

The Delray Democrat

DeSantis Plays, Florida Pays¹

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Governor DeSantis does like his clichés. In his ongoing attempt to punish Disney for exercising its First Amendment rights, he’s warned “there’s a new sheriff in town” and promised “you ain’t seen nothing yet” and, most recently, insisted that he’d win, “come hell or high water.”

Disney has been dignified in response, probably keeping in mind another cliché: “when your opponent’s in a hole and digging, don’t take away his shovel.”

Last year, in a hissy fit triggered by Disney’s criticism of his “Don’t Say Gay” law, our thin-skinned governor lashed out by dissolving the Reedy Creek Special District and stripping Disney of its self-governing status. The effective date of the law was June 2023. That was fortunate because he subsequently learned that his knee-jerk reaction would burden taxpayers with over \$1 billion in debt taken on by the special district as well as require taxpayers to fund the police and fire departments and pay for other services provided by Disney.

Advised of his blunder, DeSantis arranged for his minions in the state legislature to revoke the dissolution, rename the special district, and give him the power to name the members of the governing board.

This time he was played by Disney. He was so busy celebrating another victory in his culture wars that he missed notices posted by the old Disney-controlled board of a meeting at which they passed an agreement that effectively gave Disney control of the district for decades. The board that DeSantis appointed the next day had been neutered.

Now, DeSantis is threatening to impose new taxes and tolls on Disney. A person does not need to receive an education at Harvard Law School (as did DeSantis) to recognize that passing laws that target speakers whose message you don’t like is a classic example of a First Amendment violation.

Florida taxpayers bear the cost of cleaning up the Disney blunders and defending lawsuits resulting from the racist, homophobic, and unconstitutional bills promoted and signed by DeSantis. A list of the latter includes but is not limited to the following:

Anti-riot (HB 1) – this infamous legislation, a major DeSantis priority as evidenced by its bill number, permits the conviction of anyone at a political protest where there is violence, even if they have nothing to do with the violence.

Among other unnecessary and overreaching provisions, the bill targets nonviolent acts of civil disobedience, such as marching down streets or blocking traffic, popularized during the Civil

¹ [The Delray Democrat](#), April 2023, page 1.

Rights movement and immunizes anyone who runs over a protestor

A Federal Court has held the law is unconstitutionally vague and overbroad and blocked its enforcement. The State of Florida has appealed to the Court of Appeals for Eleventh Circuit, which has let the injunction stand pending input from the Florida Supreme Court on its interpretation of who can be charged for rioting under its provisions.

Ballot Initiatives (HB 921) impose a limit of \$3,000 in contributions from donors to a committee trying to gather signatures for a Florida ballot initiative. A preliminary injunction was issued and the legislature amended the law so that it applies only to contributions from out-of-state donors. The same federal court issued a permanent injunction against the revised law as violative of the First Amendment.

Congressional redistricting (2B 2C) was pushed through by the governor and is the subject of numerous lawsuits due to the targeted racial discrimination of the redrawn districts. DeSantis maps lost in the lower court, won on appeal and may go to the Supreme Court.

Constitutional Carry Measure (HB 543) allows concealed carry in public, with no permit or training required. It is certain to engender lawsuits. When shamelessly sanctioning what Chief Justice Warren Burger characterized as “one of the greatest pieces of fraud, I repeat the word fraud, on the American people by special interest groups that I have seen in my lifetime” (namely, the claim that the Second Amendment created a personal right to gun ownership), even Justice Antonin Scalia recognized that the Second Amendment does not confer an absolute right.

Curriculum Transparency (HB 1467) The bill requires teachers to ensure that all books available in their classrooms have been selected by a certified media specialist, which has led teachers to empty their classroom libraries. Although the bill itself does not expose teachers to a felony, school district leaders reminded teachers that a separate bill already provides that anyone providing reading material containing “explicit and detailed verbal descriptions or narrative accounts of sexual excitement, or sexual conduct and that is harmful to minors” is guilty of a third degree felony.” It also sets a 12-year term limit for school board members. The Florida Education Association (Florida’s largest teachers union), Florida Freedom to Read Project, and Families for Strong Public Schools have filed an administrative claim challenging the law.

Disney (HB 9B) To retaliate for criticism by the Walt Disney Company of his “Don’t Say Gay” bill, DeSantis had the legislature pass a law dissolving the Reedy Creek Special District in which Disney had essentially self-governed. When he found out that he had just thus burdened taxpayers of the two counties in which it sits to over one billion dollars in Disney debt, DeSantis arranged for the passage of a new law renaming the district the Central Florida Tourism Oversight District and giving DeSantis the authority to appoint its Board. The day before the appointment of the new Board, Disney held a publicly noticed meeting in which the old board essentially neutered the new board going forward. DeSantis is threatening investigations and lawsuits and the Board hired four law firms (one billing at \$795 per hour).

