



2018



LEGISLATIVE FINAL REPORT

DEAR CITY OFFICIAL:

We are pleased to provide you with the Florida League of Cities' **"2018 Legislative Session Final Report."** This document summarizes key legislation the League tracked this session.

It is important to note that the final report is only a partial list of the 3,192 bills filed during the 2018 legislative session. Of these, only 200 bills passed both chambers and were presented to the governor.



Many of the issues that did not pass this year will likely be debated during next year's session. Therefore, it is important that you continue to stay engaged in legislative advocacy year-round with your local delegation. This continual communication is an essential part of the League's overall lobbying efforts. It is key to building the framework for our success as we prepare for the 2019 legislative session.

Please feel free to contact the League's Legislative Affairs team at (850) 222-9684 if you have questions or need further information on these or any other bills. Thank you for all your hard work and continued advocacy efforts!

In the fight for **HOME RULE**,

A handwritten signature in black ink, appearing to read "Gil Ziffer".

Gil Ziffer, President

Commissioner, City of Tallahassee

A handwritten signature in black ink, appearing to read "Michael Sittig".

Michael Sittig

Executive Director

BOARD OF DIRECTORS

PRESIDENT

Gil Ziffer, Commissioner, Tallahassee

FIRST VICE PRESIDENT

Leo Longworth, Vice Mayor, Bartow

SECOND VICE PRESIDENT

Isaac Salver, Councilman, Bay Harbor Islands

DISTRICT DIRECTORS

- (1) Shannon Hayes, Councilmember, Crestview
- (1) Richard Rynearson, Mayor, Fort Walton Beach
- (2) Mary Lawson Brown, Vice Mayor, Palatka
- (3) Robert F. Apgar, Mayor, DeLand
- (3) William Partington, Mayor, Ormond Beach
- (4) Carol McCormack, Mayor, Palm Shores
- (4) Kathy Meehan, Mayor, Melbourne
- (5) Louie Davis, Mayor, Waldo
- (5) Elise Dennison, Commissioner, Leesburg
- (6) Raymond Bagshaw, Mayor, Edgewood
- (6) Rosemary Wilsen, Mayor Pro Tem, Ocoee
- (7) Tim Pospichal, Mayor, Auburndale
- (7) Marlene Wagner, Mayor, Lake Hamilton
- (8) Heather Gracy, Commissioner, Dunedin
- (8) Leslie Notara, Councilmember, Belleair Beach
- (9) Vacant
- (10) Linda Yates, Mayor, North Port
- (11) Rachel Keesling, Mayor, Punta Gorda
- (12) Andy Amoroso, Commissioner-Vice Mayor Pro Tem, Lake Worth
- (12) Keith James, Commissioner, West Palm Beach
- (12) Vacant
- (13) Margaret Bates, Commissioner, Lauderhill
- (13) Dan Daley, Commissioner, Coral Springs
- (13) Gary Resnick, Mayor, Wilton Manors
- (13) Greg Ross, Mayor, Cooper City
- (13) Iris Siple, Vice Mayor, Pembroke Pines
- (13) Susan Starkey, Councilwoman, Davie
- (13) Dan Stermer, Mayor, Weston
- (14) Jon Burgess, Councilman, Homestead
- (14) Claudia Cubillos, Mayor, El Portal
- (14) Jordan Leonard, Mayor, Bay Harbor Islands
- (14) Felicia Robinson, Councilperson, Miami Gardens

10 MOST POPULOUS CITIES

Reginald Brown, Councilman, Jacksonville
Keon Hardemon, Commissioner, Miami
Bob Buckhorn, Mayor, Tampa
Rick Kriseman, Mayor, St. Petersburg
Tony Ortiz, Commissioner, Orlando
Carlos Hernandez, Mayor, Hialeah
Nancy Miller, Commissioner, Tallahassee
Gregory J. Oravec, Mayor, Port St. Lucie
Rick Williams, Council Member, Cape Coral
Vacant, Fort Lauderdale

PAST PRESIDENTS

Randall Wise, Mayor, Niceville
Scott Maddox, Commissioner, Tallahassee
Scott Black, Commissioner, Dade City
Frank C. Ortis, Mayor, Pembroke Pines
Patricia Bates, Mayor, Altamonte Springs
P.C. Wu, Councilman, Pensacola
Matthew Surrency, Mayor, Hawthorne
Susan Haynie, Mayor, Boca Raton

DIRECTOR AT-LARGE

Roy Shiver, Commissioner, Florida City

FCCMA

Bobby Green, City Manager, Auburndale

Michael Sittig, Executive Director

Kraig Conn, General Counsel

TABLE OF CONTENTS

2018 Legislative Action Agenda.....	1
Florida League of Cities Legislative Affairs Team.....	2
Major Bills that Passed During the 2018 Session.....	2
Major Bills that Failed During the 2018 Session.....	9
Florida League of Cities Legislative Glossary.....	32

2018 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 92nd Annual Conference, August 16, 2018, in Hollywood.

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.

LOCAL SELF GOVERNMENT

The Florida League of Cities seeks to strengthen and protect the fundamental concept of local self-government, and will **OPPOSE** legislative efforts to impede the constitutional right Floridians have enjoyed for nearly 50 years to govern themselves under municipal Home Rule powers. Additionally, the Florida League of Cities **OPPOSES** the Legislature's persistent intrusion into local finances, which are necessary to provide financial stability and essential services uniquely required by municipal residents and local businesses.

COMMUNICATIONS SERVICES TAX

The Florida League of Cities **SUPPORTS** reforming the Communications Services Tax in a manner that is revenue neutral; provides for a broad and equitable tax base; provides for enhanced stability and reliability as an important revenue source for local government; and provides a uniform method for taxing communication services in Florida. Reform should promote a competitively neutral tax policy that will free consumers to choose a provider based on tax-neutral considerations.

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.

SOBER HOMES

The Florida League of Cities **SUPPORTS** legislation requiring certification for all recovery residences and recovery residence administrators to ensure that this vulnerable population is protected and that recovery residence administrators have the competencies necessary to appropriately respond to the needs of residents.

