

1 A bill to be entitled
 2 An act relating to emergency management powers of
 3 political subdivisions; amending s. 252.38, F.S.;
 4 providing a definition; providing applicability for
 5 certain emergency orders; providing exceptions;
 6 providing for the automatic expiration of certain
 7 emergency orders and for the extension of such orders
 8 by referendum; providing an effective date.

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

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 12 Section 1. Subsection (4) is added to section 252.38,
 13 Florida Statutes, to read:

14 252.38 Emergency management powers of political
 15 subdivisions.—Safeguarding the life and property of its citizens
 16 is an innate responsibility of the governing body of each
 17 political subdivision of the state.

18 (4) EXPIRATION AND EXTENSION OF SIGNIFICANT EMERGENCY
 19 ORDERS.—

20 (a) As used in this subsection, the term "significant
 21 emergency order" means an order or ordinance issued or enacted
 22 by a political subdivision in response to an emergency pursuant
 23 to this chapter or chapter 381 that applies to all residents
 24 within the political subdivision and limits the right of a
 25 resident to:

26 1. Exercise religious freedom, including the right to
 27 attend a religious service;
 28 2. Speak freely or assemble;
 29 3. Work, be rewarded for industry, or enter into a
 30 contract;
 31 4. Travel;
 32 5. Acquire, possess, or protect real or personal property;
 33 6. Not be subject to unreasonable search and seizure; or
 34 7. Purchase, keep, or bear a lawful firearm or ammunition.
 35 (b) A significant emergency order may provide an exception
 36 for first responders as defined in s. 112.1815(1), health care
 37 practitioners as defined in s. 456.001, and employees of a
 38 public utility as defined in s. 366.02(1).
 39 (c) A significant emergency order automatically expires 30
 40 days after issuance but may be extended once for 60 days by a
 41 referendum approved by a majority of the electors within the
 42 political subdivision. Any subsequent 60-day extension of a
 43 significant emergency order shall be by a referendum approved by
 44 60 percent or more of the electors within the political
 45 subdivision.
 46 Section 2. This act shall take effect July 1, 2021.