

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 465 United States Armed Forces

SPONSOR(S): Sirois, Gregory and others

TIED BILLS: CS/HB 153 **IDEN./SIM. BILLS:** CS/SB 438

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Administration & Veterans Affairs Subcommittee	16 Y, 0 N	Mwakyanjala	Miller
2) Judiciary Committee	18 Y, 0 N	Brascomb	Jones
3) State Affairs Committee		Mwakyanjala	Williamson

SUMMARY ANALYSIS

The United States Space Force was created to conduct global space operations for the United States' joint and coalition forces. There are two United States Space Force facilities in Florida operating under Space Launch Delta 45, a Space Force operational unit.

The bill updates the Florida Statutes to reflect the creation of the United States Space Force as a separate military service branch. Specifically, the bill adds the United States Space Force to several places in statute where exhaustive lists of armed forces branches already exist.

The bill does not appear to have a fiscal impact on the state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Historically, the United States Air Force (USAF) has been the armed forces branch responsible for military space operations.¹ In 1982, the Air Force established the Air Force Space Command with space operations as its primary mission.² Enacted on December 20, 2019, the National Defense Authorization Act for Fiscal Year 2020 redesignated Air Force Space Command as the United States Space Force (Space Force)³ and placed Space Force within the Department of the Air Force.⁴

Space Force is responsible for organizing, training, and equipping the members of Space Force to conduct global space operations that enhance the operational capacities of the joint and coalition forces of the United States armed forces.⁵

Currently, there are two Space Force facilities in Florida: Cape Canaveral Space Force Station and Patrick Space Force Base.⁶ Both facilities operate under Space Launch Delta 45, a Space Force operational unit responsible for operating the Eastern Range.⁷ A “range” is an area in and over which rockets are fired for testing and tracking.⁸ The Eastern Range extends more than 10,000 miles from the Florida mainland through the South Atlantic and into the Indian Ocean. Space Launch Delta 45 launches space vehicles for the Department of Defense, NASA, and commercial customers both domestic and international.⁹

A number of Florida statutes specifically reference each recognized branch of the armed services when necessary to implement the purpose of the statute. For example, the Uniform Deployed Parents Custody and Visitation Act,¹⁰ which pertains to the parental rights of individuals on active military duty, names each recognized branch of the armed services as part of the definition of “uniformed service.”¹¹

Effect of the Bill

The bill updates various sections of the Florida Statutes to reflect the creation and operations of Space Force as a separate branch of the armed forces. Specifically, the bill adds Space Force to several places in statute where exhaustive lists of armed forces branches already exist by:

- Amending s. 61.703(20)(a), F.S., to include Space Force in the definition of “uniformed service” as used in the chapter;
- Amending s. 92.51(1), F.S., pertaining to oaths or acknowledgments administered by a commissioned officer of the United States Armed Forces, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 97.021(42), F.S., a definition pertaining to the qualification and registration of electors, to include Space Force in the definition of “uniformed service” as used in the chapter;

¹ David N. Spires, *Beyond Horizons, A Half Century of Air Force Space Leadership* (Air Force Space Command, 1998), 1-2, <https://media.defense.gov/2011/Jan/25/2001330110/-1/-1/0/AFD-110125-038.pdf> (last visited Jan. 13, 2022).

² Air Force Space Command (Archived), *Air Force Space Command History*, <https://www.afspc.af.mil/About-Us/AFSPC-History/> (last visited on Jan. 13, 2022).

³ Pub. Law 116-92, 133 Stat. 1561.

⁴ Pub. Law 116-92, 133 Stat. 1562.

⁵ United States Space Force, *United States Space Force Mission*, <https://www.spaceforce.mil/About-Us/About-Space-Force/Mission/> (last visited on Jan. 13, 2022).

⁶ Joe Wallace, *Space Force Bases*, <https://militarybase.net/space-force-bases/> (last visited on Jan. 13, 2022).