TRANSPORTATION FUNDING

The Florida League of Cities **SUPPORTS** legislation that preserves local control of transportation planning, provides for a more equitable transportation funding formula between municipalities and counties, and provides for additional dedicated revenue options for municipal transportation infrastructure and transit projects.

WATER FUNDING

The Florida League of Cities will **SUPPORT** legislation to provide long-term, recurring and adequate state funding, that is equitably distributed throughout the state, for local government water resource and water quality improvement projects and infrastructure, including, but not limited to, projects that: reduce nutrient and pollutant loading from wastewater sources; mitigate storm water and flooding impacts; and increase available water resources and supplies.

FLORIDA LEAGUE OF CITIES **LEGISLATIVE AFFAIRS TEAM**

Scott Dudley
Legislative Director
sdudley@flcities.com

Jeff Branch
Legislative Advocate
Transportation &
Intergovernmental Relations
jbranch@flcities.com

Casey Cook
Senior Legislative Advocate
Municipal Administration
ccook@flcities.com

David Cruz
**Deputy General Counsel/
Legislative Counsel**
Land Use & Economic Development
dcruz@flcities.com

Amber Hughes
Senior Legislative Advocate
Finance, Taxation & Personnel
ahughes@flcities.com

Rebecca O'Hara
Deputy General Counsel
Utilities, Natural Resources
& Public Works
rohara@flcities.com

Allison Payne
Manager, Federal Affairs & Advocacy
apayne@flcities.com

Mary Edenfield
Legislative Coordinator
medenfield@flcities.com

Tara Taggart
Administrative Assistant
ttaggart@flcities.com

Katherine Dunn
Administrative/Legal Assistant
kdunn@flcities.com

MAJOR BILLS THAT PASSED **DURING 2018 SESSION**

(in order by priority)

Workers' Compensation Benefits for First Responders/Mental or Nervous Injury (Monitored)
CS/CS/SB 376 (Book) details specific traumatic events that would qualify a first responder to be compensable under the workers' compensation law for lost wages, if a mental or nervous injury was shown to meet the criteria for post-traumatic stress disorder (PTSD) as determined by a psychiatrist. The legislation requires a clear and convincing evidentiary standard be met by the first responder. The bill requires a first responder to receive a diagnosis of PTSD within 30 days of the qualifying event or 30 days from the manifestation of the disorder, whichever is later, but cannot be more than a year after the qualifying event. Finally, the legislation requires an employing agency of a first responder to provide educational training related to mental health awareness, prevention, mitigation and treatment. Effective October 1, 2018. Chapter No. 2018-124. (Cruz)

Public Safety Act (Monitored)
CS/SB 7026 (Senate Rules Committee) provides law enforcement, courts and schools with the tools to enhance public safety by temporarily restricting firearm possession by a person who is undergoing a mental health crisis and when there is evidence of a threat of violence. The bill also promotes school safety

and enhanced coordination between education and law enforcement entities at the state and local levels.

Specifically, the bill:

- Creates the Medical Reimbursement Program for Victims of Mass Shootings to reimburse trauma centers from the medical costs of treating victims for injuries associated with a mass shooting.
- Authorizes a law enforcement officer who is taking a person into custody for an involuntary examination under the Baker Act to seize and hold a firearm or ammunition the person possesses at the time of being taken into custody, if the person poses a potential danger to himself or herself or others and has made a credible threat of violence against another person.
- Allows an officer who is taking a person into custody at his or her residence to seek the voluntary surrender of firearms or ammunition kept in the residence not already seized.
- Prohibits a person who has been adjudicated mentally defective or who has been committed to a mental institution from owning or possessing a firearm until a court orders otherwise.
- Requires a three-day waiting period for all firearm purchases.

- Prohibits a person under 21 years of age from purchasing any firearm.
 - Prohibits a licensed firearm dealer, importer or manufacturer from making or facilitating the sale or transfer of a firearm to a person under the age of 21. This prohibition does not apply to the purchase of a rifle or shotgun by a law enforcement officer or a correctional officer or to a member of the military.
 - Prohibits a bump-fire stock from being imported, transferred, distributed, transported, sold, keeping for sale, offering or exposing for sale, or given away within the state.
 - Creates a process for a law enforcement officer or law enforcement agency to petition a court for a risk protection order to temporarily prevent persons who are at high risk of harming themselves or others from accessing firearms when they pose a significant danger to themselves or others, including significant danger as a result of a mental health crisis or violent behavior.
 - Provides that a court can issue a risk protection order for up to 12 months.
 - Allows a court to issue a temporary ex parte risk protection order in certain circumstances.
 - Requires the surrender of all firearms and ammunition if a risk protection order or ex parte risk protection order is issued.
 - Provides a process for a risk protection order to be vacated or extended.
 - Establishes the Marjory Stoneman Douglas High School Public Safety Commission within the Florida Department of Law Enforcement (FDLE) to investigate system failures in the Parkland school shooting and prior mass violence incidents, and develop recommendations for system improvements.
 - Codifies the Office of Safe Schools within the Florida Department of Education (DOE) and specifies the purpose of the office is to serve as the state education agency's primary coordinating division for promoting and supporting safe learning environments.
 - Creates the Florida Sheriff's Marshal Program within the DOE as a voluntary program to assist school districts and public schools in enhancing the safety and security of students, faculty, staff and visitors to Florida's public schools and campuses.
 - Codifies the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the DOE in partnership with other state, regional and local entities to facilitate collaboration and communication between the specified entities.
 - Establishes the Public School Emergency Response Learning System Program to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.
 - Establishes the "FortifyFL" program and requires the FDLE to procure a mobile suspicious activity reporting tool that allows students and the community to report information anonymously about specified activities or the threat of such activities to appropriate public safety agencies and school officials.
 - Requires each district school board and school district superintendent to cooperate with law enforcement agencies to assign one or more safe-school officers at each school facility, and requires each district school board to designate a district school safety specialist to serve as the district's primary point of public contact for public school safety functions.
 - Requires each school district to designate a threat assessment team at each school, and requires the team to operate under the district school safety specialist's direction.
 - Creates the mental health assistance allocation to provide supplemental funding to assist school districts and charter schools in establishing or expanding comprehensive mental health programs and to connect students and families with appropriate services.
 - Clarifies the applicability of public records exemptions for security systems and plans.
- The bill appropriates \$200 million in nonrecurring and \$200 million in recurring funds from the General Revenue Fund to implement the bill provisions. An amendment was offered on the floor that would have repealed the existing preemption on civil penalties relating to local government ordinances regarding firearms and ammunition. Effective March 9, 2018. Chapter Number 2018-003. (Cook)

