Division Duties Under the State Emergency Management Act**

#### ***Present Situation***

In addition to the creation of the state comprehensive emergency management plan, the division has numerous duties and responsibilities, including:

- Cooperating with the President, the heads of the Armed Forces, the various federal emergency management agencies, and the officers and agencies of other states in matters pertaining to emergency management;
- Instituting statewide public awareness programs, including an intensive public educational campaign on emergency preparedness issues;
- Delegating, as necessary and appropriate, authority provided in the State Emergency Management Act and providing for the subdelegation of this authority;
- Reporting to the President of the Senate, the Speaker of the House of Representatives, and the Governor, no later than February 1 of every odd-numbered year, the status of the emergency management capabilities of the state and its political subdivisions;
- Maintaining, in coordination with local emergency management agencies, a registry of persons with special needs located within the jurisdiction of the local agency; and
- Maintaining a list of public shelters and reporting a statewide emergency shelter plan biennially.<sup>13</sup>

Further, s. 242.359, F.S., requires the division to ensure that emergency supplies are available to meet the needs of residents during a declared emergency and to establish a statewide system to facilitate the distribution of essentials in commerce. The section defines essentials of commerce as “goods that are consumed or used as a direct result of a declared emergency, or that are consumed or used to preserve, protect, or sustain life, health, safety, or economic well-being.”

#### ***Effect of Proposed Changes***

**Section 3** of the bill amends s. 252.35, F.S., to also require the division to:

- Cooperate with the Centers for Disease Control in matters pertaining to emergency management;
- Include information on public health emergencies in its statewide public awareness and educational campaigns;
- Limit any delegation of authority during a public health emergency to no more than 30 days, which may be renewed as necessary; and
- Include the Chief Justice of the Florida Supreme Court when submitting the biennial report on the state’s emergency preparedness and include in the report the state’s emergency management capabilities related to public health emergencies.

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<sup>13</sup> Sections 252.35(2)(b)-(y), 252.355, and 252.385(2), F.S.

**Section 4** of the bill amends s. 252.355, F.S., to require the division to maintain information on options that provide for physical distancing during a public health emergency for sheltering persons with special needs.

**Section 11** of the bill amends s. 252.385, F.S., to require the emergency shelter plan to address the hurricane shelter needs of the state, including needs for shelters to accommodate physical distancing during a concurrent public health crisis. The emergency shelter plan must include information on the general shelter needs of the state, in addition to current requirements to report on special needs shelters and the availability of shelters that accept pets.

Related to personal protective equipment, **section 3**, requires the division to complete and maintain an inventory of personal protective equipment owned by the state and project the need for additional equipment. The division must provide an annual inventory report to the President of the Senate, Speaker of the House of Representatives, the Governor, and the Chief Justice of the Supreme Court. The division must also make a list of private entities who sell personal protective equipment available to the public. **Section 6** of the bill amends s. 252.359, F.S, to provide that “essentials of commerce” include personal protective equipment used during a public health emergency.

**Section 11** of the bill amends s. 252.385, F.S., to require the emergency shelter plan to address the hurricane shelter needs of the state, including needs for shelters to accommodate physical distancing during a concurrent public health crisis. The emergency shelter plan must include information on the general shelter needs of the state, in addition to current requirements to report on special needs shelters and the availability of shelters that accept pets. **Section 10** of the bill amends s. 252.38, F.S., to include a public health emergency as one of the instances when a local school board must participate in managing an emergency by providing facilities, personnel, and transportation to aide in sheltering or evacuation.

## **Emergency Planning Provisions in State Contracts**

### ***Present Situation***

State agencies that contract with providers for the care of persons with disabilities or limitations that make the persons dependent upon the care of others must include emergency and disaster planning provisions in the contracts.<sup>14</sup> The provisions must include:

- The designation of an emergency coordinating officer.
- A procedure to contact, prior to or immediately following an emergency or disaster, all persons, on a priority basis, who need assistance and sheltering during evacuations because of physical, mental, or sensory disabilities and whose care is provided for under the contract.
- A procedure to help persons who would need assistance and sheltering during evacuations because of physical, mental, or sensory disabilities register with the local emergency management agency.
- A procedure to dispatch the emergency coordinating officer or other staff members to special needs shelters to assist clients with special needs, if necessary.

