Preemption and Florida’s 2019 Legislative Session

CASE STUDY PRESENTED BY
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ORGANIZE FLORIDA
A bill to be entitled

An act relating to preemption of local regulations;
creating s. 163.21, F.S.; providing definitions;
prohibiting certain local governments from imposing or
adopting certain regulations on businesses and
business entities on or after a specified date;
providing exceptions; specifying that certain
regulations expire and may only be readopted or
continue to be imposed after meeting specified
criteria; preempting the regulation and licensing of
professions and occupations to the state; providing
exceptions; prohibiting local governments from
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- 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
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- 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.
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- 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
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- 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
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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

MIAMI — 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.

State legislators are being asked to override local decisions by cities and counties that have adopted policies and regulations that are contrary to state law. Organizations are asking state legislators to stop preemption regulations.
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- 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