

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 351](#)

**TITLE:** Concurrent Legislative Jurisdiction over United States Military Installations

**SPONSOR(S):** Maney

**COMPANION BILL:** [CS/SB 502](#) (Wright)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Intergovernmental Affairs](#)

14 Y, 0 N, As CS

[State Affairs](#)

22 Y, 0 N

## SUMMARY

### Effect of the Bill:

The bill establishes a procedure for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent legislative jurisdiction. The bill authorizes the Governor to accept a request from the principal officer or other authorized representative who has supervision or control over the military installation to establish concurrent legislative jurisdiction and allows state agencies, local governments, or special districts to enter reciprocal agreements with federal agencies to designate duties related to exercising concurrent legislative jurisdiction.

### Fiscal or Economic Impact:

The bill may have an indeterminate negative impact on state expenditures to the extent individuals are charged and sentenced for offenses in the state justice system.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill establishes a procedure for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent legislative jurisdiction. (Section 1)

The bill provides that concurrent legislative jurisdiction takes effect upon a written acceptance by the Governor of a request filed with the Secretary of State by the principal officer, or other authorized representative who has supervision or control over the military installation, where concurrent legislative jurisdiction is sought. The request must relinquish exclusive legislative jurisdiction, retain concurrent legislative jurisdiction, and contain:

- The name, position, and legal authority of the individual requesting the cession;
- An unambiguous statement of the subject matter of the request;
- A metes and bounds property description of the military installation; and
- A statement indicating whether the request includes future contiguous expansions of land acquired for military purposes. (Section 1)

If the Governor accepts the request, the bill requires the acceptance of the request to state each element of the request that has been accepted and requires the Governor to submit a copy of the request, the Governor's written acceptance, and the metes and bounds property description of the military installation to the appropriate recording office. (Section 1)

The bill authorizes the Governor to execute appropriate documents to accomplish the cession and allows for a state agency, local government, or special district to enter a reciprocal agreement with a United States agency to designate duties related to exercising concurrent legislative jurisdiction. (Section 1)

**STORAGE NAME:** h0351c.SAC

**DATE:** 1/22/2026

The bill provides an effective date of July 1, 2026. (Section [2](#))

## FISCAL OR ECONOMIC IMPACT:

### STATE GOVERNMENT:

The bill may have an indeterminate negative impact on state expenditures to the extent individuals are charged and sentenced for offenses in the state justice system.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Federal Jurisdiction

The Federal Government is the single largest holder of real estate in the United States.<sup>1</sup> Federal jurisdiction over properties owned by the federal government does not arise by virtue of ownership, but instead is defined by the jurisdictional status of the property.<sup>2</sup> Federal properties can be categorized in one of three ways for purposes of federal jurisdiction:

- Exclusive jurisdiction.
- Concurrent jurisdiction.
- Proprietary jurisdiction.

#### Exclusive Legislative Jurisdiction

Exclusive legislative jurisdiction applies to land areas where the federal government possesses all of the authority of the state and where the state has not reserved the right to exercise its authority concurrently with the U.S. except the right to serve civil or criminal process in the area outside of the federal government's exclusive authority.<sup>3</sup> Historically, the federal government either acquired exclusive legislative jurisdiction over territory through an agreement with the owning state or maintained it when a new state was formed.<sup>4</sup> As military installations grew to accommodate more civilians, maintaining complete federal control became challenging.

#### Concurrent Legislative Jurisdiction

Concurrent legislative jurisdiction provides a shared authority between state and federal governments, allowing for the enforcement of both federal and state laws as well as offer both federal and state services.<sup>5</sup>

Concurrent jurisdiction may require one or two levels of effort from the host state, where the state:

- Establishes a new policy accepting concurrent jurisdiction to allow state authorities to intercede.
- Creates memorandums of understanding between the state and installations to dictate how and when the state will intercede.

#### *Concurrent Juvenile Jurisdiction*

Military installations subject to exclusive federal jurisdiction frequently address juvenile offenses through the federal court system, which lacks a juvenile justice system.<sup>6</sup> Starting with the John S. McCain National Defense Authorization Act for Fiscal Year 2019, the Defense Department has sought concurrent jurisdiction with state

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<sup>1</sup> U.S. Dept. of Justice, Criminal Resource Manual, [1630. Protection Of Government Property -- Real Property -- 18 U.S.C. 7](#) (last visited Dec. 4, 2025).

<sup>2</sup> *Id.* (citing *Adams v. United States*, 319 U.S. 312 (1943)).

<sup>3</sup> General Services Administration, [Federal Facilities Jurisdictional Status](#) (last visited Dec. 4, 2025).

<sup>4</sup> U.S. Dept. of Defense, [Concurrent Jurisdiction for Juvenile Offenses on Military Installations](#) (last visited Dec. 4, 2025).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

governments to address juvenile justice issues.<sup>7</sup> This policy intends to open the door to the state juvenile justice system and resources, providing better prospects for rehabilitation tailored to juveniles. Without concurrent jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system, which lacks suitable services for juveniles and often tries children as adults.<sup>8</sup>

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Intergovernmental Affairs Subcommittee</a>	14 Y, 0 N, As CS	12/11/2025	Darden	Burgess
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>Clarifies the state has concurrent legislative jurisdiction only when the federal government has relinquished exclusive legislative jurisdiction as provided in the bill.</li> </ul>			
<a href="#">State Affairs Committee</a>	22 Y, 0 N	1/22/2026	Williamson	Burgess

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>7</sup> U.S. Dept. of Defense, Military State Policy Source, [Concurrent Juvenile Jurisdiction](#) (last visited Dec. 4, 2025).

<sup>8</sup> U.S. Dept. of Defense, *supra* note 4.