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<sup>14</sup> Section 252.356, F.S.

- A procedure for providing the essential services the organization currently provides to special needs clients in preparation for, during, and following a disaster.<sup>15</sup>

### *Effect of Proposed Changes*

**Section 5** of the bill amends s. 252.356, F.S., to provide that state agencies contracting with providers that care for persons with disabilities must ensure those contracts provide for essential services during a public health emergency.

## **Emergency Powers of the Governor**

### *Present Situation*

The Governor is responsible for meeting the dangers presented to this state and its people by emergencies.<sup>16</sup> In the event of an emergency or threat of one, the Governor may declare a state of emergency by executive order or proclamation. The order or proclamation must be filed with the Department of State and in the commission offices of the affected counties.

The state of emergency continues until the Governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist, but the order may not continue for longer than 60 days. The Governor may extend the order as necessary. However, the Legislature may end a state of emergency by passing a concurrent resolution.<sup>17</sup>

Section 252.36(1), F.S., provides that the Governor “is responsible for meeting the dangers presented to this state and its people by emergencies.” Accordingly, in the event of an emergency that is beyond local control, the Governor is authorized to assume “direct operational control” over all or any part of the emergency management functions.<sup>18</sup> Moreover, he or she may issue executive orders, proclamations, and rules, all of which have the force and effect of law.

Through this emergency power, the Governor can suspend the provisions of any regulatory statute if compliance would prevent, hinder, or delay necessary action to deal with the emergency. Further, as designated by the Governor or in emergency management plans, state agencies, local governments, and others can make, amend, and rescind orders and rules as necessary for emergency management purposes. However, these orders and rules cannot conflict with orders of the Governor, the division, or other state agencies delegated emergency powers by the Governor. These orders or rules must be filed in the relevant agency or political subdivision office of the clerk or recorder, as applicable.<sup>19</sup> Currently, emergency orders by state agencies are published in the Florida Administrative Register, under the notice type of “miscellaneous.”

### *Financing*

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

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<sup>15</sup> *Id.*

<sup>16</sup> Section 252.36(1)(a), F.S.

<sup>17</sup> Section 252.36(2), F.S.

<sup>18</sup> *Id.*

<sup>19</sup> Sections 252.36(5)(a) and 252.46, F.S.

protect and mitigate the effects of a disaster, including the use or distribution of supplies, equipment, and materials.<sup>20</sup>

Funding for the resources generally come from funds regularly appropriated to state and local agencies.<sup>21</sup> The policy of the state is that funds to meet emergencies must always be available.<sup>22</sup>

If these funds are insufficient, the governor may make funds available by transferring and expending moneys appropriated for other purposes, or by transferring and expending moneys out of any unappropriated surplus funds, or from the Budget Stabilization Fund.<sup>23</sup>

Following the expiration or termination of the state of emergency, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget authority granted for such emergency.<sup>24</sup>

The Governor's authority to apply for, administer, and expend any grants, gifts, or payments in aid of emergency prevention, mitigation, preparedness, response, or recovery is not limited by these financing provisions.<sup>25</sup> The state, affected local governments, and other eligible entities are allowed to receive grants from the federal government, as well as gifts, donations, or other forms of financial assistance from individuals or corporations.<sup>26</sup> For example, these entities may apply to the Federal Emergency Management Agency for grants for reimbursement or additional funds through the division.

### *Effect of Proposed Changes*

**Section 7** of the bill amends s. 252.36, F.S., increasing the transparency and legislative oversight of the executive branch's emergency powers. The bill requires the Governor to exercise his emergency management powers consistent with legislative policy and intent. The bill requires emergency orders or proclamations to be filed with the President of the Senate and Speaker of the House of Representative.

The bill limits any emergency order, proclamation, or rule of the Governor to a duration of no more than 30 days. The order, proclamation, or rule can be renewed for 30-day periods if emergency conditions persist, but each order must specify the provisions that are being renewed. The bill does not amend the 60-day limit for the duration of a declared state of emergency.

