

# JMI 2026 Legislative Wrap-Up

## GEORGE GIBBS CENTER FOR ECONOMIC PROSPERITY

*Even amid another contentious Legislative Session that saw moderated debate over numerous issues, notable progress was made. And while defense won the day, much work remains to be done as we look ahead to new leadership in the House and Senate in 2027.*

■ **Steps Taken, But More Work to be Done on Housing Affordability.** Florida's housing affordability problems persist largely because government rules make building harder and more expensive. Reforms this session focused on reducing barriers like restrictive land-use regulations, excessive impact fees, and slow permitting that discourage new supply. Lawmakers considered practical solutions, such as allowing accessory dwelling units (ADUs), reducing lot-size mandates, addressing impact fees, and easing building codes, but ultimately fell short of delivering meaningful supply increases. One positive step was refining the 2023 Live Local Act, making it easier to access tax exemptions and allowing affordable housing on religious properties without rezoning. However, broader reforms, especially legislation requiring local governments to allow accessory dwelling units, seen by many as an affordable housing solution, failed to pass the legislature again this session. The result: incremental progress, but continued constraints on the housing supply Florida needs.

■ **Legislators Push Property Tax Reform Through Special Session and on to November Ballot** JMI remains at the forefront of reforming Florida's outdated property tax system, which punishes homeowners with continually rising assessments and burdens families with a perpetual tax on unrealized gains. We continue to promote policy solutions that support housing affordability and homeownership, reduce taxes, and reduce local governments' unhealthy reliance on ad valorem taxes, which have seen unsustainable growth, particularly over the last five years. The House considered multiple proposals during the Regular Session, ranging from exemptions and portability to outright elimination, but with no proposals advancing from the Senate or the Governor, the Regular Session concluded with no action on property taxes.

Governor DeSantis subsequently called a Special Session, and on June 2, the Legislature passed "Save Our Homes from Excessive Property Taxes." The proposal now heads to Florida voters, who must approve it by a 60% supermajority on the November 2026 general election ballot before it takes effect. If passed, the amendment would increase the homestead exemption from \$50,000 to \$150,000 in 2027 and \$250,000 in 2028 (indexed to inflation thereafter), reduce the non-homestead assessment cap from 10% to 5%, and restrict local government ad valorem spending to core services.



■ **Trial Lawyers Kept at Bay, Again, But Legal Reform Battles Continue.** Major proposals to update medical malpractice and wrongful death laws failed to gain traction, continuing a pattern from prior sessions. Efforts to expand the Wrongful Death Act, such as allowing adult children to recover damages and extending claims to cover fetuses, garnered much attention but ultimately stalled without a Senate vote. The Senate also stalled a measure to protect firearm manufacturers from expansive liability claims, leaving broader tort reform battles unresolved.

- ▶ **Property Insurance Reforms Preserved as billboard attorneys' efforts to weaken recent insurance reforms fell short again this session.** These reforms are stabilizing the market, reducing the state's exposure through Citizens Insurance (moving nearly 1 million policies to private insurers), bringing new insurers into Florida, and reducing frivolous litigation. Any efforts to undo these reforms will result in diminished effects on the market.
- ▶ **Third-Party Litigation Reform Fails in House.** This bill was designed to regulate third-party litigation financing by mandating disclosure of funding agreements, particularly those involving foreign entities, and prohibiting financier conduct that can undermine the attorney-client relationship. Transparency enables all parties to make informed, strategic decisions grounded in a realistic assessment of the case's dynamics. The Senate version passed all committees and died on the Senate floor. However, the House bill did not move through the process

at all, in what many would consider a trial lawyer-friendly House of Representatives.

**■ Senate Stifles Efforts to Increase Healthcare Choices and Competition.**

We continue to support efforts to expand healthcare options for Floridians through proposals to broaden scope of practice for certain medical providers, such as dental therapists and certain psychiatric registered nurses, as well as other policies that reduce healthcare costs and expand access to services. Expansion of scope bills did not fare well this session and will likely return for the 2027 legislative session. Lawmakers briefly considered prescription drug price controls, a policy that risks distorting markets and further limiting access, but those provisions were ultimately removed before final passage.

## MARSHALL CENTER FOR EDUCATION FREEDOM

*In a legislative session that most observers would rate as mediocre, JMI's Marshall Center for Education Freedom managed to see several notable victories:*

**■ Small School Regulatory Relief to Help “Plan B” Families.**

Last year, 41,000 Florida families applied for, and were awarded, K-12 scholarships – that they then chose not to use because there were no seats available at their school of choice. These “Plan B” families needed regulatory relief to make it easier for small schools to get off the ground

and/or expand to meet the growing demand for education alternatives. Thankfully, both chambers passed, and Gov. DeSantis signed, a new measure that will enable schools with less than 150 students to occupy non-residential commercial spaces without having to meet onerous zoning, land use, and fire sprinkler regulations intended for larger enterprises. The adoption of this measure was the number one priority in 2026 for JMI's Marshall Center.

