



## **2017 LEGISLATIVE AFFAIRS FINAL REPORT**

**Important note: several bills in this report are awaiting final action by the governor. This document was last updated on June 13, 2017.**

# **2017 FLORIDA LEAGUE OF CITIES LEGISLATIVE ACTION AGENDA**

The Action Agenda reflects the priorities of 412 municipalities, as prepared by the Florida League of Cities' five legislative policy committees and adopted by the full membership at the League's 56<sup>th</sup> Annual Legislative Conference, December 9, 2016, in Orlando.

Below are the priority statements included in the Action Agenda. For background information and the current status on any of these issues, please read the Issue Brief available on the Florida League of Cities website.

## **Communications Services Tax and Local Business Tax Protection**

The Florida League of Cities SUPPORTS legislation that protects general revenues collected from the communications services tax and the local business tax. These revenues are essential to providing municipal services, such as public safety, constructing and maintaining transportation infrastructure and providing for public parks and open spaces. A diversified revenue base is necessary for the fiscal stability of local governments and improves their ability to serve citizens and businesses.

## **Community Redevelopment Agencies**

The Florida League of Cities SUPPORTS legislation to improve municipalities' use of community redevelopment agencies to effectively carry out redevelopment and community revitalization in accordance with home rule.

## **Drones**

The Florida League of Cities SUPPORTS legislation that allows first responders to use drone technology to save lives and protect people and property. In addition, such legislation should allow municipalities to continue to apply generally applicable law to regulate drone technology to ensure public safety and retain quality of life while protecting civil liberty.

## **Impact Fees**

The Florida League of Cities OPPOSES legislation that restricts a municipalities' Home Rule authority to set impact fees or transportation concurrency.

## **Municipal Levy of the Local Option Infrastructure Surtax**

The Florida League of Cities SUPPORTS legislation that provides a mechanism for municipalities to levy the Local Government Infrastructure Surtax, if approved by voters.

## **Public Records**

The Florida League of Cities SUPPORTS public records reform to discourage or eliminate schemes designed to generate violations of public records laws and disrupt agency operations.

## **Short-Term Rentals**

The Florida League of Cities SUPPORTS legislation that restores local zoning authority with respect to short-term rental properties thereby preserving the integrity of Florida's neighborhoods and communities.

### **Sustainable Florida**

The Florida League of Cities SUPPORTS measures that promote a sustainable Florida, including legislation that:

- Incentivizes the development and expansion of reclaimed water while protecting public ratepayer investments in reclaimed water infrastructure;
- Assists municipal utilities in addressing infrastructure deficits;
- Maintains the authority of municipalities to operate public utilities;
- Protects and improves the quality of water including surface water, drinking water, and aquifers;
- Imposes a statewide ban on hydraulic fracturing;
- Increases the ability of local governments to address water quality impairment attributable to excess nutrients; and
- Increases state and local efforts to mitigate and adapt to increasing tidal and stormwater flooding.

### **Transportation Funding**

The Florida League of Cities SUPPORTS legislation that provides alternative revenue sources and enhanced transit funding for local government.

# MAJOR BILLS THAT PASSED DURING 2017 SESSION

*(listed by policy area)*

## **ENERGY, ENVIORNMENT AND NATURAL RESOURCES**

### ***Everglades/Lake Okeechobee (Monitored)***

**CS/SB 10** (Bradley) provides strategies, funding and an accelerated timeframe for water storage projects south of Lake Okeechobee. The bill authorizes the revision or termination of agricultural leases on state-owned land south of Lake Okeechobee, and the acquisition of additional land necessary to build a reservoir capable of storing 240,000 acre-feet of water. The use of eminent domain by the South Florida Water Management District for the project is expressly prohibited by the bill. The bill directs additional land acquisition necessary for Phase II of the C-51 reservoir project in western Palm Beach County to provide an additional 60,000 acre-feet of water storage. Overall project cost is estimated at \$1.5 billion, with half of the funding to come from the state and half from the federal government. The state's portion of land acquisition and project implementation will come from \$64 million of Amendment 1 money in fiscal year 2017-18, and authorizes issuance of \$800 million in Florida Forever bonds to provide debt service payments for future funding. In addition, the bill establishes the Water Storage Facility Revolving Loan Fund within the Water Protection and Sustainability Trust Fund to provide infrastructure financing and technical assistance to local governments and water supply entities for water storage facilities. Finally, the bill authorizes job-training programs and hiring preferences for agricultural workers in the Everglades Agricultural Area. Effective May 9, 2017. Chapter No. 2017-10. (O'Hara)

### ***Sustainable Florida – Natural Hazards (Supported)***

**CS/HB 181** (Jacobs) creates an interagency working group for state agencies to share information and coordinate on initiatives relating to natural hazards. The bill defines natural hazards to include extreme heat, drought, wildfire, sea-level change, high tides, storm surge, saltwater intrusion, stormwater runoff and flooding. The bill directs the group to meet quarterly and requires the Division of Emergency Management to submit an annual progress report to the governor and Legislature beginning January 2019. Effective July 1, 2017. (O'Hara)

### ***Contaminated Site Cleanup (Supported)***

**CS/CS/SB 1018** (Grimsley) revises criteria relating to the priority ranking and funding for the rehabilitation of petroleum-contaminated sites proposed for redevelopment. The bill eliminates the 25 percent cost-share requirement for the advanced cleanup of such sites. The bill also creates the Public Notice of Pollution Act, which requires owners or operators of an installation at which a reportable pollution release occurred to provide specified information to the Department of Environmental Protection (DEP) within 24 hours after discovery of a release, and additional notification requirements if the release migrates beyond the property boundaries of an installation. Notification of a release does not constitute an admission of liability or harm. The bill also requires the DEP to publish notice of a release on a website within 24 hours of receiving notice, and requires the DEP to create a system for people to request and receive direct notice via email. Finally, the bill provides for the imposition of a civil penalty of \$10,000 per day for violation of notice requirements. Effective July 1, 2017. (O'Hara)

### ***Anchoring and Mooring of Vessels (Supported)***

**CS/CS/HB 7043** (Natural Resources & Public Lands Subcommittee) implements various recommendations of the Florida Fish and Wildlife Conservation Commission (FWC) from its report on the pilot program relating to the anchoring and mooring of vessels outside public mooring fields. The bill defines various terms, including “commercial fishing vessel,” “commercial vessel,” “effective means of propulsion for safe navigation,” and “live-aboard vessel.” It provides that a vessel is at risk of becoming derelict if the vessel does not have an effective means of propulsion for safe navigation within a specified timeframe. The bill provides prohibitions and exceptions on the anchoring or mooring of vessels or structures in proximity to various locations, including within 150 feet of a marina, boat ramp, boatyard or other vessel launching or loading facility; within 300 feet of a superyacht repair facility; or within 100 feet from the marked boundary of a public mooring field (unless a lesser distance is approved by FWC). Current law is clarified to provide that local governments may regulate the anchoring of live-aboard vessels and commercial vessels (not commercial fishing vessels). Additionally, local governments are authorized to enact and enforce regulations relating to proof of proper sewage disposal from a vessel under specified conditions and to enforce pump-out requirements for certain vessels anywhere within the local governments jurisdiction. It also authorizes a local government to enact regulations relating to the removal of vessels that are affixed to a public dock and that are determined abandoned or lost. It prohibits a vessel or structure from anchoring or mooring to an unpermitted object that is on the bottom of waters of the state. The bill provides for penalties for operating with an expired license and for violating anchoring or mooring prohibitions. Effective July 1, 2017. (O’Hara)

***Unlawful Acquisition of Utility Services (Supported)***

**CS/HB 879** (Burgess) revises current law relating to the theft of utility services. The bill authorizes the state to establish a prima facie showing of the estimated losses from the theft of services using any methodology reasonably relied upon by a utility. It requires a court to include certain amounts in its order for restitution or damage from the theft of electricity, including the cost to repair or replace damaged property (including labor costs), costs for the use of specialized equipment to investigate the amount of the services unlawfully obtained, and the amount of the unlawfully obtained electricity services. Finally, the bill allows a court to require payment of restitution for damages to a utility’s property or for the theft of electricity for criminal offenses that are causally related to the theft. Effective October 1, 2017. (O’Hara)

***Recycling and Recovered Materials (Monitored)***

**CS/HB 335** (Clemons, C.) adds new definitions to the Resource Recovery and Management Act (Part IV, Chapter 403) for terms relating to the conversion of post-use plastic polymers to fuel and other products using thermal conversion processes known as “pyrolysis.” The bill revises existing statutory definitions for “recycling,” to include solid waste that is processed into raw, intermediate or final products including, but not limited to, crude oil, fuels and fuel substitutes. The bill specifies that post use polymers are not “solid waste” as defined in the act, and that post-use polymers or pyrolysis facilities are not subject to regulation as “solid waste” under the act if a majority of the materials are demonstrated to be sold, used or reused within one year. Finally, the bill incorporates “post-use polymers” and “pyrolysis facilities” into provisions of the act pertaining to recovered materials. Effective July 1, 2017. (O’Hara)

***Sunshine State One Call System (Monitored)***

**HB 379** (Leek) revises the Underground Facility Damage Prevention and Safety Act which is intended to identify and locate underground facilities prior to excavation to prevent injury or interruption of services resulting from damage to underground facilities. The act authorizes a not-

for-profit corporation, Sunshine State One-Call of Florida (SSOCOF), to administer a free-access notification system. The provisions of HB 379 are intended to help the state comply with requirements of the federal Pipeline and Hazardous Materials Safety Administration. The bill expands data and information required to be included in annual progress reports filed by the SSOCOF board. If damage to an underground facility causes the escape of gas or hazardous liquid, the bill requires an excavator to report the damage by calling 911, in addition to notifying the member operator. The bill provides that member operators of the SSOCOF system must file a report (either annually or more frequently) with the system after being notified of contact or damage by an excavator, and specifies the required content of such reports. Finally, the bill provides that 80 percent of a collected civil penalty will be distributed to the governmental entity whose employee issued the citation. Effective July 1, 2017. (O'Hara)

## **FINANCE, TAXATION AND PERSONNEL**

### ***Expanded Homestead Exemption (Opposed – Mandate)***

**HJR 7105** (House Ways and Means Committee) proposes an amendment to the state constitution to provide a homestead exemption, for all levies other than school district levies, on the assessed value of property greater than \$100,000 and up to \$125,000. This will have an estimated negative \$644 million impact on cities, counties and special districts. Effective January 1, 2019, if approved by 60 percent of voters at the November 2018 general election. (Hughes)

### ***Implementation of New Homestead Exemption (Opposed – Mandate)***

**HB 7107** (House Ways and Means Committee) implements the additional homestead exemption HJR 7105 by amending the dollar threshold in statute to reflect the change in the constitution. Additionally, the bill provides that the rolled-back rate used by local governments in fiscal year 2019-2020 must be calculated as if the tax base had not been reduced by the increased homestead exemption. Meaning, the value lost to the additional homestead exemption will be added back into the tax roll and the calculated rolled-back rate will be artificially decreased. This provision also applies to the calculation of higher millage rates that may be levied with either a two-thirds or unanimous vote by a local governing board. The bill directs the Legislature to appropriate funds to offset ad valorem tax revenue losses in fiscally constrained counties, attributable to the reduction in the property tax base caused by the increased homestead exemption. Effective contingent upon voter approval of HJR 7105 (discussed above). Chapter No. 2017-35. (Hughes)

### ***Ad Valorem: Limitation on Property Tax Assessment (Monitored)***

**CS/HJR 21** (Burton) proposes an amendment to the state constitution to retain provisions adopted in 2008 that limit increases in assessments, except for school district levies, of certain nonhomestead real property to 10 percent each year. The amendment removes the scheduled January 1, 2019, repeal of that provision. The bill provisions will take effect January 1, 2019, if approved by the electors at the November 2018 general election. (Hughes)

### ***Renewable Energy Source Devices (Monitored)***

**CS/CS/SB 90** (Brandes), implements Amendment 4, which was approved by voters in August 2017. The bill provides property tax relief for owners of renewable energy source devices whether these devices are installed on residential or nonresidential real property or are taxed as tangible personal property. The bill limits the exemption from real property taxes for nonresidential real property to 80 percent of the just value of the property attributable to a renewable energy source device. The real property tax exemption is only applied prospectively. The bill also exempts 80

percent of the assessed value of a renewable energy source device from tangible personal property tax for all applicants, both residential and nonresidential. The exemption is prospective only, with two exceptions: a device installed to supply a municipal electric utility located entirely within a consolidated government; or a device installed after August 30, 2016, on municipal land as part of a project incorporating other renewable energy source devices under common ownership that meet certain conditions. The bill creates an exception from both tax exemptions for a device installed as part of a project planned for a location in a fiscally constrained county for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017. Notwithstanding these provisions, 80 percent of the assessed value of a renewable energy source device that is affixed to property owned or leased by the U.S. Department of Defense for the military is exempt from ad valorem taxation. These provisions expire on December 31, 2037. The bill also creates distributed energy generation system sales provisions for systems that are leased or sold pursuant to a retail installment contract. Effective July 1, 2017. (Hughes)

***Tax Exemptions for First Responders and Surviving Spouses (Monitored)***

**CS/CS/HB 455** (Metz) implements Amendment 3, which was approved by voters in November 2016. The bill provides a 100 percent exemption from property taxes for first responders who are “totally and permanently disabled” from injuries they received in the line of duty and to their surviving spouse. The bill also provides application requirements and specifies the documentation required to receive the exemption. Additionally, the bill provides penalties for any person submitting false information for purposes of claiming the exemption. Effective upon becoming law and shall operate retroactively to January 1, 2017. (Hughes)

***Firefighter Occupational Disease Study (Monitored)***

**CS/CS/HB 925** (Miller, M.) relates to the activities of the Department of Financial Services. Current law requires the department to study firefighter occupational diseases. The bill authorizes the department to contract with third parties for studies of occupational diseases of firefighters and the ways and means for the control and prevention of such occupational diseases. Effective July 1, 2017. (Conn)