⁷ United States Space Force, *Space Launch Delta 45 History*, <https://www.patrick.spaceforce.mil/history/> (last visited on Jan. 13, 2022).

⁸ National Aeronautics and Space Administration, *What is the “Range?”*, https://www.nasa.gov/centers/kennedy/home/eastern_range.html (last visited Jan. 13, 2022).

⁹ United States Space Force, *Space Launch Delta 45 Operations*, <https://www.patrick.spaceforce.mil/Units/Space-Launch-Delta-45-Operations/> (last visited on Jan. 13, 2022).

¹⁰ Ch. 61, part IV, F.S.

¹¹ S. 61.703(20)(a), F.S.

- Amending s. 115.01, F.S., pertaining to a leave of absence for military service, to include the Air Force, Marine Corps, and Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 163.3175(2)(n), F.S., to change the name of Patrick Air Force Base and Cape Canaveral Air Force Station to Patrick Space Force Base and Cape Canaveral Space Station in the legislative findings on compatibility of development with military installations;
- Amending s. 210.04(4)(a), F.S., pertaining to an exemption to taxes for cigarettes sold on a post exchange, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 250.01(4), F.S., pertaining to the military code of Florida, to include Space Force in the definition of “armed forces,” as used in the chapter;
- Amending s. 250.43(2), F.S., pertaining the penalty for wearing the uniform of the armed forces when not an officer or enlisted person in the armed forces, to include Space Force and the uniform of Space Force in the list of branches and uniforms of the armed forces mentioned in the section;
- Amending s. 250.52, F.S., pertaining to the penalty for the unlawful solicitation or persuasion of a citizen of the United States not to enlist in the armed forces, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 295.061(1)(b), F.S., pertaining to the death benefits of active duty servicemembers, to include Space Force in the definition of “United States Armed Forces” as used in the section;
- Amending s. 296.02(7), F.S., pertaining to the Veterans’ Domiciliary Home of Florida Act, to include Space Force in the definition of “peacetime service,” as used in the Act;
- Amending s. 331.304(1), F.S., pertaining to spaceport territory in Florida, to clarify that Patrick Space Force Base and Cape Canaveral Space Force Station were formerly known as Patrick Air Force Base and Cape Canaveral Air Force Station, respectively;
- Amending s. 461.002(3), F.S., pertaining to exceptions to the regulations of podiatric medicine, changing the language from ‘the chapter “shall” not apply’ to ‘the chapter “does” not apply’; and including Space Force as one of the armed forces stated in the section;
- Amending s. 466.002(3), F.S., pertaining to persons exempt from the regulations of dentists, dental hygienists, and dental laboratories, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 496.415(6), F.S., pertaining to prohibited acts regarding persons or organizations soliciting funds, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 540.08(3), F.S., pertaining to unauthorized publication of name or likeness for commercial or advertising purpose, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 695.031(1), F.S., pertaining to affidavits and acknowledgments by members of the armed forces and their spouses during real estate conveyances, to include the Air Force and Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 718.113(4), F.S., pertaining to the regulation of condominium maintenance and display of flags, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 720.304(2)(a), F.S., pertaining to homeowners’ associations regulation of flag displays by homeowners, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 790.25(3)(a), F.S., pertaining to weapons and firearms crimes, to include Space Force in the list of branches of the armed forces mentioned in the section;
- Amending s. 817.312(1)(a), F.S., pertaining to the unlawful use of uniforms, medals, or insignias, to include United States Space Force, in the list of branches of the armed forces mentioned in the section;
- Amending s. 1000.36, F.S., to include Space Force in the Interstate Compact on Educational Opportunity for Military Children, contingent upon HB 153 or similar legislation extending the repeal date of the Interstate Compact on Educational Opportunity for Military Children taking effect; and

- Amending s. 1003.051(1)(b), F.S., pertaining to the Purple Star Campus program, to include Space Force in the list of branches of the armed forces mentioned in the section.

The bill also makes additional technical changes to statutory language and reenacts necessary provisions.