Controlled Substances (Support)

CS/CS/HB 21 (Boyd) is a comprehensive proposal to address the opioid crisis in Florida. The bill imposes a three-day limit on the supply of opioids prescribed for acute pain, unless strict conditions are met for a seven-day supply. All health care professionals that prescribe or dispense medication are required to participate in the Florida Prescription Drug Monitoring Program under the bill. The bill also requires pharmacists to check the purchaser's identification prior to dispensing a controlled substance. Effective July 1, 2018. Chapter Number 2018-013. (Cook)

Taxation Reduction Packages (Monitored)

CS/HB 7087 (House Ways and Means Committee) is the tax package for the 2018 session. The bill provides for a wide range of tax reductions and modifications designed to directly impact both households and businesses. The bill was amended to remove the preemption prohibiting a county, municipality or other entity of local government from prohibiting the sale of, or offering for sale of, tangible personal property subject to the sales and use tax imposed by Chapter 212 that may lawfully be sold in the state.

Provisions of the bill that are of interest to municipalities include property tax relief for certain homestead property damaged by Hurricanes Hermine, Matthew or Irma and for certain citrus-processing equipment idled as a result of citrus greening or Hurricane Irma. The bill also allows owners of homestead property that was significantly damaged or destroyed as a result of a named tropical storm or hurricane to elect to have the property deemed abandoned if the owner establishes a new homestead by January 1 of the second year immediately following the storm or hurricane. This process will allow the owner of the homestead property to keep their Save Our Homes benefit. Additional property tax provisions include removing the five-year limitation for unremarried surviving spouses of disabled ex-servicemembers to receive a property tax discount and updates the list of named military operations for which deployed servicemembers receive property tax relief.

The bill contains several provisions related to sales tax including a sales tax reduction, from 5.8 to 5.7 percent for sales tax on commercial leases; a three-day “back-to-school” sales tax holiday for clothing, footwear, school supplies and computers; a seven-day “disaster preparedness” holiday for sales of specified items related to disaster preparedness; a new sales tax exemption for generators used at nursing homes and assisted living facilities; and certain purchase sales tax exemptions for agriculture-related fencing and building materials for repair of storm damage from Hurricane Irma. The Office of Program Policy Analysis and Government Accountability will procure the certified public accountant and provide payment for the audit.

The bill expands the permissible uses of tourist development tax (TDT) revenues by authorizing counties to use the revenues in connection with the building or improving of certain infrastructure if the project is recommended by the Tourist Development Council, the county collected at least \$10 million in

TDT the previous year, no more than 70 percent of the proposed cost will be paid with TDT, at least 40 percent of TDT revenues are spent on marketing of tourism and an independent analysis shows the positive impact on tourist-related businesses. The bill also extends the current authorization to use TDT on things such as restoration and maintenance of beaches, inland lakes and rivers, estuaries, lagoons and channels.

The bill also creates new exemptions from the local business tax for veterans, certain spouses of veterans and low-income people. The bill exempts businesses with fewer than 100 people if an exempt individual owns a majority interest in the business.

Beginning July 1, 2019, the bill reduces the excise tax on aviation fuel from 4.27 to 2.85 cents per gallon to 2.85 for aviation fuel paid by an air carrier that conducts certain scheduled operations or all-cargo operations. The bill provides for a five-year delay of the imposition of natural gas fuel taxes that would otherwise go into effect January 1, 2019. The bill changes the effective date of the imposition of these taxes to January 1, 2024. The total tax reductions in the bill are a negative \$171.2 million. For municipalities, the negative fiscal impact of the bill is estimated to be a recurring \$16.8 million and a nonrecurring \$8.31 million. Except as otherwise provided, effective July 1, 2018. Chapter No. 2018-118. (Hughes)

Developments of Regional Impact (Monitored)

CS/CS/HB 1151 (La Rosa) amends provisions related to existing development of regional impact (DRI) development orders. The DRI program ended in 2015 but previously issued development orders. The bill repeals provisions related to the state land planning agency’s (Department of Economic Opportunity’s) role in the process and shifts the remaining responsibilities to local governments. The legislation preserves all entitlements, vested rights and other protections for existing DRIs. Effective April 6, 2018. Chapter No. 2018-158. (Cruz)

Environmental Regulation (Monitored)

CS/CS/HB 1149 (Payne) amends current law regarding local government recycling responsibilities, reuse of reclaimed water, wastewater treatment facilities and projects exempt from state environmental resource permit requirements.

Recycling: Residential recycling containers often contain amounts of solid waste and other non-recyclable materials. These materials can potentially “contaminate” the remaining recyclables in the container or the truckload. The bill directs local governments to address contamination in residential recycling loads and containers in contracts for the collection and processing of residential recyclables. The bill specifies that contracts between local governments and vendors for the collection, transport and processing of residential recycling materials must include terms and conditions to define and reduce levels of contamination, but it does not dictate specific terms, numbers or requirements. Each contract is required to define contaminated recyclable material in a manner that is appropriate for the local community, based on available markets and other relevant factors. Contracts must include provisions for identifying and documenting contamination, as well as the respective obligations of the parties regarding education and enforcement. A recyclable materials collector or facility is not required to collect, transport or process “contaminated recyclable material,” as defined in the contract. The bill’s requirements apply to new contracts and contracts extended after July 1, 2018.