***Tax Relief (Monitored)***

**HB 7109** (House Ways and Means Committee) is the Tax Relief Package for the 2017 legislative session, totaling \$178.6 million in tax cuts and providing for a wide range of tax reductions that are designed to impact both households and businesses. The largest component of the bill is a reduction from 6.0 percent to 5.8 percent of the "business rent tax," which is the sales tax on commercial leases. The bill includes a three-day back-to-school holiday and a three-day disaster-preparedness holiday. Multiple new or expanded sales tax exemptions for items such as feminine hygiene products, certain data center property, building materials used in Rural Areas of Opportunity (RAO), certain purchases made by municipally owned golf course operators, and health products for livestock, poultry and aquaculture are contained in the bill. For property tax purposes, the bill allows low-income residents of homes for the aged to prove their income by providing an affidavit to the property appraiser and provides a 50-percent discount in property taxes to certain multifamily, low-income housing projects. The bill also includes tax credits for Brownfields, Research and Development and Community Contributions. The bill requires local motor fuel taxes to be renewed before July 1 to be effective on September 1 of the year they expire. The bill also preserves enterprise zone boundaries in existence before December 31, 2015, to allow local governments to administer local incentive programs within these boundaries through December 31, 2020. It is

estimated that cities will have a nonrecurring negative impact of \$2.9 million and a recurring negative impact of \$9.23 million. Effective July 1, 2017, except where otherwise expressly provided. Chapter No. 2017-36. (Hughes)

***Public Employees (Monitored)***

**SB 7022** (Senate Governmental Oversight and Accountability Committee) is a comprehensive benefits package for state employees that modifies the Florida Retirement System (FRS). The bill permits renewed membership in the investment plan or one of the optional annuity retirement plans for certain former participants of those plans. The bill expands the survivor benefit for investment plan members killed in the line of duty, including Special Risk Class, by making it retroactive to 2002. The bill closes the Senior Management Service Optional Annuity Program to new hires. The bill changes the default from the pension plan to the investment plan for non-Special Risk members of the FRS initially enrolled after January 1, 2018, and extends the initial election period from six to nine months after being hired. Additionally, the bill provides adjustments to the contribution rates that fund the FRS's normal costs and unfunded actuarial liability. The bill also included pay raises for most state workers and changes to the State Group Insurance Program. Effective July 1, 2017, except as otherwise provided in the bill. (Hughes)

**GROWTH MANAGEMENT AND ECONOMIC AFFAIRS**

***Charter School Facilities Preemption (Opposed)***

**CS/HB 7069** (Education) revises school improvement and accountability measures that apply to public schools, including charter schools. Under current law, a local government may not require a rezoning or land use change when facilities such as churches, theaters, or community centers are converted for use as charter schools. CS/HB 7069 will also prohibit local governments from requiring a special exception permit when these facilities convert to a charter school. Effective July 1, 2017. (O'Hara)

**TRANSPORTATION AND INTERGOVERNMENTAL RELATIONS**

***Wireless (Opposed – Preemption)***

**CS/CS/HB 687** (La Rosa) preempts local government control of taxpayer-owned rights of way for placement of “small” or “micro” wireless antennas and equipment. Among other various provisions, the bill bars local governments from prohibiting or regulating the placement of “small” or “micro” wireless facilities on or next to existing cellphone towers and utility poles within municipally owned rights of way. The bill requires a local government to approve or deny an application for permit to collocate small wireless facilities within 60 days of receipt of the application. An additional 30 days is provided to the local government after the date of the permit request to negotiate an alternative location for the equipment facilities, and if the application is not processed within that time frame, it is deemed approved. Local governments are also prohibited from imposing minimum distances between small wireless equipment. This “micro” equipment/infrastructure can be as large as six cubic feet in volume (for instance, 2 feet by 3 feet). All other wireless equipment associated with the facility cumulatively can be as large as 28 cubic feet in volume (the approximate size of a small refrigerator). The Florida Department of Transportation, deed-restricted retirement communities that have more than 5,000 residents and have underground utilities for electric transmission or distribution, and municipalities that are located on a coastal barrier island that has a land area of less than five square miles and fewer than 10,000 residents are exempted from all provisions of the bill. In addition, the bill sets an arbitrary price cap of \$150 per attachment per year. In addition, the

height of a small wireless facility is restricted to no more than 10 feet above the utility pole. Unless waived by the local government, the height for a new pole is limited to the tallest existing utility pole located in the right of way. If there is no utility pole within 500 feet of the proposed location, then the new utility pole can be no taller than 50 feet. An applicant seeking to collocate small wireless facilities can file a consolidated application and receive a single permit for the collection of no more than 30 small wireless facilities. The bill allows for some minimum design standards and for the wireless communications provider and the local government to negotiate those design standards at the local level. Effective July 1, 2017. (Sirjane-Sampes)

***Building Code and Construction-Related Preemptions (Opposed)***

**CS/CS/HB 1021** (Avila) is a comprehensive bill that revises building codes and standards, building official qualifications, fire prevention and control requirements, and other construction industry issues. Of particular concern to municipalities is language prohibiting a political subdivision from adopting or enforcing any ordinances, or imposing building permits or other development order requirements that contain any building, construction, or aesthetic requirement or condition that conflicts with or impairs activities related to carrying out business activities defined as a franchise by Federal Trade Commission regulations. The bill also preempts local government regulation relating to the design, construction or location of signage advertising the retail price of gasoline. In addition, the bill prohibits a local jurisdiction from requiring an owner of a residence to obtain a permit to paint their residence. Language dealing with water meters for fire sprinkler systems in a single family or two family dwelling is also included in the bill. Effective July 1, 2017. (Sirjane-Sampes)

***Drones (Opposed – Preemption)***

**CS/HB 1027** (Yarborough) preempts local governments from enacting or enforcing any ordinance or resolution relating to the design, manufacture, testing, maintenance, licensing, registration, certification or operation of an unmanned aircraft system. This preemption includes airspace, altitude, flight paths, equipment or technology requirements. Pilot, operator or observer qualifications and training and certification requirements are also preempted to the state. However, local governments do retain authority to enact and enforce local ordinances relating to nuisances, voyeurism, harassment, reckless endangerment, property damage or other illegal acts arising from the use of unmanned aircraft systems provided the ordinances do not specifically relate to the use of an unmanned aircraft system. In addition, the bill prohibits a person from knowingly and willfully operating a drone over, or allowing a drone to make contact with or come within a specific distance of, a critical infrastructure facility that is close enough to interfere with the operations of, or cause a disturbance to, the facility. Counties or municipalities do retain the authority to regulate the operation of personal delivery devices and are authorized to adopt regulations for the safe operation of these devices. Effective July 1, 2017. (Sirjane-Sampes)

***Transportation Network Companies (Opposed – Preemption)***

**CS/HB 221** (Sprowls) is a comprehensive bill that completely preempts local governments from regulating transportation network companies (TNCs) such as Uber or Lyft. The bill establishes a statewide regulatory scheme that includes insurance coverage standards, fare and rate disclosure requirements, antidiscrimination policies, minimum background checks (Level 2 not required) and other provisions. The bill prohibits local governments from imposing a tax, requiring a license, or subjecting a TNC or a driver to any local government requirements. The bill authorizes seaports and airports to collect pickup fees as long as they do not exceed what a seaport or an airport charges taxis. Effective July 1, 2017. Chapter No. 2017-12. (Sirjane-Sampes)

***Enhanced Safety for School Crossings (Monitored)***

**CS/HB 493** (Toledo) requires the Florida Department of Transportation (DOT) to conduct a study and issue a report on adopting a uniform system of high-visibility markings and signage for designation of safe school crossing locations. Should the report recommend a uniform system, the bill requires each county and municipality to install and maintain such markings and signage in conformity with the DOT uniform system. Effective July 1, 2017. (Sirjane-Samples)

***Department of Transportation (Monitored)***

**CS/CS/HB 865** (Williamson) is the Department of Transportation's legislative package. Of importance, the bill repeals the authority for the Highway Beautification Council, but does not remove the associated grant funding or affect the highway beautification grant application process. The Florida Smart City Challenge grant program is created for municipalities to provide for the advancement of infrastructure to support autonomous and connected vehicles. Effective July 1, 2017. Chapter No. 2017-42. (Sirjane-Samples)

***Hillsborough County Public Transportation Commission (Monitored)***

**HB 467** (Raburn) dissolves the Hillsborough County Public Transportation Commission by prohibiting the commission from incurring additional obligations, indebtedness or wasting its assets. The bill requires that by December 31, 2017, the Hillsborough County Public Transportation Commission shall liquidate all of its assets and satisfy all of its obligations and indebtedness. Effective July 1, 2017. (Sirjane-Samples)

***Homelessness (Monitored)***

**SB 2500**, the General Appropriations Act, included \$100,000 for a 14-member Affordable Housing Workgroup to be staffed and supported by the Florida Housing Finance Corporation. One of the 14 members is required to be a designee of the Florida League of Cities, one from the Florida Association of Counties, one must be an advocate for the homeless and one a realtor. Language was included in the implementing bill SB 2502, describing the duties and responsibilities of the work group. Effective July 1, 2017, or upon becoming law, whichever occurs later. Chapter No. 2017-70. (Sirjane-Samples)

***Low-Voltage Electric Fences (Monitored)***

**CS/CS/HB 241** (Williamson) provides requirements for low-voltage electric fences to be permitted as a low-voltage alarm system project. Low-voltage electric fences can be installed in commercial and industrial areas but not in residential areas. Effective upon becoming law. (Sirjane-Samples)

**URBAN ADMINISTRATION**

***Public Records Reform (Support)***

**CS/CS/SB 80** (Steube) requires the court to award reasonable costs of enforcement and attorney fees in a public record lawsuit if the governmental entity unlawfully refused to allow a record to be inspected or copied *and* the complainant provided written notice to the governmental entities custodian of records five business days before filing the civil action. The notice provision applies only if the governmental entity has posted the contact information for the agency's custodian of records in its primary administrative building where public records are usually created, maintained and requested, and on the government's website. The bill requires the court to assess and award reasonable costs of enforcement and attorney fees against the complainant if the request or lawsuit was filed for an improper purpose. Finally, the bills clarify that Chapter 119 does not create a private

right of action authorizing the award of monetary damages for a person who brings an action to enforce the provisions of the public record law. Payments by the responsible agency may only include the reasonable cost of enforcement, including reasonable attorney fees, directly attributable to a civil action brought to enforce the public record law. Effective May 23, 2017. Chapter No. 2017-21. (Cook)

***Marketing Practices for Substance Abuse Services (Support)***

**CS/CS/HB 807** (Hager) implements several task force recommendations to address abusive practices in the substance abuse treatment industry. The bill expands current prohibitions on referrals between licensed treatment providers and certain recovery residences and prohibits service providers from engaging in deceptive marketing practices, and it provides criminal penalties for violations. The bill adds patient brokering to the offenses that constitute “racketeering activities” and extends the jurisdiction of the Office of the Statewide Prosecutor to investigate and prosecute patient brokering offenses. The bill also strengthens the Department of Children and Families substance abuse treatment provider licensure program and improves the regulation of service providers. Effective July 1, 2017. (Cook)

***Public Works Project (Oppose – Preemption)***

**CS/CS/HB 599** (Williamson) prohibits local government contracts for public works projects from including restrictive conditions on contractors, subcontractors or material suppliers or carriers. Cities can no longer require contractors to: pay employees a predetermined wage rate; provide employees a specified type or amount of benefits; limit the amount of staffing on a particular job; or require that employees be recruited, trained or hired from a designated source. The bill also prevents cities from prohibiting any contractor, subcontractor or material supplier that is qualified to perform the work from submitting a bid on a public works project. Provisions of the bill apply to only those public works projects that are funded with 50 percent or more state-appropriated funds. Effective July 1, 2017. (Cook)

***Law Enforcement/Body Cameras (Monitored)***

**CS/HB 305** (Harrison) requires law enforcement agencies to develop guidelines allowing a police officer to review body camera footage of an incident before writing a report or providing a statement. Effective July 1, 2017. Chapter No. 2017-15. (Conn)

***Law Enforcement/Eyewitness Identification (Monitored)***

**CS/SB 312** (Baxley) requires state, county, municipal or other law enforcement agencies that conduct lineups to follow specified procedures. The bill also requires the Criminal Justice Standards and Training Commission to create educational materials and provide training programs on how to conduct lineups. Effective October 1, 2017. (Conn)

***Law Enforcement Officer/Autism Awareness Training (Monitored)***

**CS/CS/HB 39** (Jenne) requires the Department of Law Enforcement to establish a continued employment training component relating to autism spectrum disorder. Effective October 1, 2017. Chapter No. 2017-43. (Conn)

# MAJOR BILLS THAT PASSED DURING SPECIAL SESSION 2017A

## *Economic Development*

The future of Florida's economic development efforts has been one of the most contentious issues that lawmakers and Governor Rick Scott have feuded over since Richard Corcoran ascended to his role of Speaker of the Florida House. That rift has likely been resolved as the House and Senate passed **HB 1A** (Renner), an omnibus economic development bill.

Of note, the legislation provides \$76 million for Visit Florida, up from the \$25 million approved last month during the regular legislative session. However, the bill increases oversight of Visit Florida, a key issue for the House. The bill also includes a new \$85 million Florida Job Growth Grant Fund, which Governor Scott can use for regional infrastructure projects and workforce-training programs.

Under the legislation, the state would no longer use taxpayer money to attract specific companies to Florida. Instead, the Florida Jobs Growth Grant Fund gives the governor power to approve state and local infrastructure projects that diversify the economy or target specific areas. Money cannot be steered to specific companies. The bill maintains \$16 million for Enterprise Florida operations, which was included in a measure from the regular session.

## *Herbert Hoover Dike Repairs*

On the final day of the special session, lawmakers added \$50 million to the budget to help speed repairs to the Herbert Hoover Dike around Lake Okeechobee. Governor Scott had requested \$200 million during the regular session for these repairs but the legislature rebuffed his attempts then.