Election Administration (SB 7066) This bill required returning citizens to pay all outstanding court costs and related legal obligations before regaining the right to register and vote, effectively neutering the impact of Amendment 4, passed in 2018, which would have automatically restored

voting rights upon completion of sentence. The law was held to be an unconstitutional “poll tax” by a federal court, but the decision was reversed by the U.S. Court of Appeals for the Eleventh Circuit.

Election Laws (SB 90) includes restrictions on Vote-by-Mail drop boxes, requires election cycle (2-year) renewal of Vote-by-Mail requests, does not allow water or food to be distributed when voter lines are long and does not allow third parties to return more than two Vote-by-Mail ballots, all of which were intended to make it more difficult for an individual, especially a Democrat, to vote. The bill was opposed by the SOEs in all 67 of Florida’s counties and held unconstitutional and enjoined by a federal court. The state appealed and the U.S. Court of Appeals for the Eleventh Circuit has stayed the lower court’s opinion while the appeal is pending.

Immigration – Ban on sanctuary cities (SB 168), part of which was struck down as discriminatory and the fact that sanctuary cities were not specifically defined. The appellate court recently dismissed the lawsuit in its entirety.

Individual Freedom Act (HB 7) Promoted by DeSantis as the Stop-Woke bill, this law specifically prohibits teachers and employers from offering teaching or training that the State has condemned as “woke.” It has spurred a series of lawsuits. In the first, a disparate group of plaintiffs sought a preliminary injunction. Judge Mark E. Walker, of the federal court for the Northern District of Florida denied the motion as to all of the plaintiffs with the exception of a university professor, as to whom he reserved judgment.

In other suits involving different groups of plaintiffs, Judge Walker granted preliminary injunctions to (1) employers and DEI consultants and (2) professors and students at Florida universities. In holding the law unconstitutional he observed that, “rather than combat ‘woke’ ideas with countervailing views in the ‘marketplace of ideas,’ the State has chosen to eliminate one side of the debate.” The State has appealed, but the Court of Appeals for the Eleventh Circuit has allowed the preliminary injunction to stand pending its decision.

Parental Rights in Education (HB 1557 / SB 1834) “Don’t say gay” bans discussions surrounding sexual orientation and gender identity in our schools. A lawsuit challenging the law was dismissed on the ground that the plaintiffs lacked “standing” (i.e., could not show how they were harmed by the bill) and subsequently refiled.

Reducing Fetal and Infant Mortality (HB 5) bans all abortions at 15 weeks and after, unless it’s proven it will be dangerous or fatal to the mother or the fetus is proven to have a fatal abnormality. It includes no exceptions for incest or rape. This law is now pending at the FL Supreme Court.

The Heartbeat Protection Act (SB 300) further banning abortions at 6 weeks. The Senate passed it on 4/03/23, the House passed it 4/13/23 and DeSantis signed it at 11 PM on 4/13/23 as announced on Twitter. It will take effect only if HB 5 is upheld by the FL Supreme Court and then would likely garner more lawsuits as it’s even more restrictive than HB 5./

Social Media Platforms (SB 7072) The Big Tech Law provided substantial fines to social media companies if they removed conservative ideas from their sites. A federal court granted a preliminary injunction, which was largely upheld by the U.S. Court of Appeals for the Eleventh Circuit.

Other litigations engendered by DeSantis:

DeSantis Fired (*indefinitely suspended per governor's office*) Andrew Warren, an elected Democratic prosecutor, in August of 2022 because Warren had said he wouldn't enforce the abortion restrictions and new gender rules. Warren sued and the firing was upheld by the federal district court. Warren has appealed to the U.S. Court of Appeals for the Eleventh Circuit.

Flying immigrants to Martha's Vineyard – In September 2022 the Florida governor flew two planes of some fifty immigrants from Texas to Florida to Martha's Vineyard, allocating \$12M from Florida's budget for this purpose to send immigrants to Democratic states. The class action suit filed by and for the affected immigrants is proceeding in Federal Court in Massachusetts.

Ironically, due to the way the immigrants were inhumanely manipulated, DeSantis probably helped them avoid deportation, as they may be able to apply for a U Visa (available to victims of fraud) and thus have the opportunity to apply for citizenship in a few years. Ron DeDoofus strikes again.

Florida taxpayers are bearing the cost of DeSantis's flagrantly unconstitutional laws and cheap political stunts.