Reclaimed Water: The reuse of reclaimed water can reduce or eliminate harmful impacts to ground or surface water that would otherwise occur through permitted withdrawals from these sources. The bill recognizes the benefit of these impact “offsets” and provides additional incentives for reclaimed water use by directing the Department of Environmental Protection (DEP) to develop a uniform rule for incorporating offsets and credits into water use permits. The bill expressly encourages the development of aquifer recharge for reuse implementation. The bill directs DEP and the water management districts to streamline their respective permit reviews by developing a memorandum of agreement that provides, upon request by an applicant, for coordinated review of any reclaimed water facility permit, an underground injection control permit and a consumptive use permit.

Wastewater Utilities: The bill creates a voluntary incentive-based program for wastewater utilities to implement practices to reduce sanitary sewer overflows. Practices include: periodic system assessment, maintenance and replacement; rate of reinvestment into maintenance and replacement program; code enforcement program addressing private pump stations and lateral lines; schedule for pump station upgrades;

and a power outage contingency plan. Utilities that meet standards established by DEP may be certified under the “Blue Star Collection System Assessment and Maintenance Program” and may be entitled to specified benefits, including permit extensions, lowered penalties for overflows and a presumption of compliance with water quality standards for pathogens.

Environmental Resource Permits: Current law provides exemptions from state Environmental Resource Permits for various projects. The bill clarifies that local governments may not require a person to provide additional verification from DEP of entitlement to such an exemption. In addition, the bill modifies an existing state permit exemption for the replacement and repair of existing docks and piers (within 5 feet of same location, no larger than existing dock or pier, and no additional aquatic resources may be adversely and permanently impacted). The bill also requires an environmental resource permit to be reissued to the original applicant or to a new property owner if specified criteria are met and if no more than 3 years have passed since expiration of the original permit.

The Governor vetoed the bill on April 6, 2018. (O’Hara)

Local Business Tax (Monitored)

SB 100 (Stuebe) creates new exemptions from the local business tax for honorably discharged veterans and their spouses, unremarried surviving spouses of such veterans, spouses of certain active duty military servicemembers and low-income persons. For low-income persons, the individual claiming the exemption must receive public assistance or have a household income less than 130 percent of the federal poverty level. The bill exempts businesses with fewer than 100 people if an exempt individual owns a majority interest in the business. A person must complete and sign, under penalty of perjury, a Request for Fee Exemption to be furnished by the local governing authority and provide written documentation in support of his or her request for an exemption. The bill also allows certain cities that impose a local business tax on merchants measured by gross receipts to continue to impose the tax. Effective July 1, 2018. Chapter No. 2018-80. (Hughes)

Department of Financial Services (Monitored)

CS/CS/CS/HB 1073 (Hager) makes various changes to statutes relating to the Department of Financial Services. Of note to municipalities, the bill outlines the intent of the Legislature to create the Florida Open Financial Statement System, an interactive repository for

governmental financial statements. The bill allows the chief financial officer (CFO), working with stakeholders, to design and implement the Florida Open Financial Statement System. The CFO may choose contractors to build one or more extensible Business Reporting Language (XBRL) taxonomies suitable for state, county, municipal and special district financial filings and to create a software tool that enables financial statement filers to easily create XBRL documents. XBRL is an international standard for digital reporting and exchanging business information. The bill requires the CFO to recruit and select contractors through an open request for proposals process and requires that all work be completed by December 31, 2021. If the chief financial officer deems the work products adequate, all local governmental financial statements pertaining to fiscal years ending on or after January 1, 2023, must be filed in XBRL format and must meet the validation requirements of the relevant taxonomy. Effective July 1, 2018. Chapter No. 2018-102. (Hughes)

Prohibition Against Contracting with Scrutinized Companies (Monitored)

HB 545 (Fine) amends the Scrutinized Companies that Boycott Israel List to prohibit agencies and local governmental entities from contracting with companies on the Israel List or that boycott Israel to apply the current bid prohibition to contracts for goods or services of any amount, rather than only contracts of \$1 million or more. The bill requires a contract with an agency or local governmental entity for goods or services of any amount entered into or renewed on or after July 1, 2018, to contain a provision that allows for the termination of the contract at the option of the awarding body if the company has been placed on the Israel List or is engaged in a boycott of Israel. Effective July 1, 2018. Chapter No. 2018-052. (Cook)

Possession of Real Property/Customary Use Ordinances (Monitored)

HB 631 (Edwards-Walpole) Customary use is a legal doctrine that deals with the general right of the public to use and access the dry sand area of a beach on private property above the high-water line. The bill provides a new process by which a governmental entity may affirm customary use rights by first adopting an ordinance and then seeking a judicial determination of the recreational customary use. Effective July 1, 2018. Chapter No. 2018-094. (Cruz)

Resign to Run (Monitored)

SB 186 (Hutson) The bill requires an elected or appointed officer who qualifies for federal public office to resign from his or her current office if the terms of the current office and the federal office run concurrently. The resignation deadline is 10 days before qualifying for the federal office. The bill specifies the timeframes and manner for submission of a resignation and procedures for filling a vacancy created by a resignation. Effective March 30, 2018. Chapter No. 2018-126. (O'Hara)

Write-In Candidates (Monitored)

HB 6009 (Geller) The bill repeals current law, which required write-in candidates to reside within the district represented by the office sought at the time of the candidate's qualification for office. In 2016, the Florida Supreme Court invalidated the statute on grounds it conflicted with candidate residency requirements of the Florida Constitution for legislators, county commissioners, members of the judiciary, and the governor and Cabinet, which require residency within the district at the time of election or at the time the candidate assumes office. Effective March 30, 2018. Chapter No. 2018-141. (O'Hara)

Homestead Waivers (Monitored)

CS/SB 512 (Young) provides language that may be used to waive spousal homestead rights with respect to devise restrictions. Effective July 1, 2018. Chapter No. 2018-022. (Hughes)

State-administered Retirement Systems (Monitored)

HB 5007 (Appropriations Committee) establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) beginning July 1, 2018. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liability of the FRS. Effective July 1, 2018. Chapter No. 2018-012. (Hughes)

Health Care Facility Regulation (Monitored)