## *Medical Marijuana*

**SB 8A** (Bradley), a bill implementing the constitutional amendment relating to medical marijuana, finally passed the Legislature during the special session. The bill authorizes 10 new Medical Marijuana Treatment Center (MMTC) licenses, in addition to the seven currently issued. Language in the bill authorizes an additional four licenses per 100,000 patients on the MMTC patient registry. The bill caps the number of dispensaries per MMTC license at 25.

The bill divides the state into five regions (Northwest, Northeast, Central, Southeast, Southwest) and authorizes the Department of Health to determine the maximum number of dispensaries allowed in each region based on population within that region compared to the total state population.

Under the bill, medical marijuana is exempt from the state sales tax. The bill prohibits the smoking of medical marijuana, but authorizes it to be vaped or consumed in pill or edible form. The use of medical marijuana, unless it is low-THC cannabis, is prohibited in any public place, on any form of public transportation, in a qualifying patient's place of employment (unless allowed by the employer), on school grounds, or in a school bus, vehicle, aircraft or motorboat.

Of importance to cities, the bill adds "delivery" to the current preemption on cultivation and processing. Cities can, by ordinance, ban medical marijuana dispensaries. However, cities that choose to allow them cannot limit the number of dispensaries within their boundaries. Cities can determine the criteria for the location of dispensaries and other permitting requirements that do not

conflict with state law or department rule, but such permitting requirements cannot be more restrictive than the zoning or permitting requirements for currently existing pharmacies. Cities are authorized to charge a license or permit fee to MMTC facilities, but the fee cannot be more than what is currently charged for pharmacies.

Dispensaries cannot be located within 500 feet of a public or private elementary, middle or high school, unless the city approves the location through a formal proceeding open to the public and determines that the location promotes the health, safety, and general welfare of the community. Finally, the bill allows cities to ensure that MMTC facilities comply with the Florida Building Code, the Florida Fire Prevention Code or any local amendments to these codes.

## **MAJOR BILLS THAT FAILED** *(listed by policy area)*

### **ENERGY, ENVIORNMENT AND NATURAL RESOURCES**

#### ***Sustainable Florida – Septic Tanks (Supported)***

**CS/CS/CS/HB 285** (Fine) and **CS/SB 1748** (Stewart) would have required septic tanks to be inspected at the point of sale in real estate transactions. The bills were later amended to require only that sellers of property provide specified disclosures if the property contains a septic tank. In addition, the bills would have required the Department of Health to submit a report to the Legislature identifying the location of septic tanks throughout the state. CS/CS/CS/HB 285 passed the full House and died in Senate messages. CS/SB 1748 died in committee. (O’Hara)

#### ***Sustainable Florida – Fracking Ban (Supported)***

**SB 442** (Young), **HB 451** (Miller, M.), **HB 35** (Jenne), **SB 98** (Farmer) and **SJR 108** (Farmer) would have banned fracking in the state. The bills died in committee. (O’Hara)

#### ***Sustainable Florida – Flood Hazard Mitigation (Supported)***

**SB 112** (Brandes) and **HB 613** (Ahern) would have provided funding assistance for local governments to implement flood risk reduction policies and projects. The bills authorized the Division of Emergency Management to issue up to \$50 million in financial and technical assistance to local governments for projects and policies consistent with local government comprehensive plans, local hazard mitigation plans, or an adaptation action plan. SB 112 and HB 613 died in committee. (O’Hara)

#### ***Sustainable Florida -- Coastal Hazard Mitigation (Supported)***

**CS/CS/SB 1590** (Latvala) and **CS/CS/HB 1213** (Peters) would have revised state beach nourishment and inlet management project funding criteria and directed the Department of Environmental Protection (DEP) to adopt by rule a scoring system to determine annual project funding priorities. The bills required DEP to maintain active project lists, updated quarterly, to provide greater transparency and accountability. Also, the bills included additional provisions aimed at improving sand management at inlets. Finally, the bills directed DEP to include in its comprehensive, long-term management plan a strategic beach management plan, a critically eroded beaches report and a statewide long-range budget plan (to include a three-year work plan for beach and inlet projects. CS/CS/SB 1590 dedicated \$50 million annually from the Land Acquisition Trust Fund for beach and inlet projects. CS/CS/SB 1590 died in House messages. CS/CS/HB 1213 died in committee. The 2017-2018 state budget does provide \$50 million in funding for beach and inlet projects, and \$13.3 million to restore beaches damaged by 2016 storms. (O’Hara)

#### ***Sustainable Florida – Funding for Water Supply and Water Quality Projects (Supported)***

**SB 1082** (Brandes) and **HB 663** (Peters) would have dedicated the lesser of 12.5 percent or \$100 million annually of Amendment 1 money to the Department of Environmental Protection for water supply and water resource development projects identified in either a regional water supply plan or a Basin Management Action Plan. SB 1082 and HB 663 died in committee. (O’Hara)

#### ***Septic Tank Funding and Remediation Plan Requirements (Monitored)***

**SB 874** (Young) and **HB 551** (Stone) would have appropriated a minimum of \$20 million annually from the Land Acquisition Trust Fund to assist with property owner costs for retrofitting septic

systems or connecting them to central sewer in specified areas around the Indian River Lagoon, and the St. Lucie and Caloosahatchie Estuaries. The bills required development of a septic tank remediation plan as part of any basin management action plan, if the Department of Environmental Protection determined remediation was necessary to achieve a total maximum daily load. The bills specified requirements and timelines for remediation plans. SB 874 and HB 551 died in committee. (O'Hara)

***Disposable Plastic Bags (Supported)***

**HB 93** (Richardson) and **SB 162** (Rodriguez, J.) would have authorized coastal cities to establish pilot programs to regulate or ban disposable plastic bags. HB 93 and SB 162 died in committee. (O'Hara)

***Domestic Wastewater Collection System Assessment and Maintenance (Supported)***

**SB 1476** (Brandes) would have provided incentives to wastewater utilities to follow industry best practices, improve their infrastructure, and prevent sanitary sewer overflows and unauthorized discharge of pathogens. The bill created a voluntary incentive program for wastewater utilities to apply for and receive certification pursuant to standards created by the Environmental Regulation Commission. Specified incentives included permit extensions, a presumption of compliance with certain water quality standards, and a reduction in certain penalties. SB 1476 died in committee. (O'Hara)

***Public Notice of Pollution (Supported)***

**CS/SB 532** (Galvano) and **HB 1065** (Peters) would have established requirements for the public to be timely notified of certain pollution releases. CS/SB 532 died in House messages. HB 1065 died in committee. The substance of these bills was incorporated into CS/CS/SB 1018 (Grimsley), which passed. (O'Hara)

***Statement of Estimated Regulatory Costs for Agency Rules (Supported)***

**CS/HB 1163** (Spano) and **SB 1640** (Broxson) would have required a state agency to provide a statement of estimated regulatory costs prior to adopting, amending or repealing any rule (except for emergency rules). The bills would have required the Department of State to maintain a website to publish agency statements of estimated regulatory costs. CS/HB 1163 died in Senate messages. SB 1640 died in committee. (O'Hara)

***Domestic Wastewater/Ocean Outfalls (Opposed)***

**SB 1538** (Broxson) would have amended provisions of law that require wastewater utilities in Broward, Miami-Dade and Palm Beach counties that discharge domestic wastewater through ocean outfalls to install a functioning reuse system by December 2025. The bill would have increased the percentage required for such facilities' baseline flow from 60 percent to 80 percent by December 2025, and would have required the baseline flow of such facilities to reach 95 percent by December 2028. SB 1538 died in committee. (O'Hara)

***Exemptions from "Development"/Transmission Line Siting (Opposed)***

**SB 1048** (Lee) and **HB 1055** (Ingram) would have revised the statutory definition of "development" in Chapters 163 and 380, and would have revised statutory provisions applicable to transmission line and power plant siting. Under current law, activities that do not constitute "development" are not required to obtain development order approval. Currently, work or construction by a water or gas utility on established rights-of-way are exempt from the definition of "development." The bills

would have added electric utilities to this exemption, and would have also included within the exemption work by water, gas and electric utilities in established “corridors” and “to be established” corridors and rights of way. In addition, the bills would have required the State Siting Board to consider specified variance standards when imposing conditions for certification of power plants and transmission line corridors. Finally, the bills would have specified the Public Service Commission has exclusive jurisdiction to require underground transmission lines. SB 1048 died in Senate messages. HB 1055 died in committee. (O’Hara)

***Public Counsel Representation in Local Water and Wastewater Proceedings (Opposed)***

**HB 977** (Rommel) and **SB 1146** (Broxson) would have expanded the role of the state’s public counsel with respect to local government water and wastewater utilities. Under current law, the public counsel provides legal representation to the people of Florida in proceedings before the Public Service Commission (PSC). HB 977 and SB 1146 would have authorized the public counsel to represent the “people’s interest” in proceedings before local government water and wastewater utilities. HB 977 and CS/SB 1146 died in committee. (O’Hara)

***Stormwater Management Preemption (Opposed)***

**HB 751** (Clemons, C.) and **SB 1378** (Perry) would have required all local government stormwater plans, programs and ordinances to incorporate Best Management Practices adopted by the Department of Environmental Protection (DEP), as well as any other local stormwater measures adopted by DEP rule. The bills prohibited local governments from adopting or enforcing any local ordinance requiring more stringent water quality standards for stormwater discharges than the standards established in state law. HB 751 and SB 1378 died in committee. (O’Hara)

***Basin Management (Monitored)***

**HB 1245** (Diamond) and **SB 1524** (Stewart) would have required the Department of Agriculture and Consumer Services to compile and provide the Department of Environmental Protection with annual reports of nutrient applications within each basin where a basin management action plan is required to meet total maximum daily loads. HB 1245 and SB 1524 died in committee. (O’Hara)

***Designation of Energy Economic Zones (Monitored)***

**SB 1090** (Clemens) and **HB 887** (Berman) would have revised the “Energy Economic Zone” pilot program to require the Department of Economic Opportunity, with assistance from the Department of Agriculture and Consumer Services, to designate Energy Economic Zones. The purpose of the program is to assist qualifying communities in cultivating green economic development and encouraging renewable energy, energy conservation and energy efficiency strategies. In addition, the bills removed certain requirements for refund and credit thresholds and provide for program funding. SB 1090 and HB 887 died in committee (O’Hara)

***Environmental Regulation Commission (Monitored)***

**CS/CS/SB 198** (Stewart) and **CS/HB 861** (Willhite) would have required the governor to make appointments to the Environmental Regulation Commission (ERC) within 90 days of a vacancy. The bills required a supermajority of five votes (CS/HB 861) or a majority of four votes (CS/CS/SB 198) for any ERC approval or modification of a proposed rule pertaining to air quality standards or water quality standards. CS/CS/SB 198 died in House messages. CS/HB 861 died in committee. (O’Hara)

***Financial Assistance for Water and Wastewater Infrastructure (Monitored)***

**SB 678** (Montford) and **HB 629** (Payne) would have allowed for the disbursement of financial assistance under the Water Pollution Control Financial Assistance Program, the Small Community Sewer Construction Assistance Act and the Drinking Water State Revolving Loan Fund to be based on invoiced costs, and provided that recipients are not required to request advance payment. SB 678 and HB 629 died in committee. (O'Hara)

***Florida Forever Program (Monitored)***

**HB 7119** (Government Accountability Committee) would have substantially amended and reprioritized the distribution of funding under the Florida Forever Act. The bill consolidated Florida Forever funding allocations into three categories: lands identified on the Acquisition and Restoration Council priority list; the Florida Communities Trust (FCT); and the Rural and Family Lands Protection Program (RFLPP). The bill removed specific funding allocations for the following: water management district priority lists; state park additions and inholdings; state forests, Fish and Wildlife Commission managed lands; greenways and trails; and the Florida Recreation Development Assistance Program. It increased the FCT funding allocation from 21 percent to 25 percent and removed certain allocation criteria from FCT. The bill substantially increased the allocation for the RFLPP from just under 4 percent to 40 percent. HB 7119 died in Senate messages. (O'Hara)

***Indian River Lagoon Restoration (Monitored)***

**CS/SB 982** (Mayfield) and **HB 1033** (Altman) would have dedicated annually \$30 million of Amendment 1 money for projects to restore the Indian River Lagoon. The bills provided for the funds to be distributed equally between the South Florida Water Management District and the St. Johns River Water Management District, and authorized funds to be used for land management and acquisition, as well as recreational opportunity and public access improvements connected with the lagoon system. SB 982 and HB 1033 died in committee. (O'Hara)

***Lake Okeechobee (Monitored)***

**SB 816** (Simmons) would have directed the South Florida Water Management District (SFWMD) to take immediate action to declare the State of Florida's right to control discharges of water from Lake Okeechobee and lead rehabilitation of the Herbert Hoover dike on an expedited schedule. The bill proposed that dike rehabilitation accommodate an additional two feet of water storage capacity in the lake, and directed the SFWMD to request the U.S. Army Corps of Engineers to evaluate increasing storage in the Everglades Agricultural Area reservoir previously authorized in the Comprehensive Everglades Restoration Plan. SB 816 died in committee. (O'Hara)

***Land Acquisition Trust Fund (Monitored)***

**CS/CS/SB 234** (Bradley) and **HB 847** (Payne) would have required \$35 million to be appropriated annually from the Land Acquisition Trust Fund for certain projects dedicated to the restoration of the St. Johns River and its tributaries or the Keystone Lake Region. CS/SB 234 died in House messages. HB 847 died in committee. The 2017-2018 state budget provides \$13.3 million for these projects. (O'Hara)

***Public Utilities/Solar Producers (Monitored)***

**SB 456** (Rodriguez, J.) and **HB 1251** (Davis) would have exempted certain entities from the definition of "public utility" when such entity provided or sold renewable solar energy to users located on the site of a renewable energy production facility with a capacity of 2.5 megawatts or less. SB 456 and HB 1251 died in committee. (O'Hara)

***Public Utility Environmental Remediation Costs (Monitored)***

**SB 974** (Rodriguez, J.) would have authorized specified counties or municipalities to request a hearing by the Public Service Commission on remediation for “environmental damage” caused by a public utility. SB 974 died in committee. (O’Hara)