The bill also requires that all emergency declarations and orders issued by the Governor or any agency before, during, or after the declared emergency be filed with the Division of Administrative Hearings within 3 days after issuance. Failure to meet the deadline voids the declaration. The Division of Administrative Hearings is required to index the declarations and orders, make them available in a searchable format, and clearly identify the orders that are in

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<sup>20</sup> Section 252.36(3), F.S.

<sup>21</sup> Section 252.37(2), F.S.

<sup>22</sup> Section 252.37(1), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> Section 252.37(2), F.S. Provisions related to budget amendments are in ch. 216, F.S.

<sup>25</sup> Section 252.37(3), F.S.

<sup>26</sup> Section 252.37(4), F.S.

effect at any given time. This provision of the bill applies retroactively to all executive emergency declarations and orders in effect on July 1, 2021.

Related to the Legislature's power to terminate a state of emergency by concurrent resolution, the bill clarifies that the power includes any specific order or directive issued under the state of emergency.

The bill provides a presumption that K-12 public schools and businesses should remain open during an extended public health emergency, as long as public health and safety can be maintained. If the Governor orders schools or businesses to close or operate in a restricted manner he or she must state specific reasons for the action and reassess the situation regularly.

The bill requires any suspension of regulatory statutes by the Governor to be consistent with legislative policy and intent. The suspension must expire no later than 30 days after the initial suspension and may be renewed for 30-day periods if the emergency conditions persist.

Currently, the Governor can transfer the direction, personnel, or functions of state agencies for the purpose of performing or facilitating emergency services. The bill requires the Governor to report monthly to the presiding officers of the Legislature whenever he or she exercises these powers until the transfer ceases. The monthly reports are required to be cumulative.

**Section 15** of the bill provides that all executive orders issued by the Governor before June 1, 2021, expire on July 1, 2021. The executive orders may be reissued for 30-day periods if the emergency conditions persist. The reissuance of order must specify the provisions that are being reissued.

### ***Financing***

**Section 9** of the bill amends s. 252.37, F.S., to provide that when the Governor expends funds in response to the emergency, it must be done consistent with legislative policy and intent. Once a state of emergency is terminated or expires or six months after the initial state of emergency is terminated or expires, whichever occurs earlier, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget authority granted for the emergency. The Legislative Budget Commission may accept parts of the amendment or the whole amendment. Expenditures must be directly related to the disaster or emergency.

Under the bill, if a state agency or political subdivision wishes to accept federal grants or private donations, it must submit a detailed spending plan for the money to the presiding officers of the Legislature and the chairs of the legislative appropriation committees. When this pre-submission of the agency's plan is not possible, a state agency or political subdivision must nonetheless submit the plan no later than 30 days after the initiation of any expenditures and for each additional 30 days of the emergency as funds continue to be disbursed.

**Section 14** of the bill requires any budget amendment submitted on or after July 1, 2021, by the Governor relating to the COVID-19 declaration of emergency to be approved by the Legislative Budget Commission, in whole or in part.

## Emergency Coordination Officers

### *Present Situation*

The head of each of the following state agencies must select a point-person for emergency management issues – called an emergency management officer – and an alternate from within the agency:

- Each executive department.<sup>27</sup>
- Each water management district.
- The Public Service Commission.
- The Fish and Wildlife Conservation Commission.
- The Department of Military Affairs.<sup>28</sup>

Each emergency coordination officer must coordinate with the division on emergency preparedness issues, maintain a list of personnel to assist during disasters, and coordinate appropriate training for agency personnel.<sup>29</sup>

Additionally, an agency’s emergency coordination officer must ensure that each state agency and facility, such as a prison or office building, has a disaster preparedness plan. The plan must be coordinated with the applicable local emergency management agency and approved by the division. The plan is a comprehensive set of procedures that will ensure continuity of essential state functions under all circumstances. It must identify a baseline of preparedness for a full range of potential emergencies so that the agency can perform essential functions during any emergency or other situation that disrupts normal operations.<sup>30</sup>

The plan is required to include minimum elements, such as identification of essential programs and personnel, procedures to notify personnel, delegations of authority, and identification of alternative facilities and related infrastructure.<sup>31</sup> The Division of Emergency Management is required to set guidelines for developing and implementing the plans.

