

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.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 502

INTRODUCER: Senator Wright

SUBJECT: Concurrent Legislative Jurisdiction over United States Military Installations

DATE: January 16, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Collazo	Cibula	JU	Pre-meeting
2.			MS	
3.			RC	

I. Summary:

SB 502 establishes a procedure in statute for the federal government to relinquish exclusive legislative jurisdiction over military installations within Florida and instead provide for concurrent (both federal and state) legislative jurisdiction. If exclusive legislative jurisdiction is relinquished as outlined in the bill, the state will have concurrent legislative jurisdiction with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

For example, without concurrent legislative jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system. However, the federal court system lacks suitable services for juveniles and often tries them as adults. Concurrent legislative jurisdiction would give juveniles living on military installations access to the state juvenile justice system and its resources, which provide better prospects for their rehabilitation.

Under the bill, concurrent legislative jurisdiction is effective upon the Governor's written acceptance of a request filed with the Secretary of State by the principal officer or other authorized representative having supervision or control over the military installation under federal law. The Governor may only accept a request if it contains certain information outlined in the bill. If the Governor accepts a request, the Governor's acceptance must state each element of the concurrent legislative jurisdiction request which is accepted.

The bill also includes provisions intended to assist with finalizing and memorializing the acceptance of concurrent legislative jurisdiction. It also authorizes state agencies, local governments, and special districts to enter into reciprocal agreements with U.S. agencies to designate duties related to the concurrent legislative jurisdiction.

The bill takes effect July 1, 2026.

II. Present Situation:

Federal Jurisdiction

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

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

Exclusive legislative jurisdiction applies to land areas where the Federal Government possesses all of the authority of a 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.³ 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.⁴ As military installations grew to accommodate more civilians, maintaining complete federal control became challenging.

Concurrent legislative jurisdiction provides a shared authority between state and federal governments, permitting authority to be shared and allowing for the enforcement of both federal and state laws, as well as the provision of both federal and state services.⁵

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 federal 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.⁶ Starting with the John S. McCain National Defense Authorization Act for Fiscal Year 2019, the Department of War (formerly known as the Department of Defense) has sought to establish concurrent jurisdiction

¹ U.S. Dept. of Justice, *Archives: Criminal Resource Manual*, "1630. Protection of Government Property – Real Property – 18 U.S.C. 7," <https://www.justice.gov/archives/jm/criminal-resource-manual-1630-protection-government-property-real-property-18-usc-7> (last visited Jan. 8, 2026).

² *See id.* (citing *Adams v. United States*, 319 U.S. 312 (1943)).

³ General Services Administration, *Federal Facilities Jurisdictional Status* (Aug. 28, 2007), available at <https://disposal.gsa.gov/resource/1531922197000/FederalFacilitiesJurisdictionalStatus>.

⁴ U.S. Dept. of Defense, *Best Practices: Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, available at <https://download.militaryonesource.mil/StatePolicy/pdfs/2022/bestpractices-concurrentjurisdiction.pdf> (last visited Jan. 8, 2026).

⁵ *Id.*

⁶ *Id.*

with state governments to address juvenile justice issues.⁷ This policy intends to open the door to the state juvenile justice systems 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.⁸

III. Effect of Proposed Changes:

The bill establishes a procedure in statute⁹ for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent (federal and state) legislative jurisdiction. If exclusive legislative jurisdiction is relinquished as outlined in the bill, the state will have concurrent legislative jurisdiction with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

Concurrent legislative jurisdiction is effective upon the Governor's written acceptance of a request filed with the Secretary of State by the principal officer or other authorized representative having supervision or control over the military installation under federal law.¹⁰

Under the bill, the Governor may only accept a request for concurrent legislative jurisdiction if the request:

- States the name, position, and legal authority of the individual requesting the cession.
- Unambiguously states the subject matter for the concurrent legislative jurisdiction request.
- Describes by metes and bounds the U.S. military installation subject to the concurrent legislative jurisdiction request.
- Indicates whether the concurrent legislative jurisdiction request includes future contiguous expansions of land acquired for military purposes.

If the Governor accepts a request, the Governor's acceptance must state each element of the concurrent legislative jurisdiction request which is accepted. Additionally, the Governor must submit the following documents to the appropriate recording office for indexing, and submit copies of same to the person who filed the request for concurrent legislative jurisdiction:

- The request for concurrent legislative jurisdiction.
- The Governor's written acceptance of concurrent legislative jurisdiction.
- A description by metes and bounds of the U.S. military installation subject to the concurrent legislative jurisdiction.

If requested by the U.S. through an authorized representative, the bill authorizes the Governor to execute appropriate documents to accomplish the cession granted under the bill. The bill also authorizes state agencies, local governments, and special districts to enter into reciprocal agreements with U.S. agencies to designate duties related to the concurrent legislative jurisdiction between the parties.

⁷ U.S. Dept. of Defense, Military State Policy Source, *Concurrent Juvenile Jurisdiction*, <https://statepolicy.militaryonesource.mil/priorities/concurrent-juvenile-jurisdiction> (last visited Jan. 8, 2026).

⁸ *Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, *supra* note 4.

⁹ The bill creates s. 250.0311, F.S., entitled "United States military installations; concurrent legislative jurisdiction."

¹⁰ 10 U.S.C. s. 2683.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate negative impact on state expenditures to the extent adjudications are handled in the state court system instead of the federal court system. However, it is anticipated that the additional case load would be small and absorbed into the state court system's existing budget.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill establishes a procedure in statute for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent (both federal and state) legislative jurisdiction. Notably, the bill does not limit the

scope of the concurrent legislative jurisdiction to only juvenile delinquency matters or any other particular matter. If the statutory procedure is followed as outlined in the bill, other or additional matters could be adjudicated in state courts.

VIII. Statutes Affected:

This bill creates section 250.0311 of the Florida Statutes.

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.

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