CS/SB 622 (Grimsley) is a comprehensive bill dealing with health care facilities. Of interest to cities, the bill provides that a designated health care facility owned or operated by a public health trust and located within the boundaries of a municipality is under the exclusive jurisdiction of the county creating the public health trust and is not within the jurisdiction of the municipality. Effective July 1, 2018. Chapter No. 2018-024. (Cruz)

Motor Vehicles (Monitored)

HB 215 (Payne) is a bill dealing with motor vehicles and devices. The bill exempts the term “autocycle” from the definition of a motorcycle and redefines the term “mobile carriers” as an electronically powered device. Of concern to local governments is a provision prohibiting a local governmental entity from preventing motor vehicle access to a transportation facility or corridor under certain circumstances. Effective July 1, 2018. Chapter No. 2018-130. (Branch)

State Assumption of Federal Dredge and Fill Permit Authority (Supported)

HB 7043 (Natural Resources & Public Lands Subcommittee) authorizes the Department of Environmental Protection (DEP) to adopt rules to assume and implement the Section 404 dredge and fill permitting program pursuant to the federal Clean Water Act, in conjunction with DEP’s Environmental Resource Permitting program. The bill specifies that such rules shall not become effective until the U.S. Environmental Protection Agency approves of Florida’s assumption application. Effective July 1, 2018. Chapter No. 2018-88. (O’Hara)

Land Used for Governmental Purposes (Monitored)

CS/CS/HB 1173 (Raschein) revises requirements for lands used for governmental purposes and includes several recommendations from the January 16, 2018, Final Report of the Florida House of Representatives Select Committee on Hurricane Response and Preparedness. The bill revises requirements for the selection, purchase, lease or conveyance of lands under the state’s Military Base Protection Program, which is intended to buffer military installations against encroachment. It also changes qualifications and methods for the state Board of Trustees of the Internal Improvement Trust Fund to purchase land within an Area of Critical State Concern and authorizes land authorities to use tourist impact tax revenues to pay costs related to affordable housing projects anywhere in the county within an Area of Critical State Concern.

With respect to the Select Committee on Hurricane Response and Preparedness, the bill adds criteria that must be included in the evaluation of proposed Florida Forever Program projects to include consideration of whether a project will mitigate the effects of natural disasters and floods in developed areas. Urban greenways and open space projects undertaken by the Florida Communities Trust Program are required to provide recreational opportunities, promote

community interaction and connect communities. The bill also clarifies that such projects may also serve dual functions as “flow ways” or temporary water storage areas to mitigate natural disasters and floods. Effective April 6, 2018. Chapter No. 2018-159. (O’Hara)

Utility Work Exemption from Development/Transmission Line Siting (Monitored)

HB 405 (Williamson) Activities that constitute development as defined in current law must comply with various state and local regulations, including local government comprehensive plans and development regulations. Under the Power Plant Siting Act, the application for certification of a site and associated facilities must include a statement of consistency of the site and any facilities that constitute “development” with applicable local government land use and zoning plans. Current law provides various exemptions from the definition of development, including an exemption for work by any utility engaged in transmission and distribution on established rights of way to construct pipes, cables, power lines, poles, etc. HB 405 revises this exemption by specifying that it applies to rights of way and corridors yet to be established and to the creation of distribution and transmission line corridors. The bill also specifies which standard should be used in authorizing variances from applicable local government ordinances in a site certification. Finally, the bill provides that the Power Plant Siting Act and the Transmission Line Siting Act cannot in any way affect the Public Service Commission’s exclusive jurisdiction to require transmission lines be located underground. Effective March 19, 2018. Chapter No. 2018-034. (O’Hara)

Public Records/Local Government Electric Utilities (Monitored)

HB 7095 (Government Accountability Committee) renews an existing exemption from the public records law for proprietary confidential business information held by a local government electric utility in conjunction with a review of a project to improve the delivery, cost or diversification of fuel or renewable energy sources. Effective October 1, 2018. Chapter No. 2018-120. (O’Hara)

Florida Fire Prevention Code (Monitored)

CS/HB 529 (Diaz) is a comprehensive bill outlining the process by which a resident in an apartment building may place combustible waste and refuse in an exit corridor. The bill requires the apartment’s management staff to have written policies and procedures to ensure

compliance. Apartment complexes must comply with the bills requirements by December 31, 2020. The bill allows local fire officials the option to approve alternative storage containers that meet the required safety conditions. Effective July 1, 2018. Chapter No. 2018-152. (Branch)

Public Records and Public Meetings/Firesafety Systems (Monitored)

CS/HB 411 (Clemons) creates public record and public meeting exemptions for firesafety system plans and information relating to firesafety systems that are identical to current exemptions for security system plans and information relating to security systems. Effective April 6, 2018. Chapter No. 2018-146. (Cook)

Repeal of Local Government Advisory Council (Supported)

CS/HB 6003 (White) repeals the Participant Local Government Advisory Council. The six-member council was created by the Legislature in 2008, following an unanticipated liquidity crisis in Florida PRIME, to regularly review the administration of Florida PRIME and make recommendations regarding its administration. Effective March 30, 2018. Chapter No. 2018-140. (Hughes)

Training Exemption for Law Enforcement Officers (Monitored)

CS/HB 333 (Burgess) creates an exemption from law enforcement basic recruit training for certain members of special operations forces who are seeking employment at a law enforcement agency. The bill specifies that a person seeking the training exemption must have served for a minimum of five years in the special operations forces and completed a special operations forces training course. The bill directs the Florida Department of Law Enforcement to adopt rules that establish criteria and procedures to determine if the applicant is exempt from the basic training requirements. Effective July 1, 2018. Chapter No. 2018-046. (Cook)

Department of Agriculture and Consumer Services (Monitored)

CS/CS/SB 740 (Stargel) is a lengthy bill that addresses the various duties and authority of the Department of Agriculture and Consumer Services. The bill has little, if any, impact on municipal operations. One provision of note clarifies current law by expressly preempting the regulation of “seed” to the department. Effective July 1, 2018. Chapter No. 2018-84. (O’Hara)

