

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Local Administration &
 2 Veterans Affairs Subcommittee
 3 Representative Rommel offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (4) is added to section 252.38,
 8 Florida Statutes, to read:

9 252.38 Emergency management powers of political
 10 subdivisions.—Safeguarding the life and property of its citizens
 11 is an innate responsibility of the governing body of each
 12 political subdivision of the state.

13 (4) EXPIRATION AND EXTENSION OF EMERGENCY ORDERS.—

14 (a) As used in this subsection, the term "emergency order"
 15 means an order or ordinance issued or enacted by a political
 16 subdivision in response to an emergency pursuant to this chapter

Amendment No.

17 or chapter 381 that limits the rights or liberties of
18 individuals or businesses within the political subdivision.

19 (b) It is the intent of the Legislature to minimize the
20 negative effects of an emergency order issued by a political
21 subdivision. Notwithstanding any other law, an emergency order
22 issued by a political subdivision must be narrowly tailored to
23 serve a compelling public health or safety purpose. Any such
24 emergency order must be limited in duration, applicability, and
25 scope in order to reduce any infringement on individual liberty
26 to the greatest extent possible.

27 (c) 1. An emergency order automatically expires 7 days
28 after issuance but may be extended, as necessary, in 7-day
29 increments for a total duration of not more than 42 days.

30 2. An emergency order may be extended only upon a majority
31 vote by the governing body of the political subdivision
32 approving the extension. The governing body may convene and vote
33 remotely through electronic means for the sole purpose of
34 extending an emergency order under this paragraph. The order
35 extending the emergency order shall recite the circumstances
36 requiring remote convening and voting, the method or methods of
37 electronic means used to convene and vote, and the governing
38 body's finding of necessity to convene and vote by electronic
39 means.

40 (d) The Governor, or the Legislature by concurrent
41 resolution, may at any time invalidate an emergency order issued

Amendment No.

42 by a political subdivision of the state if the Governor or
43 Legislature determines that such order unnecessarily restricts
44 individual liberty.

45 (e) Upon the expiration of an emergency order, a political
46 subdivision may not issue a substantially similar order.

47 Section 2. This act shall take effect July 1, 2021.

48

49

50

T I T L E A M E N D M E N T

51

Remove everything before the enacting clause and insert:

52

An act relating to emergency management powers of political

53

subdivisions; amending s. 252.38, F.S.; providing a definition;

54

providing legislative intent; specifying requirements for the

55

purpose and scope of emergency orders; providing for the

56

automatic expiration of emergency orders; authorizing the

57

extension of emergency orders for a specified duration;

58

prohibiting the issuance of certain emergency orders; providing

59

an effective date.