

# Preemption and Florida's 2019 Legislative Session



**CASE STUDY PRESENTED BY  
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**ORGANIZE FLORIDA**

# If You Build It, They Will Come



HB 3

2019

1                                   A bill to be entitled  
2           An act relating to preemption of local regulations;  
3           creating s. 163.21, F.S.; providing definitions;  
4           prohibiting certain local governments from imposing or  
5           adopting certain regulations on businesses and  
6           business entities on or after a specified date;  
7           providing exceptions; specifying that certain  
8           regulations expire and may only be readopted or  
9           continue to be imposed after meeting specified  
10          criteria; preempting the regulation and licensing of  
11          professions and occupations to the state; providing  
12          exceptions; prohibiting local governments from

# Florida's 2019 Legislative Session: Case Study



- More than 35 preemption bills filed this session; majority did not move. Of those with momentum:
- We stopped:
  - HB 3: Sweeping “death star” preemption and repeal of ALL local “business regulation”
  - SB 432: Preemption of predictive scheduling and wage theft ordinances
  - HB 1299: Preemption “train” bill with 7+ preemptions combined
- We weakened:
  - SB 168: So-called sanctuary city bill, top priority of Governor
  - HB 7103: Inclusionary Housing ordinances
- Notable bills passed & signed by the Governor:
  - SB 82: Vegetable Gardens
  - SB 1000: 5G

# Florida's 2019 Legislative Session: Case Study



- Preemption is the key policy issue that impacts every single constituency group. It is unifying force like no other; unites constituencies and political parties.
- Preemption allows corporate interests to circumvent local governments by focusing lobby efforts on small number of lawmakers, centralizing control at state level for profit.

# Florida's 2019 Legislative Session: Case Study



- We built and led a cross-issue coalition like no other:
  - Labor (AFL-CIO, Laborers, Building Trades, SEIU, Jobs with Justice, FEA, AFSCME, Miami Workers Center)
  - Public Health (Cancer Association, Heart Association)
  - Immigrant Rights (FLIC, Latino Justice, FLAN)
  - Civil Rights (SPLC, ACLU)
  - Environmental (Surf Riders, Florida Conservation Voters, 100 Friends of Florida, etc.)
  - LGBTQ+ (Equality Florida)
  - Reproductive Rights (Planned Parenthood, FLAN)
  - Animal Advocacy (Humane Society, ASPCA)
  - League of Cities & Association of Counties
- LSSC, A Better Balance, and CPD critical partners

# Florida's 2019 Legislative Session: Case Study



- We set norms, convene weekly & coordinate efforts:
  - Lobby Lawmakers & Leveraged Relationships
  - Prepared champions with questions, debate, & amendments
  - Organized Presence in Committee Hearings
  - Mobilized lobby days and members from across the state
  - Press and media engagement
    - ✦ Press conferences, releases, ads, etc.
  - Regional polling in targeted districts
  - LSSC's legal analysis, messaging guidance, best practices, and financial support allowed infrastructure that was nimble & efficient

# Florida's 2019 Legislative Session: Case Study



**Immigration advocates** — Seeing the so-called “sanctuary cities” ban get sent to the Governor has got a lot of sting. Still, it could have been worse. Much, much worse. At one point, the bill included \$5,000-a-day penalties and a five-year ban on receiving state money for law enforcement agencies that didn't comply. And that proposed website for reporting suspected undocumented immigrants? Yeesh.

## Florida Republicans Are Going to War Against Small Government

JERRY IANNELLI | MAY 12, 2019 | 9:00AM



Miami state Rep. Jose Oliva, the current speaker of the Florida House, is a hardcore ideologue who believes, generally speaking, in Koch FBrothers-style, pro-business, libertarian-esque Republicanism. Oliva believes America's economic system is inherently fair and that successful people "earned" their money, which is rich, since before he went into politics, he was a **cigar-company owner who got rich off a tobacco-growing business his dad had set up decades ago.**



## Should State Legislators Override Local Decisions? Cities And Counties Say No.

By GABRIELLE BOLDEN • APR 17, 2019



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Organizations are asking state legislators to stop preemption regulations.



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# Florida's 2019 Legislative Session: Case Study



- The opposition was not prepared for our coordinated efforts
- Many of these fights we have seen before and we will see again
- Efforts concentrated on profits for major donors, red meat for their base, and suppressing our turnout.
- With a cross-issue coalition, we disrupted their efforts & shifted narrative





# Moving Forward...



- Our objectives for the 2020 legislative session:
  - Continue to train and prepare champion lawmakers
  - Organize district visits & advocacy days for local democracy
  - Research corporate influence and leveraging data
  - Work closer with League of Cities & Association of Counties
  - Organize Republicans at the local level
  - Conduct polling focused on corporate influence
  - File and advocate for preemption repeal bills
  - Expand our communications and narrative shifting efforts
  - Continue to build our cross-issue table and rapidly response organizing structure