### *Effect of Proposed Changes*

**Section 8** of the bill amends s. 252.365, F.S., specifying that the agency disaster preparedness plan’s procedures for continuity of services must include the situation of action under a pandemic or other public health emergency. The bill requires the identified baseline of preparedness to consider and include preparedness for “rapid and large-scale increases in the public’s need to access government services through technology or other means during an emergency such as the COVID-19 pandemic.”

The section further provides the plan must include elements regarding the availability of and distribution plans for personal protective equipment. Finally, the plan must be updated

<sup>27</sup> Examples include the Department of Corrections, Department of Health, and Department of Management Services. *See* s. 20.03(2), F.S.

<sup>28</sup> Section 252.365(1), F.S.

<sup>29</sup> Section 252.365(2), F.S.

<sup>30</sup> Section 252.365(3), F.S.

<sup>31</sup> Section 252.365(3)(b), F.S.

December 31 each year to include provisions related to pandemics and other public health emergencies.

### **Emergency Mitigation**

#### *Present Situation*

Section 252.44, F.S., requires the Governor to consider steps that can be taken to mitigate the harmful consequences from emergencies. The Governor is authorized to direct state agencies with various responsibilities, such as water management, fire prevention, public works, and construction standards to study mitigation opportunities. The Governor may make recommendations to the Legislature, local governments, and other public and private entities on strategies to mitigate the harmful consequences of disasters.

#### *Effect of Proposed Changes*

**Section 12** of the bill amends s. 252.44, F.S., to also authorize the Governor to direct state agencies charged with protecting and maintaining public health to study mitigation opportunities.

**Section 13** amends s. 377.703, F.S., to conform to changes made by the bill.

The bill takes effect July 1, 2021.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to 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:**

None.

### **E. Other Constitutional Issues:**

None identified.

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

None.

**B. Private Sector Impact:**

The bill could have a positive fiscal impact in the context of a public health emergency as the bill creates a presumption that businesses and schools should remain open.

**C. Government Sector Impact:**

It appears that many of the new duties or requirements created by the bill are similar to activities already in practice as the state responds to the current COVID-related emergency.

The Division of Emergency Management has not provided a fiscal impact statement for this bill. The bill changes the duties of the division, but does not impose significant costs. The division must coordinate with the Department of Health, the Agency for Health Care Administration, and other agencies in the development of additional provisions in the state comprehensive emergency management plan related to public health emergencies. The division is also required to inventory and report on state-owned personal protective equipment.

Division of Administrative Hearings currently records filed emergency orders and rules; the provisions of the bill are not expected to have a significant fiscal impact on the division.<sup>32</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

Article III, s. 19(c) of the Florida Constitution authorizes the Legislature to prescribe by general law the conditions under which limited adjustments to the budget, as recommended by the Governor or Chief Justice of the Supreme Court, can be made without approval of the full legislature. The Legislative Budget Commission is authorized to review and approve or disapprove budget amendments.<sup>33</sup> The law sets out guidelines for budget amendments and time frames for approval.<sup>34</sup> This bill appears to attempt to authorize the commission to approve part of a budget amendment when submitted under a declared state of emergency. There is no current method in law specified to allow the commission to approve only a portion of an amendment.

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<sup>32</sup> Division of Administrative Hearings, *Senate Agency Bill Analysis Request – SB 2006*, Mar. 9, 2021, stating that the “bill would have neither policy implications nor fiscal impacts” on the division.

<sup>33</sup> Section 11.90(5)(c), F.S.

<sup>34</sup> Sections 216.177 and 216.181, F.S.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 252.311, 252.34, 252.35, 252.355, 252.356, 252.359, 252.36, 252.365, 252.37, 252.38, 252.385, 252.44, and 377.703.

**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.

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

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