***Reclaimed Water (Monitored)***

**SB 1686** (Simmons) and **HB 1357** (Ponder) would have amended current law regarding state investments in water supplies, reuse of reclaimed water and the state Water Protection and Sustainability Trust Fund. The bills expressed, as a matter of state policy, that projects to increase water supply should be planned on a regional basis. The bills authorized water management districts to adopt rules providing water reuse incentives, including consumptive use permit extensions. The bills provided a new definition of “direct potable reuse,” and directed the Department of Environmental Protection (DEP) to submit a report to the Legislature containing recommendations for regulation of direct potable reuse. The bills authorized DEP to initiate rulemaking to adopt criteria for direct potable reuse. SB 1686 and HB 1357 died in committee. (O’Hara)

***Recovered Materials (Monitored)***

**CS/SB 1288** (Baxley) and **CS/HB 1133** (Toledo) would have revised the statutory definition of “recovered materials” to include “wood, asphalt, concrete, and organics.” The effect of the bill would have removed these materials from regulation as solid waste by the state and by local government. CS/SB 1288 and CS/HB 1133 died in committee. (O’Hara)

***Sustainable Florida – Aquifer Replenishment (Monitored)***

**HB 755** (Albritton) and **CS/SB 1438** (Broxson) would have provided a framework under which the Department of Environmental Protection could recognize and incentivize beneficial advanced water treatment facilities intended to promote the availability of sufficient water. HB 755 and CS/SB 1438 died in committee. (O’Hara)

***Wastewater Treatment Facilities (Monitored)***

**HB 1275** (Newton) would have prohibited a wastewater treatment facility from being decommissioned until a replacement facility is in service. HB 1275 died in committee. (O’Hara)

***Water Management (Monitored)***

**SB 1700** (Farmer) would have amended various provisions of law relating to Outstanding Florida Springs, water quality and the consumptive use of water. The bill required the state to reserve, by rule, sufficient water from use by permittees necessary to restore a minimum flow or level of an Outstanding Florida Spring. In addition, SB 1700 required agricultural producer within specified areas around an Outstanding Florida Spring to implement best management practices necessary to achieve pollution reduction. The bill provided for increased accountability and measurement of agricultural best management practices. The bill also revised criteria for receiving priority funding consideration for water projects, to include consideration of whether a project maximizes water conservation. SB 1700 died in committee. (O’Hara)

***Water Oversight Board (Monitored)***

**HB 413** (Antone) would have authorized the creation of a statewide water oversight board to address all issues relating to water supply, water planning, water management, flood protection and natural systems restoration. HB 413 died in committee. (O’Hara)

## FINANCE, TAXATION AND PERSONNEL

### ***Local Business Tax (Monitored)***

**CS/CS/SB 330** (Steube) and **CS/CS/HB 487** (Renner) would have created new exemptions for veterans, certain spouses of veterans and low-income people from the local business tax. CS/CS/SB 330 also exempted business when an exempt individual owned a controlling interest. CS/CS/HB 487 exempted businesses with fewer than 100 people if an exempt individual owned majority interest in the business. CS/CS/HB 487 also would have allowed certain cities that impose a local business tax on merchants measured by gross receipts from to continue imposing the tax. CS/CS/SB 330 died in committee. CS/CS/HB 487 died in the House awaiting final action. (Hughes)

### ***Local Tax Referenda (Monitored)***

**CS/CS/SB 278** (Steube) and **CS/CS/HB 139** (Ingoglia) would have restricted when a local government could put a ballot question before the voters for a local discretionary sales surtax. CS/CS/HB 139 would have required that the surtax ballot question be voted on at a general election and pass by a simple majority; or if the surtax was revenue-neutral, it could have been held at a special election or conducted by mail ballot with a majority needed for passage. CS/CS/SB 278 would have required the referendum for surtaxes to be held at: 1) a general election with a majority for passage, 2) a primary election with 60 percent for passage, or 3) a primary election if revenue-neutral to the county or special district with a majority for passage. CS/CS/HB 139 also would have defined revenue-neutral. CS/CS/HB 139 passed the full House but was never considered by the Senate. CS/CS/SB 278 died in committee. (Hughes)

### ***Firefighter Cancer Disability Presumption (Opposed – Unfunded Mandate)***

**SB 158** (Latvala), **HB 143** (Fitzenhagen) and **CS/SB 7030** (Senate Governmental Oversight and Accountability Committee) would have established a cancer disability presumption for firefighters. The bills would have provided that any condition or impairment of health of a firefighter caused by multiple myeloma, non-Hodgkin's lymphoma, prostate cancer or testicular cancer was presumed to be suffered in the line of duty, unless the contrary was shown by competent evidence. To be entitled to the presumption, the firefighter would have had to successfully pass a physical examination (except current firefighters); have been employed with his or her current employer for at least five continuous years; not have used tobacco products for at least five years; and not have been employed during the preceding five years in any other position that had been proven to create a higher risk for a covered cancer. The bills would have had a significant fiscal impact on workers' compensation and disability pension expenses. CS/SB died on the Senate calendar and the other bills died in committee. (Conn)

### ***Workers' Compensation (Opposed CS/SB 1582 and Supported CS/HB 7085)***

**CS/SB 1582** (Bradley) and **CS/HB 7085** (House Insurance and Banking Subcommittee) would have made numerous changes to the state's workers' compensation laws, primarily in response to recent court decisions. While the bills were not identical, they would have addressed benefit levels and would have substantially revised the attorney fees provisions under workers' compensation. CS/SB 1582 also would have provided specified cancers suffered by firefighters would be covered under workers' compensation. Both bills died in messages. (Conn)

***Local Government Fiscal Responsibility (Opposed – Mandate)***

**HB 7063** (House Ways and Means Committee) created the Local Government Fiscal Responsibility Act, which would have amended multiple provisions related to local government financial management. Among many other provisions, the bill would have created a new statutory maximum millage rate for local governments. A county, municipality or special district dependent to a county or municipality, municipal service taxing unit or independent special district was prohibited from levying a millage rate above its rolled back rate, unless the government entity did not have “excess unencumbered fund balances” of more than 10 percent in certain government-type funds, except the general fund. This, in effect, prohibited property tax increases, as defined in current law, unless certain excess fund balances are spent down.

The bill would have allowed local governments to use such fund balances for any public purpose, except for funds subject to restrictions imposed by the federal government or revenues that were approved by referendum of the electors in the affected jurisdiction. The bill prohibited a municipality, county or school district from enacting, extending or increasing certain local option taxes if the local government had adopted a millage rate in excess of its rolled back rate with certain specified exceptions in any of the three previous years.

The bill would have required any local option or property tax levy that would have been approved by referendum to be considered only at a general election. Further, the threshold for approval of any local option tax or property tax levy voted on at the general election would be increased from a simple majority to 60 percent voter approval.

The bill would have required voter approval for certain new tax-supported debt that pledges revenues beyond five years, except for refunds or bonds paid solely from revenues from the project. The bill died in committee. (Hughes)

***Taxation of Internet Video Service (Opposed – Mandate)***

**SB 1636** (Artiles) and **HB 1377** (Miller, M.) defined “internet video service” and excluded this type of service from the definition of “communications services” and therefore from the communications services tax. Under the bills, “internet video service” meant a subscription video programming service received by the end user customer by means of a wired or wireless internet connection. Additionally, the bills prohibited a government from levying or collecting any tax, charge, fee or other imposition on the purchase of any internet video service. These bills were not evaluated for a fiscal impact. The bills died in committee. (Hughes)

***Defined Benefit Retirement Plans/Rate of Return (Opposed – Mandate)***

**CS/HB 603** (Fischer) and **SB 632** (Brandes) would have defined “long-range return rate” to mean an actuarial assumed rate of return that is expected to be realized at least 50 percent of the time over the next 30-year period. The bills would have required extensive reporting for any plan that had an actuarial assumed rate of return greater than the long-term return rate. SB 632 would have required plans to be funded under the long-range rate of return. The bills died in committee. (Conn)

***Florida Retirement System/Local Government Participation (Opposed – Preemption)***

**HB 353** (Fischer) and **SB 428** (Brandes) would have provided that employees of a governing body of a municipality, metropolitan planning organization or special district that applied to participate in the Florida Retirement System on or after January 1, 2017, could be enrolled only in the defined contribution program, and could not be enrolled in the defined benefit pension plan. Employees of

a governing body participating, or that had applied to participate, in the Florida Retirement System before January 1, 2017, could continue to enroll in the defined benefit pension plan. The bills died in committee. (Conn)

***Workers' Compensation Benefits for First Responders/Mental or Nervous Injury (Opposed – Unfunded Mandate)***

**SB 1088** (Torres) would have provided that a mental or nervous injury suffered by a law enforcement officer, firefighter, emergency medical technician or paramedic was compensable under the workers' compensation law if the mental or nervous injury was demonstrated by a preponderance of the evidence. SB 1088 died in committee. (Conn)

***Workers' Compensation Benefits for First Responders/Post-Traumatic Stress Disorder (Opposed – Unfunded Mandate)***

**SB 516** (Perry) and **HB 1019** (Miller, M.) would have provided that a mental or nervous injury suffered by a law enforcement officer, firefighter, emergency medical technician or paramedic was compensable under the workers' compensation law if the mental or nervous injury was shown to meet the criteria for post-traumatic stress disorder. The bills died in committee. (Conn)

***Local Government Fiscal Transparency (Opposed – Mandate)***

**CS/HB 7065** (House Ways and Means Committee) would have amended multiple provisions related to local government financial transparency. The bill would have expanded public notice and public hearing requirements for local option tax increases, other than property taxes, and new, broadly defined tax-supported debt issuances. The language required each local government to prominently post on its website, in a manner that is easily accessible to the public, the voting records on any action taken by the governing board of the local government related to tax increases and new tax-supported debt issuance during the most recent four years.

The bill imposed requirements on county property appraisers and local governments relating to TRIM notices, millage rate history and the amount of tax levied by each taxing authority on each parcel.

Additionally, local governments would have been required to utilize debt affordability metrics and budget statements similar to those used by the state government, including requiring local governments to annually prepare a debt affordability report and a debt affordability analysis as well as a debt affordability analysis prior to approving new, long-term tax-supported debt that includes calculating a debt affordability ratio.

Local government reporting requirements for economic development incentives would have been revised and enhanced.

The bill would have required the annual audit reports to include information regarding local government compliance with the requirements of this newly created section of law, and failure to comply could ultimately result in the Legislative Auditing Committee directing the Department of Revenue and the Department of Financial Services to withhold any funds including revenue sharing from the state, not pledged for bond debt service satisfaction until the local government complied with the law. CS/HB 7065 passed the full House and died awaiting action in the Senate. (Hughes)

***Ad Valorem: Reduction of Assessment Due to Natural Disaster (Supported)***

**CS/SB 390** (Hutson) and **HB 279** (Stevenson) would have authorized partial reimbursement of ad valorem taxes that were paid on homestead properties that were rendered uninhabitable from damage inflicted by a hurricane or tornado during 2016. The bills required that the property owner provide documentation that the property was uninhabitable and would have created a misdemeanor of the first degree for a person who knowing and willfully gave false information for the purpose of claiming a reimbursement. The bills included appropriations for the purpose of providing reimbursements. The bills died in committee. (Hughes)

***Qualified Public Deposits (Supported)***

**CS/SB 1170** (Hutson) would have included credit unions as qualified public depositories under the Florida Security for Public Deposits Act. CS/SB 1170 died in committee. (Hughes)

***Special Assessment for Law Enforcement Services (Supported)***

**SB 932** (Thurston) and **HB 715** (Russell) would have authorized municipalities to levy special assessments to fund the cost of providing law enforcement services. The bills would have required municipalities to adopt an ordinance authorizing the levy and an annual resolution apportioning the cost of law enforcement services among the parcels. The bills required a reduction of ad valorem proportionate to the amount raised through the special assessment. The bills allowed a municipality to not reduce its ad valorem if the required annual resolution was approved by two-thirds vote of the governing body of the municipality. The bills died in committee. (Hughes)

***Assessment of Properties Affected by Imported or Domestic Drywall (Monitored)***

**SB 948** (Stewart) and **HB 717** (Slosberg) would have extended the expiration date from 2017 to 2025 for a requirement that property appraisers take into account and accordingly adjust the assessment values of a single-family residential property that was affected by imported or domestic drywall. The bills died in committee. (Hughes)

***Lien Priority and Qualified Public Deposits Act (Opposed – Mandate)***

**HB 1373** (Grant, J.) would have removed the lien priority for non-ad valorem special assessments that are used to fund Property Assessed Clean Energy (PACE) programs. The bill also would have required local governments to include a written disclosure in the financing agreement and allowed the property owner to cancel a financing agreement within three business days. The bill also included credit unions as qualified public depositories (QPD) under the Florida Security for Public Deposits Act. The League supported the QPD provision of the bill. HB 1373 died in committee. (Hughes)

***Public Employment Screening (Opposed – Preemption)***

**SB 244** (Clemens) and **HB 553** (Alexander) would have prohibited a public employer from inquiring into or considering an applicant's criminal history on an initial employment application, unless required to do so by law. A public employer could inquire into or consider an applicant's criminal history only after the applicant's qualifications had been screened and the employer had determined that the applicant met the minimum employment requirements for the position. The bills died in committee. (Conn)

***Florida Retirement System (Monitored)***

**SB 1246** (Brandes) and **CS/SB 7030** (Senate Governmental Oversight and Accountability Committee) would have made numerous changes to the Florida Retirement System. The bills would

have authorized renewed membership in the FRS for retirees under very narrow specified circumstances. The bills would have revised criteria for eligibility of payment of death benefits to the surviving children of a Special Risk Class member killed in the line of duty. The bills would have revised the time frames for employees to choose participation in the pension plan or the investment plan. CS/SB 7030 died on the Senate calendar and SB 1246 died in committee. (Conn)

***Ad Valorem: Agriculture Land Classification and Assessment (Monitored)***

**SB 86** (Steube) would have required land that is jointly used for commercial nonagricultural purposes and bona fide agricultural purposes directly related to apiculture, which is the raising, caring for and breeding of honeybees, to be classified as agricultural for tax purposes, regardless of whether that land is used primarily for commercial nonagricultural purposes. The bill died in committee. (Hughes)