**■ Public Disclosure of All School District Land Holdings.**

In a somewhat related action, both chambers passed, and Governor DeSantis signed, a measure offered by Senator Keith Truenow that requires school districts to disclose all vacant land owned by the district to the Florida Department of Education annually. Identifying school district land holdings will make it easier for citizens to demand the sale of some/all vacant land (to help districts balance their budgets). It will also make it easier for state lawmakers to insist that private education enterprises be given “first dibs” on any unused school space before these properties go on the open market.

**■ House Kills Scholarship “Glitch” Bill Riddled with Problems.**

Early in the session, the Senate passed SB 318, a scholarship “glitch” bill that created more problems than it solved. Most notably, the bill sought to address some “double counting” problems in Florida's student tracking system by requiring scholarship families to submit monthly – that's right, monthly! – paperwork attesting that they wished to remain in the program. It also authorized payments to school districts for “ghost students” who never showed up at public schools. Thankfully, after

numerous JMI articles on the subject, the Florida House declined to take up SB 318. Meanwhile, administrative changes at the Florida Department of Education largely solved the “double counting” problem.

**■ Teacher Freedom in Representation.**

Building on its landmark paycheck protection measure from several years ago, the Florida Legislature adopted a measure offered by Sen. Jonathan Martin and Rep. Jenna Persons-Mulicka that increases the voting threshold needed for a collective bargaining unit to be recertified. The measure also restricts the ability of union members to conduct union business on taxpayer-funded time and creates parity in elections between organizations wishing to represent teachers in collective bargaining.

## CENTER FOR TECHNOLOGY & INNOVATION

*Over the course of the 2026 Legislative Session, lawmakers in Tallahassee grappled with some of the most pressing issues in the Technology and Innovation space. JMI's Center for Technology and Innovation made the case for keeping the Sunshine State ahead of the curve and a hub of innovation.*

**■ Legislature Invests in Catching Online Predators.**

Florida's three Internet Crimes Against Children task forces are on the front lines of investigating online child exploitation, but cases continue to outpace the resources available to investigate them.



SB 656 and its House companion create a dedicated, recurring funding stream for these task forces, giving investigators the tools, training, and personnel they need to keep up. The bill passed every committee and both chambers without a single “no” vote, and has been signed by the Governor. JMI presented educational testimony on this measure in both the House and the Senate. When lawmakers want to “do something” about kids and the internet, they too often reach for mandates that burden all users’ privacy and First Amendment rights. The legislature should continue to fund the law enforcement efforts that make online spaces safer.

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**■ AI Regulation Debate Splits Chambers** Governor DeSantis made regulating artificial intelligence a centerpiece of his legislative agenda this session, and the Senate passed his proposed AI Bill of Rights. The House, however, declined to take up the measure, holding that AI regulation is properly a federal prerogative. JMI shares the Governor’s concern for protecting teenagers from potential AI-related harms, but had concerns on the proposal that several provisions would infringe on constitutional rights, establish a hostile regulatory climate, and meddle inappropriately with the private schools that give Florida families meaningful education choice.

**■ AI Insurance Mandate Stalls in the Senate.** Florida’s landmark insurance reforms are delivering lower premiums for the first time in years. A House proposal would have required every insurer in Florida to have a “qualified human professional” manually review any decision to deny or reduce a claim using AI. The bill passed the House, but the Senate never considered it. JMI raised concerns throughout the process that the bill defined ‘artificial intelligence’ so broadly that even routine tools that drive administrative efficiencies and help keep premiums affordable for Florida families would have triggered the human review mandate.

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Florida law already holds carriers accountable for wrongful claim denials, whether the insurer uses an algorithm or a ballpoint pen, and layering a new AI-specific mandate on top would have added compliance costs without expanding consumer protections.

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**■ AI Mental Health Restrictions Fail to Gain Traction.** Florida’s behavioral health workforce meets just 24% of the state’s estimated need, with some rural counties lacking a single licensed psychologist. Yet, lawmakers introduced legislation that would have prohibited licensed psychologists, clinical social workers, marriage and family therapists, and mental health counselors

from using artificial intelligence in their practice, with narrow carve-outs for scheduling, billing, and record keeping. Despite measures passing elsewhere, the Florida legislature did not consider the bill. JMI agrees that AI products should not masquerade as licensed therapists. However, AI can provide real benefits to clinicians by reducing administrative burdens and providing 24-hour support for individuals who may not have immediate access to care. Banning these tools would have unnecessarily made Florida’s mental health access problem worse.

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**■ Legislature Expands Oversight of Data Centers** Data centers have become indispensable to both America’s digital economy and its national security infrastructure. Growing concerns over water consumption and electricity costs have nonetheless generated legislative momentum for tighter oversight of these facilities. JMI has consistently advocated for expanding data center deployment in Florida and, while we successfully worked with the legislature to revise siting restrictions that would have rendered most of the state off-limits to new facilities, the legislature did enact new regulations on hyperscale operations that risk making Florida a less competitive destination for critical infrastructure investment. We will continue engaging lawmakers on why data centers are essential to Florida’s digital future.