

May 2, 2022



The Honorable Ron DeSantis
Governor of the State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, Florida 32399-0001

Re: Veto SB 620- Local Business Protection Act

Dear Governor DeSantis:

On behalf of the Board of County Commissioners of Wakulla County, Florida, I write to urge you to veto SB 620, the "Local Business Protection Act." As careful stewards of Wakulla County's fiscally-constrained resources, we oppose SB 620 as it will create new and likely numerous taxpayer funded lawsuits. Although presented as "pro-business legislation," this bill will potentially expose our local, hard working taxpayers, including our business taxpayers, to untold millions of dollars in damages while preventing them from seeking local solutions to protect their quality of life.

Florida law protects our local businesses from government overreach. Florida law already preempts local governments from passing ordinances inconsistent with state or federal law or those that are otherwise unreasonable or arbitrary. Additionally, Florida law already authorizes the payment of attorney's fees to a plaintiff in certain successful lawsuits challenging local ordinances as preempted. SB 620 would serve as an inducement for additional civil actions, which would harm our local taxpayers.

As enrolled, SB 620 states that an ordinance or even a voter-initiated charter amendment that "has or will cause" a reduction of business profit of at least 15 percent would be subject to a civil lawsuit. The legislation does not require that the business object to the ordinance before adoption. It does not require that the lost profits be directly caused by or the direct result of the offending ordinance, and it does not limit the calculation of damages to those directly caused by the ordinance. As enrolled, this legislation would create a speculative windfall for certain businesses at the expense of County taxpayers. Florida TaxWatch, a business-backed research organization, has estimated that SB 620 would "lead to a number of financially motivated and malicious lawsuits, costing local governments over \$900 million annually" because local governments would be forced to increase taxes or reduce services to cover legal fees.

**BOARD OF
COUNTY COMMISSIONERS**

Quincee Messersmith
Chair, District 4

Charles Hess, Ph.D.
Vice-Chair, District 5

Ralph Thomas
District 1

Randy Merritt
District 2

Mike Kemp
District 3

J. David Edwards
County Administrator

Heather J. Encinosa
County Attorney
(850) 224-4070

Administration
Post Office Box 1263
Crawfordville, FL 32326
(850) 926-0919 x 707
(850) 926-0940 FAX

Local policies should be debated in public forums or elections rather than in courts. To protect the taxpayers of our County, we urge you to veto the Local Business Protection Act, SB 620.

Very truly yours,



Quincee Messersmith, Chair
Wakulla County Board of County Commissioners