***Ad Valorem: Exemption for Parents of Fallen Veterans (Monitored)***

**SJR 124** (Steube) and **HJR 1263** (Abruzzo) would have proposed an amendment to the state constitution to authorize the Legislature to create an exemption from property taxes on homestead property to the parent or parents of a veteran who died from service-connected causes while on active duty as a member of the U.S. Armed Forces. If approved by 60 percent of voters, the exemption could have been equal to the total or a portion of the ad valorem tax that is owed, depending on how the Legislature implemented the amendment. The bills died in committee. (Hughes)

***Ad Valorem: Reduction of Assessment Due to Natural Disaster (Monitored)***

**SB 272** (Hutson) and **CS/CS/HB 49** (Eagle) would have provided tax relief for the owners of residential properties rendered uninhabitable by a natural disaster. CS/CS/HB 49 defined natural disaster as a declared state of emergency or a sinkhole. SB 272 defined natural disaster as an earthquake, fire, flood, hurricane, sinkhole or tornado. To qualify, the property must have been uninhabitable for 16 days. CS/CS/HB 49 would have created a disaster relief tax credit, and SB 272 would have required the property appraiser to reduce the assessed value of the property. The bills applied retroactively to January 1, 2016. The bills died in committee. (Hughes)

***Ad Valorem: Tax Exemption for Historic Condominiums and Cooperatives (Monitored)***

**SB 778** (Garcia) would have expanded an ad valorem tax exemption for certain historic property to include historic condominiums and cooperatives and provide an exception from the criterion that property under the exemption be regularly open to the public. The bill died in committee. (Hughes)

***Annual Sales Tax Holiday for Veterans (Monitored)***

**SB 768** (Powell), **HB 25** (McGhee) and **CS/HB 263** (Ponder) would have created an annual sales tax holiday for veterans of the U.S. Armed Forces, during which, sales tax would not have been collected from veterans on retail sales of certain items of clothing, footwear, personal computers, books, game tables, televisions, and sports and recreational equipment. The bills died in committee. (Hughes)

***Back-to-School Sales Tax Holiday (Monitored)***

**SB 490** (Perry) would have created a 10-day back-to-school sales tax holiday, from August 4 through August 13, 2017, for certain clothing, wallets, bags, school supplies and personal computers. A similar provision passed in **HB 7109**. SB 490 died in committee. (Hughes)

***Disaster Preparedness Sales Tax Holiday (Monitored)***

**CS/SB 664** (Bean) and **HB 555** (Fischer) would have created a seven-day hurricane preparedness sales tax holiday, from May 30 through June 5, 2017, on certain tangible personal property related to disaster preparedness. A similar provision passed in HB 7109. The bills died in committee. (Hughes)

***Florida Retirement System/Special Risk Class/Public Safety Telecommunicators (Monitored)***

**SB 658** (Rader) and **HB 873** (Russell) would have added 911 public safety telecommunicators to the Special Risk Class of the Florida Retirement System. The bills died in committee. (Conn)

***Government Accountability (Monitored)***

**CS/CS/SB 880** (Stargel) and **CS/CS/CS/HB 479** (Metz) would have required the governor to notify the Legislative Auditing Committee of a local government's failure to comply with certain auditing and financial reporting requirements. The bills would have required local governments to establish and maintain internal controls, and required municipalities to maintain specified budget documents on the government's website for a designated time. The bills would have changed the composition of the audit committee to include at least one member of the governing body and prohibited city employees from serving on the committee. CS/CS/CS/HB 479 also would have added additional requirements to the selection of an external auditor. CS/CS/SB 880 died in committee. CS/CS/CS/HB 479 passed the full House, but died in the Senate awaiting action. (Hughes)

***Homestead Fraud (Monitored)***

**SB 1350** (Young) and **CS/HB 903** (Cortes, B.) would have authorized each property appraiser to contract for services to examine or audit claimed homestead tax exemptions. SB 1350 limited the compensation for that contractor to a portion of back taxes, penalties and interest that are currently authorized by law. CS/HB 903 would have created a Central Florida Homestead Exemption Fraud Detection Pilot Program, which allowed property appraisers for Orange, Osceola and Seminole counties to conduct an audit of homestead tax exemptions to determine the percentage of property owners who were not entitled to the homestead exemption. The bills died in committee. (Hughes)

***Labor Organizations (Monitored)***

**HB 11** (Plakon) and **SB 1292** (Baxley) would have revised the information required to be included in an application for renewal of registration of an employee organization. An employee organization that had been certified as the bargaining agent for a unit whose dues-paying membership was less than 50 percent of the employees eligible for representation in the unit must have followed a specified process to petition for recertification. HB 11 died in Senate messages and SB 1292 died in committee. (Conn)

***Local Financial Emergencies (Monitored)***

**CS/HB 1289** (Raulerson) and **CS/SB 1402** (Latvala) would have added the Senate, House of Representatives and Joint Legislative Auditing Committee (JLAC) to the entities having oversight over local governments for the purpose of financial emergencies. In addition to the current notification requirements, local governments would have been required to notify the president of the Senate and the speaker of the House of Representatives if one of the conditions of a financial emergency had or was expected to occur if the local government did not take action.

Given the financial emergency board access to all records and data it deemed necessary to complete its duties and give the board broad authority to hire legal counsel, obtain external assistance, and request assistance from any federal, state or local agency or entity; and given the board the power to issue and serve subpoenas to compel the attendance of witnesses and production of documents, reports, answers, records, accounts and data.

If a local government failed to remedy or take action on a recommendation made in any report within 60 days, any member of the governing body who failed to vote affirmatively to remedy or take action on the recommendations commits malfeasance and misfeasance in the office and would have been subject to suspension from office by the governor. The bills died in committee. (Hughes)

***Prejudgment Interest (Monitored)***

**CS/CS/SB 334** (Steube) and **HB 469** (Harrison) would have required a court to include interest in a final judgment in a negligence action from which a plaintiff recovered economic damages, and required interest on costs in the final judgment, if recovered. CS/CS/SB 334 died on the Senate calendar and HB 469 died in committee. (Conn)

***Property Tax Exemption: Parents of Veterans (Monitored)***

**HB 1265** (Abruzzo) would have implemented **HJR 1263**, if approved by voters. The bill would have entitled a parent or parents of an unmarried veteran who died from combat-related causes while on active duty as member of U.S. Armed Forces to receive ad valorem tax relief on homestead property. The bill died in committee. (Hughes)

***Property Taxes (Monitored)***

**CS/CS/HB 289** (Donalds) and **CS/CS/SB 226** (Artiles) would have made multiple changes to the value adjustment board process and property appraiser duties as they relate to the administration of property taxes. CS/CS/HB 289 died in the House awaiting final action. CS/CS/SB 226 died in committee. (Hughes)

***Sales Tax on Commercial Leases (Supported)***

**CS/SB 378** (Flores) would have reduced the sales tax rate on commercial leases rates by 1.0 percent, reducing the rate from 6.0 percent to 5.0 percent. The bill included a “hold-harmless” provision that protected local governments by modifying the revenue sharing distribution formulas to offset the negative recurring impact caused by the reduction in revenues shared with local government. The bill also would have repealed a tax credit that insurance companies use to reduce their insurance premium tax liability. The bill died in committee. (Hughes)

***Sales Tax on Commercial Leases (Opposed)***

**HB 223** (Ahern) and **HB 838** (Perry) would have exempted a portion of the rent or license fee that is subject to sales tax on commercial real property. Beginning January 1, 2018, the exemption amount would have been \$10,000 and would have increased annually until the sales tax on commercial leases was repealed on January 1, 2027. The bills died in committee. (Hughes)

***Sales Tax on Commercial Leases (Monitored)***

**SB 704** (Garcia) and **HB 463** (Raschein) would have exempted separately itemized ad valorem tax charges paid by certain tenants and licensees from the sales tax on commercial leases. The bills died in committee. (Hughes)

### ***Taxation of Multiple Parcel Buildings (Monitored)***

**SB 1616** (Rodriguez, J.) would have prohibited separate ad valorem taxes or non-ad valorem assessments against land upon which a multiple parcel building is located. A multiple parcel building did not include a condominium, timeshare or cooperative. The bill died in committee. (Hughes)

## **GROWTH MANAGEMENT AND ECONOMIC AFFAIRS**

### ***Community Redevelopment Agencies (Opposed)***

**CS/SB 1770** (Lee) and **CS/CS/CS/HB 13** (Raburn) would have increased audit, ethics, reporting and accountability measures for community redevelopment agencies (CRAs). The bills would have required CRAs to annually submit additional reporting information to the state, including the number of CRA projects (the term “projects” was not defined) and the amount of money spent on affordable housing within the CRA. The bills would have required CRA procurement to comport with city and county procurement procedures. Of specific concern to cities, the bills outlined a process by which CRAs could be phased out and restricted the use of tax increment financing (TIF) funds to only those purposes specified in statute. This restriction would have eliminated the ability of the CRA to fund what could be considered traditional CRA projects such as infrastructure, streetscapes, sidewalks, building improvements, parks, security and the like. The House and Senate bills differed on some key provisions. CS/SB 1770 would have required a supermajority vote of the governing body that created the CRA to maintain any existing CRAs past 2037. CS/SB 1770 would have allowed for the creation of a new CRA, but only with a supermajority vote of the city or county creating it. CS/CS/CS/HB 13 would have prohibited the creation of a new CRA unless authorized by a special act of the Legislature. CS/SB 1770 failed to pass the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development by a 2-5 vote. CS/CS/CS/HB 13 was amended on the House floor to address concerns regarding the limitation on the use of TIF funds. Under the final version of CS/CS/CS/HB 13, CRAs would have been able to continue expending TIF funds on traditional CRA projects. CS/CS/CS/HB 13 passed the House on a 78-37 vote. The bill died awaiting action by the Senate. (Cruz)

### ***Local Regulation Preemption (Opposed)***

**CS/HB 17** (Fine) and **SB 1158** (Passidomo) would have expressly preempted the regulation of businesses to the state. The House bill and the Senate bill differed in how the preemptions were going to be imposed. CS/HB 17 provided that after July 1, 2017, a local government could not adopt or impose a new requirement (including any regulation, license, permit or fee) on a “business, profession or occupation” unless the requirement “expressly authorized by general law.” Additionally, CS/HB 17 specified that any existing requirement on a business, profession or occupation adopted without “general law authority” would have been grandfathered until January 1, 2020, at which time they would have been automatically repealed. Therefore, eventually no regulation could have been imposed on a business, profession or occupation unless expressly authorized by the Florida Legislature and all existing ordinances enacted under Home Rule would have been null and void. SB 1158 expressly preempted the regulation of commerce, trade and labor unless expressly authorized by special or general law. Under SB 1158, local governments would have been expressly prohibited from banning the sale of a good or service; imposing a penalty on the sale of a good or service; setting a wage rate that differs from state or federal law; or adopting a rule, ordinance or regulation that adversely impacts or interferes with the regulation of commerce, trade and labor outside of local government boundaries. Examples included activities that adversely impacted economic growth; private sector job creation or employment; private sector investment; business competitiveness, including impeding the ability of persons doing business in the

municipality or state to compete with persons doing business in other areas of the state or in other domestic markets; productivity; or innovation within the municipality or outside its territorial boundaries. Additionally, SB 1158 would have created a process by which one local government could nullify another local government's regulation if it violated the requirements of the bill. CS/HB 17 and SB 1158 died in committee. (Cruz)

### ***Covenants and Restrictions of Property Owners (Monitored)***

**CS/SB 1046** (Passidomo) and **CS/CS/CS/HB 735** (Edwards) were comprehensive bills dealing with covenants and restrictions of property owners. Of note to local governments, the legislation specified situations in which a county or municipality could use its police powers to amend, release or terminate certain development permit documents. Additionally, the bills would have prohibited local governments from delegating these police powers to third parties in connection with the approval or issuance of a development permit. CS/CS/CS/HB 735 was extensively amended to include language that would have prohibited local governments from adopting or enforcing any ordinance seeking to establish common law customary use of property. This provision was in response to a county regulation that may allow public beach access through private property in certain circumstances. CS/SB 1046 died in committee. CS/CS/CS/HB 735 passed the House and died in the Senate. (Cruz)

### ***Growth Management (Opposed – Unfunded Mandate)***

**SB 940** (Perry) and **HB 1309** (Payne) would have mandated the adoption of new comprehensive plans that included a private property rights element that set forth principles, guidelines, standards and strategies to achieve certain private property rights objectives. Additionally, the legislation would have required the Department of Economic Opportunity to approve the private property rights element adopted by each local government to ensure it is in a specified form. SB 940 and HB 1309 died in committee. (Cruz)

### ***Economic Programs (Opposed)***

**CS/CS/HB 7005** (Careers and Competition Subcommittee) would have eliminated Enterprise Florida, the public-private partnership that is Florida's primary economic development recruitment mechanism. As originally filed, the bill would have also eliminated Visit Florida, the agency in charge of marketing the state to tourists. As amended, the bill would have solely dealt with Enterprise Florida. Visit Florida became the subject of standalone bill, **HB 9** (Renner). Of interest to local governments, CS/CS/HB 7005 eliminated the following incentives: The Office of Film and Entertainment and the Entertainment Industry Incentive and Tax Exemption Programs; the Urban High-Crime Area Job Tax Credit Program; the Qualified Target Industry Tax Refund Program; the Brownfield Redevelopment Bonus Tax Refund Program; the Quick Action Closing Fund Program; and the Professional Sports Franchises, Spring Training Franchises and Sports Development Programs. CS/CS/HB 7005 passed the full House and died awaiting action by the Senate. (Cruz)

### ***Annexation Procedures for Municipalities (Supported)***

**CS/SB 1488** (Clemens) and **HB 1087** (Silvers) would have facilitated municipal efforts to annex properties by not requiring the vote of electors who may be registered to vote from a certain address but do not live at, nor own the property in question. This is an issue that cities may encounter when trying to annex a property like a post office, which may have individuals registered to vote from that address but who do not own nor live at the property in question. CS/SB 1488 and HB 1087 died in committee. (Cruz)

