



CITY OF BARTOW

May 17, 2021

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

RE: Veto Request for CS/HB 403 Home-Based Businesses

Dear Governor DeSantis:

The **City of Bartow** is asking for you to veto CS/HB 403.

During the past session, the Florida League of Cities engaged in good faith negotiations with legislators and stakeholders to reach a reasonable compromise on home-based businesses. The result of those efforts was reflected in Senate bill CS/CS/SB 266.

Unfortunately, the final product before you in CS/HB 403 drastically departs from this compromise. The bill was amended on the last day of the session to remove essential elements needed to properly balance the desire to operate a home-based business with the potential adverse impacts on the property rights of surrounding homeowners.

Key provisions supported by **City of Bartow** were included in CS/CS/SB 266 but were not included in CS/HB 403 include:

- The ability for local government to set some common-sense limitations on hours of operation
- The ability for local government to place limits on business signs, exterior storage and traffic generated by a home-based business
- The ability for local governments to prohibit business activities from occurring within view of the street

As we understand, the passage of CS/HB 403 was extremely contentious in the Senate, where on the last day of the 2021 session, the bill narrowly passed on a 19-18 vote. In a clear violation of Senate rules, three Senators who were present in the Senate chamber failed to record a vote. The Senate subsequently requested the House return the bill to allow the Senate to take a valid vote. The House adjourned sine die prior to responding to the Senate's request.

If allowed to become law, CS/HB 403 will be a significant preemption of Home Rule powers and the ability of cities like ours to balance competing property rights. Additionally, the bill will void existing ordinances in the **City of Bartow** that have afforded us solutions unique to our community.

Thank you for your consideration to vote **No** on this bill. The **City of Bartow** appreciates your leadership to the State of Florida.

With Kind Regards,

Scott Sjoblom.
Mayor

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