B. SECTION DIRECTORY:

- Section 1:** Amends s. 61.703, F.S., relating to definitions.
- Section 2:** Amends s. 92.51, F.S., relating to oaths, affidavits, and acknowledgments; taken or administered by commissioned officer of United States Armed Forces.
- Section 3:** Amends s. 97.021, F.S., relating to definitions.
- Section 4:** Amends s. 115.01, F.S., relating to leave of absence for military service.
- Section 5:** Amends s. 163.3175, F.S., relating to legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations.
- Section 6:** Amends s. 210.04, F.S., relating to construction; exemptions; collection.
- Section 7:** Amends s. 250.01, F.S., relating to definitions.
- Section 8:** Amends s. 250.43, F.S., relating to wearing of uniform and insignia of rank; penalty.
- Section 9:** Amends s. 250.52, F.S., relating to unlawful to persuade citizens not to enlist; penalty.
- Section 10:** Amends s. 295.061, F.S., relating to Active duty servicemembers; death benefits.
- Section 11:** Amends s. 296.02, F.S., relating to definitions.
- Section 12:** Amends s. 331.304, F.S., relating to spaceport territory.
- Section 13:** Amends s. 461.002, F.S., relating to exceptions.
- Section 14:** Amends s. 466.002, F.S., relating to persons exempt operation of chapter.
- Section 15:** Amends s. 496.415, F.S., relating to prohibited acts.
- Section 16:** Amends s. 540.08, F.S., relating to unauthorized publication of name or likeness.
- Section 17:** Amends s. 695.031, F.S., relating to affidavits and acknowledgments by members of the armed forces and their spouses
- Section 18:** Amends s. 718.113, F.S., relating to maintenance; limitation upon improvement; display of flag; hurricane shutters and protection; display of religious decorations.
- Section 19:** Amends s. 720.304, F.S., relating to right of owners to peaceably assemble; display of flag; SLAPP suits prohibited.
- Section 20:** Amends s. 790.25, F.S., relating to lawful ownership, possession, and use of firearms and other weapons.
- Section 21:** Amends s. 817.312, F.S., relating to unlawful use of uniforms, medals, or insignia.
- Section 22:** Amends s. 1000.36, F.S., relating to Interstate Compact on Educational Opportunity for Military Children, contingent upon HB 153 or similar legislation extending the repeal date of the Interstate Compact on Educational Opportunity for Military Children taking effect.
- Section 23:** Amends s. 1003.051, F.S., relating to the Purple Star Campuses.
- Section 24:** Reenacts s. 373.324, F.S., relating to license renewal.
- Section 25:** Reenacts s. 409.1664, F.S., relating to adoption benefits for qualifying adoptive employees of state agencies, veterans, and servicemembers.
- Section 26:** Reenacts s. 520.14, F.S., relating to termination of retail installment contract for leasing a motor vehicle by a servicemember.
- Section 27:** Reenacts s. 627.7283, F.S., relating to cancellation; return of unearned premium.
- Section 28:** Reenacts s. 689.27, F.S. relating to termination by servicemember of agreement to purchase real property.
- Section 29:** Reenacts s. 790.015, F.S., relating to nonresidents who are United States citizens and hold a concealed weapons license in another state; reciprocity.
- Section 30:** Reenacts s. 790.06, F.S., relating to license to carry concealed weapon or firearm.
- Section 31:** Reenacts s. 790.062, F.S., relating to members and veterans of United States Armed Forces; exceptions from licensure provisions.
- Section 32:** Reenacts s. 790.065, F.S., relating to sale and delivery of firearms.
- Section 33:** Reenacts s. 790.0655, F.S., relating to purchase and delivery of firearms; mandatory waiting period; exceptions; penalties.
- Section 34:** Reenacts s. 948.21, F.S., relating to condition of probation or community control; military servicemembers and veterans.

Section 35: Provides an effective date of July 1, 2022, except as otherwise expressly provided.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.