***Public Meetings (Supported)***

**SB 914** (Baxley) and **HB 919** (Roth) would have amended the Sunshine Law and codify case law by specifying conditions under which members of any board or commission, including municipal officials, could participate in certain fact-finding exercises or excursions without violating the state's open meetings law. The bills would have redefined a meeting as any discussion of public business between two or more members of the same board or commission. Current law defines a meeting as any discussion between two members of the same board. SB 914 unanimously passed the full Senate. HB 919 died in committee. (Cruz)

***Public Meetings (Supported)***

**SB 1004** (Baxley) and **CS/HB 843** (Donalds) would have exempted meetings between two members of any board or commission of at least five members to be exempt from certain public meetings and public records requirements. Individual members of any board or commission would have been authorized to gather information and discuss topics, ideas and issues in private, one-on-one meetings to facilitate a more thorough vetting of policies. SB 1004 died in committee. CS/HB 843 died on the House floor when it failed to garner the necessary 2/3 vote to pass. (Cruz)

***Florida Film Investment Corporation (Supported)***

**CS/SB 1576** (Gibson) and **HB 1345** (Silvers) would have created the Florida Film Investment Corporation. The bills would have authorized the corporation to make investments in scripted productions in the state, subject to certain conditions. The legislation would have required the board of the corporation to adopt criteria that gave preference to certain productions. CS/SB 1576 and HB 1345 died in committee. (Cruz)

***Regional Rural Development Grants (Supported)***

**SB 936** (Montford) and **HB 1415** (Ponder) would have changed the Regional Rural Development Grants Program by removing local match requirements, and increasing the funds that can expended by the program to \$1 million. The bills would have provided that grants used for technical assistance could have been used to provide technical assistance to local governments and local economic development organizations. SB 936 and HB 1415 died in committee. (Cruz)

***Rural Economic Development Initiative (Supported)***

**CS/SB 600** (Grimsley) and **CS/HB 333** (Clemons) would have required analysis of the Rural Economic Development Initiative (REDI) and rural areas of opportunity programs every three years to determine the programs' effectiveness. The bills would have revised legislative intent and redefined the term "rural area of opportunity" to include areas that face competitive disadvantages, such as low labor force participation, low educational attainment levels and high unemployment. The bills would have revised the duties, responsibilities and membership of REDI, and imposed new reporting requirements. CS/SB 600 and CS/HB 333 died in committee. (Cruz)

***Small Business Financial Assistance (Supported)***

**CS/SB 152** (Garcia) and **HB 197** (Baez) would have created the Veterans Employment Small Business Grant Program within the Department of Veterans' Affairs. The bills would have authorized the Department of Veterans' Affairs to administer grants to small businesses that hire and employ honorably discharged veterans or disabled veterans with service-connected disabilities. CS/SB 152 and HB 197 died in committee. (Cruz)

***Florida Tourism Industry Marketing Corporation (Opposed)***

**HB 9** (Renner) would have modified current law to provide greater accountability and oversight for Visit Florida. The bill would have made Visit Florida a direct-support organization of the Department of Economic Opportunity (DEO) and allowed Visit Florida to enter into an agreement with DEO to continue any existing program, activity, duty or function necessary for its operation. HB 9 did not set any funding for Visit Florida. HB 9 passed the full House and died in the Senate. (Cruz)

***Sovereign Immunity (Opposed – Unfunded Mandate)***

**HB 1305** (Jenne) would have substantially amended the waiver of sovereign immunity for government entities, including cities. Under current law, the state has waived sovereign immunity in tort actions up to \$200,000 for individual actions and up to \$300,000 for all actions arising out of the same incidence or occurrence. The bill would have increased the waiver of sovereign immunity for municipalities and other political subdivisions only up to \$1 million for individual actions or up to \$1.5 million for all actions arising out of the same incidence or occurrence. However, the bill would have retained the current \$200,000 and \$300,000 waiver amounts for the state and state agencies, thereby treating state agencies in a different manner than other political subdivisions of the state. The bill also would have established a process for political subdivisions to purchase insurance to pay for claims or judgments against it, and would have included language to prevent a claim bill in excess of this amount. HB 1305 died in committee. (Cruz)

***Sports Franchise Facilities (Opposed – Preemption)***

**SB 122** (Steube) and **CS/HB 77** (Avila) would have prohibited professional sports franchises from constructing, reconstructing, renovating or improving stadiums on public land leased from the state or other political subdivisions, including municipalities. The bills also would have required that the sale of public land by the state or a political subdivision to a professional sports franchise must be at fair market value. SB 122 died in committee. CS/HB passed the full House and died in the Senate. (Cruz)

***Economic Development (Monitored)***

**SB 1110** (Brandes) would have proposed reforms to Florida's economic development programs. The legislation would have adopted several oversight provisions for Enterprise Florida, Inc. and the Department of Economic Opportunity. New programs focusing on the growth of small businesses and fostering a start-up environment in the state would have also been created by this legislation. SB 1110 died in committee. (Cruz)

***Disclosure of Contract Information (Monitored)***

**SB 1502** (Rouson) would have required that certain performance standards be included in any contract between individuals or corporations and any government entity (including local governments) that receives public funds from the state or from a tourist impact tax. SB 1502 died in committee. (Cruz)

***Economic Incentive Programs (Monitored)***

**SB 216** (Rodriguez) would have required the Department of Economic Opportunity to contract with an independent third party to verify compliance with economic development incentive requirements. SB 216 died in committee. (Cruz)

***Ethics (Monitored)***

**SB 306** (Clemens) would have curtailed the practice of public officers voting on bills that benefit them or their businesses. The bill would have prohibited a public officer from voting on a matter that would inure to any gain or loss, rather than a special private gain or loss, of the officer. SB 306 died in committee. (Cruz)

***Florida Sports Foundation (Monitored)***

**CS/SB 1306** (Montford) and **HB 1433** (Leek) would have required the Department of Economic Opportunity to contract with a direct-support organization to promote the sports industry and the participation of residents in certain athletic competitions in this state. CS/SB 1306 and HB 1433 died in committee. (Cruz)

***Neighborhood Improvement Districts (Monitored)***

**SB 1496** (Thurston) and **HB 943** (Russell) would have provided conditions under which a neighborhood improvement district may borrow money, contract loans and issue bonds. SB 1496 and HB 943 died in committee. (Cruz)

***Public Meetings (Monitored)***

**SB 1514 (Rader)** specified that a board or commission of any entity created by general or special law would have been subject to public meetings requirements and provided that a member of the public had the right to speak at a public meeting of a board or commission. SB 1514 died in committee. (Cruz)

***Sports Development (Monitored)***

**SB 236** (Lee) and **HB 6023** (Avila) would have repealed the Sports Development Program created in 2014, which thus far had not been funded by the Legislature. The bills also would have repealed program funding and reporting requirements. Additionally, the bills would have repealed language authorizing the use of local government half-cent sales tax revenue for stadium improvements. SB 236 and HB 6023 died in committee. (Cruz)

***Subdivided Lands (Monitored)***

**SB 1696** (Steube) and **HB 1241** (Eagle) would have created a Legacy Community program to address antiquated subdivisions and the challenges faced by lands subdivided prior to July 1, 1985. The bills would have defined a Legacy Community as those communities having antiquated development patterns that can create significant conflicts with current planning, infrastructure development, financing and environmental protection laws. Legacy Communities would have received priority for grants or financial assistance from state agencies and public or private entities that administer a dedicated grant program or trust fund and receive legislative appropriations. The legislation would have required a portion of specified grant funds or financial assistance to be awarded to entities that had submitted applications under this program. SB 1696 and HB 1241 died in committee. (Cruz)

***State Economic Enhancement and Development Trust Fund (Monitored)***

**SB 1112** (Brandes) would have required the Department of Economic Opportunity (DEO) to retain funds appropriated for specified programs until performance requirements for incentives were submitted and verified. DEO would have been required to return certain unexpended funds to the State Treasury. SB 1112 died in committee. (Cruz)

***Votes Required to Amend the Florida Constitution (Monitored)***

**SB 866** (Baxley) and **HB 321** (Roth) would have increased the percentage of elector votes required to approve amendment or revision to state constitution from 60 percent to 66.66 percent. SB 866 and HB 321 died in committee. (Cruz)

**TRANSPORTATION AND INTERGOVERNMENTAL RELATIONS**

***Traffic Infraction Detectors (Opposed – Preemption)***

**SB 178** (Artiles), **SB 630** (Campbell) and **HB 6007** (Avila) would have repealed existing law and preempted local government authority relating to the installation and use of traffic infraction detectors to enforce red light infractions. SB 178 died in committee. HB 6007 died in Senate messages. SB 630 died in committee. (Sirjane-Samples)

***Autonomous Vehicles (Monitored)***

**SB 1066** (Brandes) and **CS/HB 725** (Brodeur) would have authorized a person to engage autonomous technology to operate an autonomous vehicle in autonomous mode providing that the autonomous technology was deemed to be the operator of the autonomous vehicle. The bills died in committee. (Sirjane-Samples)

***Personal Delivery Devices (Supported)***

**SB 460** (Brandes) and **CS/HB 601** (Williamson) would have authorized a county or municipality to regulate the operation of personal delivery devices and would have not restricted a county or municipality from adopting regulations for the safe operation of personal delivery devices, primarily on sidewalks and crosswalks. A personal delivery device operator would have been required to maintain an insurance policy that provided general liability coverage of at least \$100,000 for damages arising from the operation of a personal delivery device. SB 460 died in committee. CS/HB 601 passed the House, but died in Senate messages. The language was ultimately included in CS/HB 1027 (Yarborough) relating to drones (See page 9). (Sirjane-Samples)

***Housing Assistance (Supported)***

**HB 133** (Cortes) and **SB 1656** (Torres) would have increased the percentage from 25 to 50 percent of local housing distribution funds to be made available through the State Housing Initiatives Partnership Program to be used to provide rental housing. The bills died in committee. (Sirjane-Samples)

***State Housing Tax Credit Program (Supported)***

**HB 91** (Cortes) and **SB 1658** (Torres) would have required that a minimum of \$500,000 be appropriated to State Housing Tax Credit Program each fiscal year. The bills died in committee. (Sirjane-Samples)

***Task Force on Affordable Housing (Supported)***

**CS/SB 854** (Brandes) would have created an affordable housing task force assigned to the Florida Housing Finance Corporation. The bill would have created a 10-member board made up of the executive director of the Department of Economic Opportunity (or a designee), two members appointed by the governor, two members appointed by the Senate president, two members appointed by the House speaker, the executive director of the Florida Association of Counties (or a designee), the executive director of the Florida League of Cities (or a designee) and the executive director of the Florida Housing Finance Corporation, who would have served as the board

chairman. While the bill died in committee, a 14-member housing task force was created in SB 2500, the appropriations bill. See discussion of SB 2500 on Page 10. (Sirjane-Samples)

***Veteran Identification (Supported)***

**CS/SB 444** (Baxley) and **CS/CS/HB 179** (Combee) would have directed the Department of Highway Safety and Motor Vehicles to create a veteran identification card to be used as proof of veteran status for obtaining discounts. CS/SB 444 died in committee. CS/CS/HB 179 passed the full House, but died awaiting action by the Senate. (Sirjane-Samples)

***Florida Building Commission (Opposed – Preemption)***

**CS/SB 7000** (Senate Community Affairs Committee) and **CS/HB 901** (McClain) would have required the Florida Building Commission to use the most recently published edition of the Florida Building Code as the foundation code. The bills would have required the commission to review, rather than update, the Florida Building Code every three years. In addition, the bills would have deleted a provision that specified the length of time amendments or modifications to the foundation code remained effective. The bills died in committee. (Sirjane-Samples)

***Department of Highway Safety and Motor Vehicles (Monitored)***

**CS/CS/SB 784** (Gainer) and **CS/CS/CS/HB 545** (Payne) were comprehensive bills relating to the Department of Highway Safety and Motor Vehicles. The bills would have updated various commercial motor vehicle (CMV) regulations to address compatibility concerns with federal law. In addition, the bills would have added texting and using a handheld mobile device while driving a CMV as disqualifying offenses for purposes of a commercial driver license. HB 545 passed the House, but died awaiting action by the Senate. (Sirjane-Samples)

***Federal-aid Highway Program (Monitored)***

**HB 7025** (Government Accountability Committee) was a memorial that would have urged Congress to empower states to promote innovative, cost-effective solutions to address transportation problems. It would have urged Congress to establish block grant funding for surface transportation systems that would have provided states with maximum discretionary authority and responsibility for the construction, operation and maintenance of transportation systems. HB 7025 was adopted by the House, but died awaiting Senate action. (Sirjane-Samples)

***Highway Safety (Monitored)***

**SB 408** (Passidomo) defined “bicycle lane,” “bodily injury” and “vulnerable user of a public roadway or vulnerable user.” The bill would have required that a vehicle pass at a specified safe distance of any bicyclist, pedestrian or other vulnerable user. SB 408 required a law enforcement officer to note on specified traffic citations if the violation contributed to the bodily injury of a vulnerable user, would have permitted the hearing official to impose a fine of no more than \$2,500 and would have required the recipient of such citations that resulted in bodily injury to a vulnerable user to appear before a judge for a hearing. SB 408 died in committee. (Sirjane-Samples)

***Housing Discrimination (Monitored)***

**SB 268** (Rouson) would have removed housing discrimination as a cause of action for certain relief and damages stemming from violations of the Florida Civil Rights Act of 1992. SB 268 would have revised the conditions under which an aggrieved person might commence a civil action in any appropriate court against a specified respondent to enforce specified rights, and provided that the

aggrieved person would have needed to take specified actions before bringing a civil action. The bill died in committee.

