

A bill to be entitled

An act relating to laws of Florida which preempt local governments from adopting regulations regarding various matters at the local level; creating s. 125.01005 and 166.0315; authorizing the electors of the state's municipalities and counties to opt out of statutory preemptions of local regulations by referendum vote; providing for the effect of votes approving of an opt out; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. 125.01005, Florida Statutes, is created to read:

125.01005 Preemption opt-out referendum. –

(1) Within one year of June 1, 2023, the electors within the unincorporated portions of a county may, by a referendum vote, opt out of any statute existing on that which statute expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to the county's home rule authority.

(2) Within one year of the effective date of any statute which becomes effective on or after June 1, 2023, and which expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to a county's home rule authority, the electors within the unincorporated portions of the county may, by a referendum vote, opt out of the statute.

(3) A referendum vote conducted pursuant to this section shall be scheduled by the county's governing board and shall be paid for by the county. The result of a referendum vote conducted pursuant to this section shall become effective on the date the result of the vote is certified by the canvassing board, and shall be codified in the county's code.

Section 2. 166.0315, Florida Statutes, is created to read:

166.0315 Preemption opt-out referendum. –

(1) Within one year of June 1, 2023, the electors within a municipality may, by a referendum vote, opt out of any statute existing on that which statute expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to the municipality's home rule authority.

(2) Within one year of the effective date of any statute which becomes effective on or after June 1, 2023, and which expressly preempts to the state the authority to adopt a local ordinance,

resolution or rule pursuant to a municipality's home rule authority, the electors within the municipality may, by a referendum vote, opt out of the statute.

(3) A referendum vote conducted pursuant to this section shall be scheduled by the county's governing board and shall be paid for by the county. The result of a referendum vote conducted pursuant to this section shall become effective on the date the result of the vote is certified by the canvassing board, and shall be codified in the municipality's code.

Section 3. This act shall take effect June 1, 2023.