Exemptions from Toll Payment (Supported)

CS/CS/HB 141 (Harrison) exempts a law enforcement officer or first responder operating an official vehicle on official business from paying a toll at any toll facility. Effective July 1, 2018. Chapter No. 2018-145. (Branch)

Trespass on Airport Property (Supported)

HB 523 (Cortes, B.) increases criminal penalties from a first-degree misdemeanor to a third-degree felony when an individual trespasses on the operational area of an airport with the intent to injure another person, damage property or impede the operation of the airport. Effective October 1, 2018. Chapter No. 2018-151. (Branch)

Small Cell Wireless Deployment (Monitored)

CS/HB 7087 (House Ways and Means Committee) adds security funds to the list of certain taxes, fees, or other impositions that municipalities are prohibiting from imposing on dealers of communications services by ordinance or agreement. Effective July 1, 2018. Chapter No. 2018-118. (Hughes)

Offshore Drilling in Gulf of Mexico (Supported)

SB 550 (Broxson) and **HB 319** (Ponder) urges Congress to extend the current federal moratorium on oil drilling east of the Military Mission Line in the Gulf of Mexico. The resolutions state that the extension of the moratorium would support military training operations that require unconstrained access to the Gulf of Mexico and that drilling east of the Military Mission Line could result in loss of range areas and possible relocation of aircraft and bases to other areas. (O’Hara)

MAJOR BILLS THAT FAILED DURING 2018 SESSION

(listed in order of importance)

Community Redevelopment Agencies (CRAs) (Opposed – Preemption)

CS/HB 17 (Raburn) and **SB 432** (Lee) sought to dramatically limit the efficacy of CRAs in addressing slum and blight and increases the accountability and transparency of CRAs. Of specific concern to cities, CS/HB 17 required any new CRA be created by a special act of the Legislature. In addition, CS/HB 17 provided for the eventual phasing out of all existing CRAs by 2038, unless reauthorized by a super majority vote of the body that created the CRA. SB 432 did not include language requiring the phasing out of CRAs or additional requirements for the creation of new CRAs. However, SB 432 would have capped administrative CRA spending at 18 percent. In addition, SB 432 prohibited tax increment expenditures on festivals, street parties, grants to promote tourism or grants to socially beneficial programs. Lastly, SB 432 would have changed CRA board composition by requiring the appointment of two non-elected members. CS/HB 17 passed the House but failed to pass the legislature. SB 432 stalled in the Senate in its final committee of reference.

In a second attempt for the House to pass CRA provisions, **CS/CS/HB 883** (Ingoglia), a bill related to the creation of community development districts (CDDs), was heavily amended in the House expanding the bill from five pages to 193 pages. In addition to the CDD language, the amended bill included the entirety of CS/HB 17 (Raburn) relating to CRAs and the entirety of CS/CS/HB 1151 (La Rosa) relating to Developments of Regional Impacts. Ultimately, CS/CS/HB 883 passed the House but was not considered by the Senate. (Cruz)

Florida Vacation Rental Act (Opposed – Preemption)

CS/CS/SB 1400 (Steube), titled the Florida Vacation Rental Act, would have preempted all regulation of vacation rentals to the state. The bill would have:

- Preempted all licensing of vacation rentals to the state
- Required a state license application to contain the operator's emergency contact number
- Allowed a temporary state license to be issued and allowed the vacation rental to begin use while the application is pending
- Allowed the Division of Hotels and Restaurants to fine, suspend or revoke the license of any vacation

rental if the advertisement for the vacation rental did not display the vacation rental license number

- Regulated multiple unit vacation rentals. If five or more vacation rentals in multifamily dwellings were under common ownership and were rented out more than 180 days per year, such rental would have been subject to additional requirements, including biannual inspections
- Defined a vacation rental as any unit in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is rented to guests for periods of less than 30 days but that is not a timeshare project
- Required the division to make the vacation rental license information available to the public, and allowed local governments to use this license information for informational purposes only
- Grandfathered local ordinances adopted on or before June 1, 2011, and allowed "grandfathered" cities to amend as long as they are less restrictive
- Set maximum occupancy limits for vacation rentals

The bill died in committee. (Cook)

Vacation Rentals (Opposed – Preemption)

HB 773 (La Rosa) would have prohibited cities from establishing ordinances specific to short-term vacation rentals. Instead, all residential properties would have been required to be treated the same, regardless of whether the property is being used as a rental or not. The bill would have allowed cities with vacation rental ordinances in place prior to June 1, 2011, to amend their ordinance, as long as the amendment made the regulation of vacation rentals less restrictive. HB 773 was amended during the committee process to include language requiring vacation rental owners to notify property owners within 1,000 feet of the vacation rental 24 hours prior to the arrival of a sex offender or predator who would be staying in the property. Another amendment adopted by the committee required public lodging establishments to inquire, at the time of check in, if a guest is on any sexual predator list. The bill died on the House floor. (Cook)

Election Dates for Municipal Officers (Opposed – Preemption)

CS/CS/SB 1262 (Hutson) and **HB 7037** (House Government Accountability Committee) would have specified a uniform method for all municipal election dates and runoff election dates. The bills would have required the governing body of a municipality to determine if its municipal elections would be held on the same date as the general election, the first Tuesday after the first Monday in November, or the third Tuesday in March. The bills would have required cities choosing November elections to hold any runoff election on the November date and to hold the initial election 10 weeks prior. The bills would have required cities choosing March elections to hold any runoff election on the March date and hold the initial election seven weeks prior. HB 7037 passed the House and died awaiting action in the Senate. CS/CS/SB 1262 died on the Senate calendar. (O'Hara)