**SB 742** (Latvala) and **HB 659** (Raschein) would have prohibited housing discrimination based on sexual orientation and gender identity. The bills died in committee. (Sirjane-Samples)

***Motorcycle Safety (Monitored)***

**HB 6009** (Hahnfeldt) would have removed provisions authorizing certain persons over 21 years of age to operate/ride a motorcycle without wearing protective headgear. A violation would have resulted in a noncriminal traffic infraction, punishable as a nonmoving violation. HB 6009 died in committee. (Sirjane-Samples)

***Prohibiting Discrimination (Monitored)***

**SB 666** (Clemens) and **HB 623** (Diamond and Plasencia) would have provided that sexual orientation and gender identity be impermissible grounds for discrimination in public lodging establishments and public food service establishments. The bills died in committee. (Sirjane-Samples)

***Skateboard and Scooter Regulations (Monitored)***

**HB 147** (Stark) and **SB 266** (Book) would have created "Max's Helmet Law," and would have required children under 16 years of age to wear a helmet while riding a skateboard, scooter or other similar foot-propelled wheeled vehicle. The bills would have authorized the issuance of a citation by a law enforcement officer to the child and the assessment of a \$15 fine. In addition, the bills would have prohibited a person from knowingly renting or leasing a skateboard, scooter or other similar foot-propelled wheeled vehicle to be ridden by a child unless the specified helmet requirements were met. The bills died in committee. (Sirjane-Samples)

***Tampa Bay Area Regional Transportation Authority (Monitored)***

**HB 495** (Toledo) would have increased the size of the Tampa Bay Area Regional Transportation Authority's Citizen's Advisory Committee from not exceeding 16 members to not exceeding 22 members to allow for representation from each of the six metropolitan planning organizations within the Tampa Bay region. The bill died in committee. (Sirjane-Samples)

***Texting While Driving (Monitored)***

**CS/SB 144** (Garcia) and **HB 69** (Slosberg) would have provided for primary enforcement of the Florida Ban on Texting While Driving Law for drivers age 18 or younger. In addition, the bills would have required all proceeds from the fines be deposited into the Emergency Medical Services Trust Fund. The bills died in committee.

**HB 47** (Stark) would have doubled the fine for individuals found guilty of texting while driving in a legally posted school zone or designated school crossing. Subsequent violation within five years after the date of a prior conviction would have resulted in the fine being doubled. In addition, the bill would have removed the requirement that the violations only be enforced as secondary action by law enforcement agency. HB 47 died in committee. (Sirjane-Samples)

***Traffic Infraction Detectors (Opposed – Unfunded Mandate)***

**SB 180** (Rodriguez) would have decreased the penalty to be assessed and collected by a governmental entity when a traffic infraction detector was used to enforce red light infractions from \$158 to \$50. The bill died in committee. (Sirjane-Samples)

***Use or Operation of a Drone by Certain Offenders (Monitored)***

**HB 939** (Metz) and **SB 1122** (Hukill) would have prohibited the use or operation of drones by a sexual predator for the purpose of viewing or recording an image of a minor who was on or at the minor’s domicile or on or at a business, school, child care facility, park, playground or other place where children regularly congregate. HB 939 passed the House, but died awaiting action by the Senate. SB 1122 died in committee. (Sirjane-Samples)

***Vulnerable Road Users (Monitored)***

**SB 432** (Baxley) and **HB 541** (Stone) would have imposed fines and criminal penalties for individuals who committed moving violations that caused serious bodily injury to or death of a “vulnerable road user.” Individuals who committed a moving violation that caused the death of a vulnerable road user would have had to pay fines of no less than \$5,000, served a minimum of 180 days of house arrest, attended an advanced driver improvement course in lieu of a department-approved driver improvement course, and had their driver’s license revoked for at least one year. The bills died in committee. (Sirjane-Samples)

**URBAN ADMINISTRATION**

***Vacation Rentals (Opposed – Preemption)***

**CS/HB 425** (La Rosa) would have amended current law to prohibit local governments from adopting ordinances specific to vacation rentals. Similar preemption language was found in CS/CS/CS/SB 188 (Steube), but was removed and, instead, would have allowed “grandfathered” cities to amend their ordinances if they were amended to be less restrictive or to reduce regulatory burdens for certain active duty service members or disabled veterans. Local government ordinances adopted since 2014 remain in effect. CS/HB 425 passed the full House, awaiting final action by the Senate. CS/CS/CS/SB 188 was laid on the table. (Cook)

***Municipal Elections (Opposed – Preemption Bill)***

**SB 990** (Passidomo) would have preempted a city’s ability to determine its own election dates unless certain conditions were met. The bill would have required that municipal elections be held on the same date as the general election, if in an even-numbered year, or on the first Tuesday after the first Monday in an odd-numbered year, unless all of the cities in a county agree on an alternate date. The bill also had provisions clarifying when primary elections would take place if a city used a runoff format for its elections. The bill would have granted each county supervisor of elections the authority to determine the date for municipal elections. The bill clarified that any language concerning elections found in a city’s charter or ordinances would be superseded by this new law. The bill would have extended the terms of incumbent elected city officials until the next municipal election. Cities conducting elections without assistance from the supervisor of elections would have been exempted from the requirements of the bill. The bill died in committee. (Cook)

**HB 7103** (House Government Accountability Committee and Caldwell) would have preempted to the state the authority to establish the dates of elections of municipal officers. Among other things,

the bill provided the terms of incumbent elected municipal officers affected by the change in election dates would have been extended to the next municipal election.

The bill would have required all municipal elections to be held in one of four timeframes:

- General election in November on even years
- First Tuesday after the first Monday in November of odd-numbered years
- Third Tuesday in March of even-numbered years
- Third Tuesday in March of odd-numbered years

HB 7103 died in committee.

**CS/CS/HB 1325** (Renner), also an elections bill, included the municipal election preemption language found in HB 7103. The Senate companion, **SB 1160** (Bradley), did not contain the preemption language. CS/CS/HB 1325 passed the House and died in the Senate awaiting action. SB 1160 died awaiting final action by the Senate. (Cook)

#### ***Procurement of Professional Services (Supported)***

**HB 789** (Stone) would have amended the Consultants Competitive Negotiation Act (CCNA) to allow cities to consider bid amounts for architects, engineers and other designated professionals after selecting finalists for the project, and would have made other revisions to the CCNA process. HB 789 died in committee. (Cook)

#### ***Public Notices by Local Government Entities (Supported)***

**HB 897** (Stark) and **SB 1444** (Stewart) would have allowed a city to publish legal notices or advertisements on its website in lieu of purchasing ad space in a newspaper. These bills would have allowed for cities to decide the most appropriate manner for notifying the public of legal notices. HB 897 died in committee. SB 1444 was withdrawn from further consideration. (Cook)

#### ***Medical Marijuana (Monitored)***

**CS/CS/SB 406** (Bradley) provided a framework for the implementation of Amendment 2 that included local government authority to regulate land use activity with regard to medical marijuana dispensaries. The bill would have preempted the regulation of cultivation and processing activities to the state and renamed “dispensing organizations” as Medical Marijuana Treatment Centers (MMTC). Cities would have been able to determine by ordinance the criteria for the number and location of dispensing facilities, as well as other permitting requirements that did not conflict with state law or department rule. Additionally, the bill maintained the current practice of vertical integration, while directing the Department of Health to register additional MMTCs as the number of active qualifying patients in the compassionate use registry grew. The bill died awaiting final action by the Senate.

**CS/CS/HB 1397** (Rodrigues) was the House proposal to implement Amendment 2. The bill continued with vertical integration, but would have allowed for 10 new (medical marijuana treatment centers) MMTC licenses by July 1, 2018. The bill also would have added four new licenses after 100,000 patients were enrolled in the compassionate use registry. The bill would have prohibited smoking marijuana, but allowed for vaping, edibles and liquids or tinctures. The bill would have authorized cities to determine by ordinance the criteria for the number and location of dispensaries and other permitting requirements, providing that the ordinances did not conflict with state law or

department rule. Cities would not have been able to adopt ordinances determining the location of dispensaries that were less restrictive than their ordinance determining the location of entities licensed to sell alcoholic beverages. The bill would have allowed cities to charge a license or permit fee equal to or less than the fee charged to pharmacies. The bill passed the House floor, but died awaiting final Senate action. (Cook)

**SB 614** (Brandes) would have done away with vertical integration and instead allow for businesses to obtain separate licenses for different aspects of the industry. SB 614 would have also preempted local government regulation regarding cultivation and processing activities, although the bill would have put in place distance requirements from schools, child-care facilities and substance abuse treatment facilities. The bill also would have limited the number of dispensaries in a county to one per 25,000 residents. The bill would have allowed cities to levy a local business tax on dispensaries, while also allowing a city to prohibit dispensaries within its boundaries. The bill died in committee.

**SB 1666** (Braynon) would have continued the vertically integrated approach, but required that 10 new licenses be granted before October 3, 2017. Four new licenses would have been granted for every additional 25,000 active qualified patients in the compassionate use registry after January 1, 2018. Additionally, the bill specified that the Department of Health could not register more than one Medical Marijuana Treatment Facility for every 10 pharmacies licensed in the state. The bill kept in place current statutory language authorizing cities, by ordinance, to develop the criteria for the number and location of dispensaries. The bill also included new language that would have authorized cities to impose restrictions on the location of Medical Marijuana Treatment Centers, as long as the ordinance does not interfere with the availability of marijuana to qualifying patients. The bill died in committee.

**SB 1758** (Grimsley) would have continued the vertically integrated approach used currently. Only the seven current licensees could have provided medical marijuana until the patient registry reached 250,000, at which point three additional licenses would have been available. At each 250,000 increment thereafter, three additional licenses would have been available. SB 1758 would have prohibited a city from banning dispensaries within its boundaries or enacting zoning or other ordinances that would have the effect of banning dispensaries. SB 1758 died in committee. (Cook)

***Concealed Weapons and Firearms/Government and Other Facilities (Opposed – Preemption)***

**SB 908** (Baxley) and **HB 803** (Hahnfeldt) would have authorized persons holding licenses to carry concealed weapons or firearms in: secure and restricted areas of seaports; any police, sheriff or highway patrol station; any detention facility, prison or jail; any polling place; any meeting of the governing body of a county, public school district, municipality or special district; any elementary or secondary school facility or administration building; meetings of the state Legislature; as well as a number of other areas. The bills died in committee. (Conn)

***Concealed Weapons and Firearms/Government Facilities (Opposed – Preemption)***

**SB 626** (Steube) would have authorized a concealed weapons or firearms licensee to carry a concealed weapon or firearm into any meeting of the governing body of a county, public school district, municipality or special district. The bill died in committee. (Conn)

***Concealed Weapons and Firearms/Open Carry/Government Facilities (Opposed – Preemption)***

**SB 140** (Steube) would have allowed a person with a concealed weapon or firearm permit to openly carry a handgun. The bill also would have allowed a person with a concealed weapon or firearm permit to carry the weapon into any meeting of the governing body of a municipality, county, school district or special district; any meeting of the Legislature or a committee thereof; any elementary or secondary school facility or administration building; any career center; any college or university facility; or the passenger terminal of any airport. The bill died in committee. (Conn)

***Ethics/Employment Activities (Monitored)***

**CS/HB 7083** (House Public Integrity and Ethics Committee) would have prohibited any public officer or employee from soliciting any employment or contractual relationship prohibited under the state Code of Ethics. The bill would have clarified that the current lobbyist registration process for the executive branch did not require an officer or employee of a political subdivision, including a municipality, to register if the officer or employee was acting in the normal course of his or her official duties. The bill also would have restricted using an elected official's image or other symbol of office in public service announcements in specified timeframes before elections. The bill died awaiting action by the Senate. (Conn)

***Ethics/Local Government (Monitored)***

**CS/HB 7021** (House Public Integrity and Ethics Committee) would have required elected municipal mayors and governing board officers of municipalities with \$10 million or more in revenues as defined in the bill over a three-year period to file the full public disclosure of financial interests (Form 6) rather than the current requirement to file the lesser detailed financial disclosure (Form 1). The bill would have modified the current law restriction on conflicting employment or contractual relationships by providing that if a public officer or employee of an agency held a material interest in a business entity other than a publicly traded entity, or was an officer, a director or a member who managed such entity, the contractual relationships held by the business entity was deemed to be held by the public officer or employee. The bill would have prohibited a municipal, county or other local public officer from "participating" in a measure inuring to the officer's benefit. The bill also would have established a statewide registration and reporting process for lobbyists of local governmental entities. The bill died awaiting action in the Senate. (Conn)

***Federal Immigration Enforcement/Sanctuary Policies (Monitored)***

**SB 786** (Bean) and **CS/HB 697** (Metz) would have prohibited the adoption or effectiveness of a sanctuary policy, and required cooperation with federal immigration authorities. The bills would have required a state or local government official to promptly report a known or probable violation of the law to the attorney general or the state attorney having jurisdiction over the local governmental entity. Failure to properly report could have led to an individual being suspended or removed from office. The attorney general or a state attorney could have initiated proceedings in court to enjoin a state entity, law enforcement agency or local governmental entity from violating the law. A court could have enjoined any unlawful policy and ordered an entity to pay a civil penalty of at least \$1,000, but not more than \$5,000 for each day that the policy was found to be in effect before the injunction was granted. A sanctuary policymaker could have been suspended or removed from office. The bills provided for a civil cause of action against any state or local governmental entity or law enforcement agency determined to have had a sanctuary policy under specified circumstances for personal injury or wrongful death by persons injured by an illegal alien. The bills also would have restricted state grant funding for five years for any governmental entity that violated the law. CS/HB 697 died awaiting action by the Senate. SB 786 died in committee. (Conn)

***Law Enforcement Body Cameras/Mandatory Use (Opposed – Mandate)***

**HB 513** (Jacquet) and **SB 828** (Powell) would have provided that on or before January 1, 2018, every law enforcement agency that had officers who engaged in routine traffic stops must have incorporated into the agency's traffic stop procedures a requirement that officers engaging in such stops wear and use body cameras during the stops. The bills died in committee. (Conn)

***Towing and Storage Fees (Oppose – Preemption)***

**CS/HB 193** (Cortes, B.) would have prohibited cities from enacting ordinances or rules that imposed a fee or charge on wrecker operators or vehicle storage companies for towing, storing or impounding a vehicle. The bill would have given cities the option to charge a reasonable business tax, and impose a reasonable fee or charge on the legal owner of a vehicle if the law enforcement officer had caused the owner's vehicle to be towed to and impounded at a facility owned by the city.

**CS/SB 282** (Steube) would have prohibited cities from adopting ordinances that imposed a charge, fee, fine or penalty on the registered owner or lienholder of a vehicle removed and impounded by an authorized wrecker operator beyond the reasonable costs of towing and storage incurred by the wrecker operator. The bill would have given cities the option to impose a reasonable fee or charge on the legal owner of a vehicle if a law enforcement officer has caused the owner's vehicle to be towed to and impounded at a facility owned by the city. CS/HB 193 passed the House, but died awaiting final action by the Senate. CS/SB 282 died in committee. (Cook)

***Vacation Rentals (Supported)***

**HB 6003** (Richardson) and **SB 1516** (Rader) would have removed the current preemption on vacation rentals, allowing cities to regulate these properties through zoning and adopt ordinances regulating the frequency and duration of these rentals. The bills died in committee. (Cook)

***Dogs in Vehicles (Opposed – Preemption)***

**SB 320** (Steube) and **HB 627** (Moskowitz) would have preempted the regulation of the transportation of dogs in motor vehicles to the state. The bills would have required that dogs being transported in the open bed of a pickup truck or an open area of a vehicle be kept within a secured kennel, cage or other ventilated container, or be securely tethered to the vehicle or trailer to prevent the dog from falling from the vehicle or trailer. The bills would have made violations a noncriminal traffic infraction and provided limited allowable exceptions. The bills died in committee. (Cook)

***Fireworks (Opposed – Preemption)***

**SB 324** (Steube) would have repealed municipal authority to issue permits for the display of fireworks. The current statute has been interpreted by the attorney general to bar municipal regulation of the sale, use and possession of fireworks, if the city did not have an ordinance in place prior to July 1, 2008. The bill died in committee. (Cook)

***Concealed Weapons and Firearms/Airports (Monitored)***

**HB 6001** (Raburn) and **SB 618** (Steube) would have provided that a person with a concealed weapon or firearm permit would be restricted from taking the weapon inside the sterile area of an airport, but allowed the person to carry the weapon into the passenger terminal. The bills died in committee. (Conn)

***Concealed Weapons and Firearms/College or University Facility (Monitored)***

**HB 6005** (Plakon) would have allowed a person with a concealed weapon or firearm permit to take the weapon into a college or university facility. The bill died in committee. (Conn)

***Concealed Weapons and Firearms/Open Carry (Monitored)***

**SB 644** (Steube) would have authorized a concealed weapons or firearms licensee to openly carry a handgun. The bill died in committee. (Conn)

***Concealed Weapons and Firearms/Penalties for Violations (Monitored)***

**SB 646** (Steube) and **CS/HB 779** (Combee) would have provided that a person licensed to carry a concealed weapon or firearm who was lawfully carrying a firearm would not violate the open carry restrictions if the firearm was temporarily and openly displayed to the ordinary sight of another person. Persons violating the open carry restrictions would commit a non-criminal violation with a financial penalty, and for repeat violations, commit a misdemeanor of the second degree. CS/HB 779 died awaiting action by the Senate and SB 646 died in committee. (Conn)

***Concealed Weapons and Firearms/Responsibility of Property Owner (Monitored)***

**SB 610** (Steube) and **HB 819** (Byrd) would have required a business, organization or entity that prohibited a concealed weapon or firearm licensee from carrying a weapon or firearm onto its property to assume specified responsibility for the safety and defense of such licensee. The bills provided for a cause of action for a concealed weapon or firearm licensee who incurred injury, death, damage or loss as the result of specified acts or attacks occurring on the property of the business, organization or entity. The bills died in committee. (Conn)

***Concealed Weapons and Firearms/Restricted Locations (Monitored)***

**HB 235** (Stafford) and **SB 170** (Braynon) would have prohibited a person with a concealed weapon or firearm permit from taking the weapon into any performing arts center or theater. The bills died in committee. (Conn)

***Concealed Weapons or Firearms/Courthouses (Monitored)***

**CS/SB 616** (Steube) would have authorized a person with a concealed weapons or firearms license to temporarily surrender a weapon or firearm if the person approached courthouse security or management personnel upon arrival and followed their instructions. The bill died awaiting action by the House. (Conn)

***Department of Management Services (Monitored)***

**CS/CS/SB 1540** (Brandes) and **CS/CS/HB 1281** (Albritton) would have created a Statewide Procurement Efficiency Task Force to evaluate the effectiveness and value of state and local procurement laws and policies to the taxpayers of the state. The bills died in committee. (Cook)

***Ethics/Employment of Relatives (Monitored)***

**SB 126** (Steube) would have authorized an agency to promote or advance an employee who is a relative of a public official if the agency used a comprehensive application and hiring process that included an independent promotional examination, and if the relative had been previously employed with the agency before the public official's appointment or election to the agency. The bill died in committee. (Conn)

***Ethics/Special Private Gain or Loss (Monitored)***

**SB 306** (Clemens) would have addressed voting conflicts and removed the definition of “special private gain or loss.” The bill would have prohibited a municipal, county or other local public officer from voting on any measure that would have inured to his or her gain or loss. However, the officer would not have been prohibited from voting on a measure if the matter would have resulted in an economic benefit or harm to the public generally or to a broad segment of the public. The same restriction would have applied generally to an appointed public officer. The bill amended various other provisions of law to conform to the deletion of the term “special private gain or loss.” The bill died in committee. (Conn)

***Gaming (Monitored)***

**CS/SB 8** (Galvano) was a comprehensive bill dealing with gaming in Florida. The bill would have approved a new Seminole Compact allowing for the Seminole tribe to receive rights to blackjack as well as craps and roulette in exchange for \$3 billion over seven years. The bill would also have provided limited exceptions from exclusivity on slot machines and certain card games at pari-mutual facilities with card rooms. The bill would have legalized fantasy sports play in Florida and set up the Office of Amusements to regulate these fantasy contests. The bill would have removed the requirement that dog and horse tracks run live races if they wish to offer gambling. The bill would have allowed for lottery ticket sales at “point of sale” terminals. Finally, the bill would have expanded the number of facilities where slot machines could be operated. CS/SB 8 passed the full Senate (32-7), was amended by the full House, and died awaiting final action by the Senate.

**HB 7037** (LaRosa) was the House’s proposal for gaming legislation. The bill would have ratified and approved a 2017 Gaming Compact between the Seminole Tribe of Florida and the state. The bill would have extended the 2017 Compact for 20 years and given the tribe exclusive authorization to conduct slot machine gaming outside of Miami-Dade and Broward counties. In return, the tribe would have made revenue sharing payments to the state totaling at least \$3 billion during the first seven years of the new agreement. The bill largely reincorporated many of the same provisions of the Gaming Compact between the tribe and the state executed in 2010. The provisions of the bill were amended onto CS/SB 8. (Cook)

***Law Enforcement Body Cameras/Data Retention (Monitored)***

**HB 405** (Newton) would have specified that law enforcement officer body camera data must be retained for a minimum of 60 days after it was recorded. The bill died in committee. (Conn)

***Law Enforcement Certification/Psychological Evaluation (Opposed – Mandate)***

**SB 960** (Bracy) would have required law enforcement officers to pass a job-related psychological evaluation performed by a mental health professional before initial employment or appointment. The bill also would have required all officers to pass the psychological evaluation every four years as a condition of continued employment or appointment. The bill died in committee. (Conn)

***Law Enforcement Officers/Crisis Intervention Training (Monitored)***

**HB 219** (Stafford) would have required the Florida Department of Law Enforcement to establish an employment training component relating to crisis intervention, and provided that completion of the training counted toward continued employment instructional requirements. The bill died in committee. (Conn)

***Law Enforcement Officers/Exemption From Handgun Purchase Waiting Period  
(Monitored)***

**HJR 291** (Hahnfeldt) would have proposed an amendment to the state constitution to exempt law enforcement officers from the three-day waiting period for handgun purchases under state law and under any county ordinance requiring a waiting period for handgun purchases. This bill died awaiting action by the Senate. (Conn)

***Law Enforcement Training/Criminal Justice Standards and Training Commission  
(Monitored)***

**SB 350** (Clemens) and **CS/CS/HB 345** (Asencio) would have required the Criminal Justice Standards and Training Commission to implement, administer, maintain and revise a basic abilities examination for the training of law enforcement. The commission would have also had to establish procedures for the administration of the examination and standards for acceptable performance on the examination. SB 350 died awaiting action by the House and Senate. CS/CS/HB 345 was laid on the table. (Conn)

***Public Records Reform (Monitored)***

**SB 864** (Baxley) and **HB 331** (McClain) would have required that public record requests made to law enforcement agencies be made directly to the head of the agency or to the designated custodian of records. The bills died in committee.

**SB 246** (Garcia) would have amended statutes to clarify that attorney fees would be awarded by a judge if the court determines that the governmental entity refused to allow a record to be inspected or copied and the complainant provided written notice identifying the public records request at least five business days before filing the civil action. Complainants whose requests were made primarily to harass the agency or intentionally filed to cause a violation would not have been eligible for attorney fees. SB 246 died in committee. (Cook)

# FLORIDA LEAGUE OF CITIES LEGISLATIVE GLOSSARY

*Act* – a bill that has passed both houses of the Legislature

*Adoption* – refers to favorable action by a chamber on an amendment, motion, resolution, or memorial.

*Adjournment Sine Die* – motion to adjourn sine die concludes a legislative session.

*Amendment* – makes a change to a bill after the bill has been filed. This change can happen in committee or on the floor of the House or Senate.

*Bill* – legislation, including joint resolutions, concurrent resolutions, memorials, or other measures upon which a council or committee may be required to report.

*Bill Number* – bills are issued a number based on the order they are filed and received by bill drafting. House bills receive odd numbers, while Senate bills receive even numbers.

*Chair* – the presiding officer for a floor session or committee meeting.

*Claims Bill* – presents a claim for compensation for an individual or entity for injuries caused by negligence or error on the part of a public office, local government, or agency.

*Committee* – a panel of legislators appointed by either the Senate president or speaker of the House to perform specific duties, such as considering legislation and conducting hearings and/or investigations.

*Committees of Reference* – each bill is assigned to committees after it is filed. Often, the more committees a bill is assigned is an indication of its chances to pass or fail.

*Companion Bill* – bills introduced in the House and Senate that are identical or substantially similar in wording.

*“Died in Committee”* – refers to when a bill is not heard on the floor of the respective chamber in which it was introduced. A bill must pass all committees of reference or be pulled from remaining committees in order to pass. A bill that dies in committee fails to pass each of its committee references during committee weeks and session.

*Engrossed Bill* – the version of a bill that incorporates adopted floor amendments, which were added subsequently to the bill passing its committees of reference. The revision is done in the house of origin and engrossed under the supervision of the secretary of the Senate or the clerk of the House.

*Enrolled Bill* – once a bill has passed it is enrolled in the house of origin. After that piece of legislation is enrolled and signed by officers of both houses (president and speaker), it is then sent to the governor for action and transmittal to the secretary of state. An enrolled bill may either be signed by the governor and enacted into law or vetoed.

*Florida Statutes* – an edited compilation of general laws of the state.

*General Bill* – a bill of general or statewide interest or whose provisions apply to the entire state.

*House Resolution* – a measure expressing the will of a legislative house on a matter confined to that house, dealing with organizational issues, or conveying the good wishes of that chamber. Often used to congratulate Floridians or recognize significant achievements.

*Interim* – refers to the period between the adjournment sine die of a regular session and the convening of the next regular session.

*Joint Resolution* – used to propose amendments to the Florida Constitution. They are also the form of legislation used for redistricting state legislative seats.

*Law* – an act becomes a law after it has been approved and signed by the governor; without the governor's signature after his or her ability to veto the act within seven days of presentation; or after the Legislature overrides the governor's veto by a vote of two-thirds in each house.

*Local Bill* – a bill that applies to an area or group that is less than the total population of the state.

*Memorial* – a type of concurrent resolution addressed to an executive agency or another legislative body, usually Congress, which expresses the sentiment of the Florida Legislature on a matter outside its legislative jurisdiction.

*Message* – the houses of the Legislature send formal communications to each other regarding action taken on bills. This measure is usually reserved for the last couple of weeks of a legislative session. If a bill dies in messages, it has passed each chamber in form; however, one of the two chambers has made a change or amended the bill so that the two versions are no longer identical.

*Proposed Committee Bill (PCB)* – a draft legislative measure taken up by a committee for the purpose of considering whether or not to introduce it in the name of the committee.

*Proviso* – language used in a general appropriations bill to qualify or restrict the way in which a specific appropriation is to be expended.

*Referendum* – a vote by the citizens upon a measure that has been presented to them for either approval or rejection.

*Repeal* – the deletion by law of an entire section, subsection or paragraph of language from the Florida statutes.

*Session* – Regular Session: the annual session that begins on the first Tuesday after the first Monday in March of each odd-numbered year, and on the first Tuesday after the first Monday in March, or such other date as may be fixed by law, of each even-numbered year, for a period not to exceed 60 consecutive days. There is no limit on the subject matter that may be introduced in a regular session. Special Session: special sessions may be called by proclamation of the governor, by joint proclamation of the House speaker and the Senate president, or by the members of the Legislature

for the purpose of considering specific legislation and shall not exceed 20 consecutive days unless extended by a three-fifths vote of each house. In order for members of the Legislature to call a special session, three-fifths of the members of both houses must vote in favor of calling a special session.

*Special Order Calendar* – a list of bills determined by the Rules chairman considered to be of high importance and priority scheduled for consideration in a specific order during a floor session on a particular day.

*Sponsor* – the legislator or committee that files a bill for introduction.

*Temporarily Postponed* – a motion can be made in the chamber or in committee to temporarily defer a consideration of a measure.

*Veto* – an objection by the governor to an act passed by the Legislature. Vetoes can be overridden by vote of two-thirds of the membership of each chamber. A line item veto may be performed by the governor of specific measures in the general appropriations bill (the budget).

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