Travel Expenses & Reporting (Opposed – Preemption)
CS/CS/CS/HB 815 (Public Integrity & Ethics Committee) and **CS/CS/SB 1180** (Steube) would have imposed travel prohibitions, travel reimbursement limits and travel reporting requirements on municipal officers and employees. The bills would have required elected public officials, as a condition of seeking reimbursement for anticipated travel expenses, to obtain prior approval of the governing body at a regular public meeting for out-of-state and international travel. Post-travel ratification by the governing body would have been authorized upon a written showing of "good cause." The bills required travel requests to be accompanied by an itemization of anticipated travel expenses and required travel approvals to be posted on the local government's website for a specified period. CS/CS/CS/HB 815 would have expressly required counties and municipalities to adopt uniform travel policies applicable to all public officials and employees and would have required municipal and county budgets to include a separate line item showing the total amount budgeted for travel for the entire municipality or county. CS/CS/CS/HB 815 passed the House and died awaiting action by the Senate. CS/CS/SB 1180 died in committee. (O'Hara)

Government Accountability (Opposed – Mandate)
CS/HB 11 (Metz) and **CS/CS/SB 354** (Stargel) would have required local governments to establish and maintain internal controls and would have required municipalities to maintain specified budget documents on the government's website for a designated time. The

bills expanded the definition of "local governments" to include tourist development councils and county tourism promotion agencies, and expanded the auditor general's authority for audits to include those entities. The bills would have prohibited a board or commission from requiring an advance copy of testimony or comments from a member of the public as a precondition to being given the opportunity to be heard at a public meeting. The bills also imposed new requirements relating to local government annual financial reporting and auditing. The bills required certain public entities, including municipalities, to report public officer and employee travel information in the "statewide travel management system," which would have been required by the Department of Management Services.

CS/HB 11 was passed by the full House but died awaiting action by the Senate. CS/CS/SB 354 died in committee. (Hughes)

Tree Trimming & Removal (Opposed – Preemption)
CS/SB 574 (Steube) and **CS/CS/HB 521** (Edwards) would have prohibited local governments from requiring a permit or otherwise regulating tree trimming or vegetation maintenance undertaken by water management districts, water control districts, and section 298 special districts within rights-of-way established by the districts for drainage and flood control purposes. In addition, CS/SB 574 would have preempted the application of local government tree regulations to single-family residential properties during declared states of emergency and imposed liability on local governments for restoration costs incurred by an electric utility attributable to damages or outages caused by trees or vegetation. CS/CS/HB 521 passed the House and died awaiting action by the Senate. CS/SB 574 died in committee. (O'Hara)

Local Government Fiscal Transparency (Opposed – Mandate)

HB 7 (Burton) and **CS/SB 1426** (Lee) would have amended multiple provisions related to local government financial transparency. Among other things, the bills would have expanded public notice and public hearing requirements for local option tax increases, other than property taxes and taxes adopted by referendum, and new long-term tax-supported debt issuances. The bills 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 conduct a debt affordability analysis prior to approving the issuance of new long-term tax-supported debt and required local government annual audit reports to include specified information.

HB 7 was passed by the full House but died awaiting action by the Senate. SB 1426 died on the Senate floor. (Hughes)

Impact Fees (Opposed – Preemption)

CS/CS/SB 324 (Young) and **CS/CS/CS/HB 697** (Miller) would have prohibited local governments from collecting impact fees prior to the issuance of a building permit for the property that is subject to the fee. In addition, the bills codified the Dual Rational Nexus Test (a legal standard impact fees must meet). The legislation prohibited the use of impact fee revenues to pay existing debt or for prior approved projects, unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction. Due to local government concerns, the legislation exempted water and sewer connection fees from the impact fee provisions of the bills. The legislation died when it was not considered on the Senate floor. (Cruz)

Interruption of Solid Waste and Telecommunications Services (Oppose – Mandate)

CS/CS/HB 971 (Fine) and **SB 1368** (Mayfield) would have prohibited a municipality or private company (the applicable solid waste service provider) from charging a customer for solid waste service that was not provided on a regularly scheduled service date if the service was not provided within a specified timeframe after the regular service date. The bills would have required a credit or refund to such customers on a pro rata basis corresponding with the number of service interruptions. Failure by a service provider to issue such credit or refund would require the service provider to pay an additional fine. CS/CS/HB 971 died on the House calendar. SB 1368 died in committee. (O'Hara)

Affordable Housing (Opposed – Preemption)

CS/CS/CS/HB 987 (Cortes) and **CS/SB 1328** (Perry) would have revised the criteria that counties and municipalities use when evaluating real property as part of their inventory for disposal of lands. In addition, the bills would have required local governments to review a permit application for affordable housing within 15 days, and they would have specified that a local government must approve or deny an application for a development

or construction permit, or certificate of occupancy for affordable housing, within 60 days after receipt of a completed application. The bills stipulated that any application that was not approved or denied within this 60-day period would have been considered approved. Language in the original bills would have preempted local governments from charging an impact fee for a five-year period. These provisions were removed during the committee process.

The bills would have also created the Hurricane Housing Recovery Program and the Rental Recovery Loan Program to expedite the creation of additional affordable housing. The bills also would have required local governments to report detailed data on impact fees related to affordable housing developments when they submitted their annual financial reports. CS/CS/CS/HB 987 was passed by the full House, but died awaiting action by the Senate. CS/SB 1328 died on the Senate floor. (Branch)

Financial Reporting (Opposed – Unfunded Mandate)

CS/CS/HB 1019 (La Rosa) was a comprehensive bill dealing with local government financial reporting requirements. The bill clarified that local government tentative budgets would have been required to be posted on the local government's website for 45 days and final budgets and amended budgets to be posted for five years. Beginning in 2018-2019 fiscal year, each municipality would have been required to have an annual financial audit of its accounts and records, and the Department of Financial Services would have been required to report to the Joint Legislative Auditing Committee the local government entities that failed to submit the Annual Financial Report by April 30.

Beginning in the 2018-19 fiscal year, the bill would have required a municipal budget officer to electronically submit information regarding the final budget to the Office of Economic and Demographic Research (EDR) within 30 days of its adoption or face specified penalties. Similar language was included in CS/CS/SB 354. CS/CS/HB 1019 was passed by the full House but died awaiting Senate action. (Hughes)

Local Government Ethics Reform (Monitored)

HB 7003 (formerly PCB PIE 18-02) (House Public Integrity and Ethics Committee) and **SB 1534** (Mayfield) would have revised provisions in the state Ethics Code regarding financial disclosure, conflicting employment and contractual relationships, voting conflicts and the regulation of persons who lobby before local

governments. The bills also would have established a statewide registration and reporting process for persons who lobby local governmental entities. HB 7003 passed the House and died awaiting action by the Senate. SB 1534 died in committee. (O'Hara)

Dockless Bicycle Sharing (Monitored)

CS/CS/HB 1033 (Toledo) and **CS/SB 1304** (Young) would have preempted local governments from regulating dockless bicycles and bicycle-sharing companies. Both bills were amended during the committee process to remove the original preemption placed on local government. The amendment would have required all dockless bicycles and bicycle-sharing companies to comply with all local laws and regulations. The amendment would have also prohibited a local municipality, under certain circumstances, from limiting a bicycle sharing company engaged in the rental of bicycles from operating within its jurisdiction. CS/CS/HB 1033 was passed by the full House but died awaiting Senate action. CS/SB 1304 died in committee. (Branch)

Taxation of Internet Video Service (Opposed – Mandate)

SB 1210 (Brandes) and **HB 1245** (Brodeur) would have defined “internet video service” and excluded this type of service from the definition of “communications services” and, therefore, excluded internet video services from the communications services tax. The bills died in committee. (Hughes)

Storm-generated Debris and Solid Waste (Opposed – Preemption)

CS/HB 879 (Toledo) and **SB 1326** (Baxley) would have expanded the statutory definition of “recovered materials” to include wood, asphalt and concrete, thus eliminating these materials from the definition of “municipal solid waste.” The bills would have required local governments to suspend any exclusive contracts for the collection, hauling, staging or disposal of storm-generated debris or commercial or residential solid waste under specified conditions, and would have prohibited local governments from entering new or extending existing exclusive contracts for storm debris. CS/HB 879 was substantially amended to remove all sections of the bill concerning storm debris, with only revisions to the definition of “recovered materials” remaining. The bills died in committee. (O'Hara)

Red Light Cameras (Opposed – Preemption)

HB 6001 (Avila), **SB 548** (Campbell) and **SB 176** (Hutson) would have preempted the Florida Department of Highway Safety and Motor Vehicles, counties and municipalities from installing and maintaining red light cameras effective July 1, 2021. The Revenue Estimating Conference estimated that the bills would have had a recurring annual impact of \$76.8 million to local government revenues. HB 6001 was passed by the full House but died awaiting action by the Senate. SB 548 and SB 176 died in committee. (Branch)

Florida Building Commission (Opposed – Preemption)

HB 299 (McClain) would have revised the membership of the Florida Building Commission from 27 members to 11. Of particular concern, the bill would have deleted the ability of the Florida League of Cities (FLC) and the Florida Association of Counties (FAC) to recommend a list of candidates for consideration to the commission. Under current law, FLC and FAC have a joint representative on the commission. The bill died in committee. (Branch)

Substance Abuse Services (Supported)

CS/CS/CS/HB 1069 (Hager) was a comprehensive bill that would have addressed issues related to recovery residences. Among the provisions in the bill was language:

- Allowing a licensed service provider to accept a referral from a noncertified recovery residence under specified conditions
- Prohibiting a recovery residence, its owners, directors, operators, employees or volunteers from benefitting directly (CS/CS/SB 1418 – only directly) or indirectly (CS/CS/CS/HB 1069 – both) from referrals and other provisions relating to licensing of staff and substance abuse facilities

The bill was passed by the House and Senate chambers but died in House messages. (Cook)

Regulation of Public Smoking (Supported)

CS/SB 562 (Mayfield) and **HB 627** (Altman) would have authorized municipalities to restrict smoking within the boundaries of public parks. CS/SB 562 was passed by the full Senate but died awaiting House action. HB 627 died in committee. (Cook)

OTHER BILLS THAT FAILED DURING 2018 SESSION

(in order by policy area)

BUILDING CODES/CONSTRUCTION

Public Financing of Construction Projects (Opposed)

SB 542 (Rodriguez, J.) would have required contractors to conduct a Sea-Level Impact Projection (SLIP) study on state-funded buildings within the coastal building zone. Buildings subject to this requirement would have included construction projects of a municipality, county or any other public agency using state-appropriated funds for the project. The bill died in committee. (Branch)

Permit Fees (Opposed – Unfunded Mandate)

CS/CS/SB 1144 (Perry) and **CS/CS/HB 725** (Williamson) would have required local governments to publish permit and inspection fee schedules and reports on their website by December 31, 2019. The bills would have also required the building permit and inspection report to include direct and indirect costs incurred by the local government to implement the Florida Building Code. CS/CS/SB 1144 died on the Senate floor. CS/CS/HB 725 was passed by the full House but died in the Senate awaiting action. (Branch)

Construction of Housing Within a Certain Distance of the State Highway System (Monitored)

HB 1085 (Watson, B.) would have required the construction of certain multiple housing developments within a five-mile radius of a road on the State Highway System to be considered a single construction project if the total number of residential dwelling units within such housing developments exceeded 500. The bill would have also required local governments, except in limited circumstances, to postpone all applications for local zoning or building permits for construction projects if a road on the State Highway System was rated below a level “D” within a five-mile radius. The bill died in committee. (Branch)

Open and Expired Building Permits (Monitored)

HB 1077 (Diamond) and **SB 1322** (Powell) would have established a procedure by which property owners could close dormant open or expired building permits in instances when the contractor who obtained the permit was no longer available to close it by calling for a final inspection. The bills also provided a mechanism

for sellers and purchasers of real property, on which a building permit was previously obtained but not properly closed, to close the permit as part of the purchase and sale transaction for the property. The bills died in committee. (Branch)

Fire-Safety Inspectors (Monitored)

CS/SB 820 (Powell) and **HB 637** (Jacquet) would have prohibited individuals from threatening, coercing, persuading or compensating a fire safety inspector in order to interfere with an inspection. The bills would have also provided criminal penalties for these violations. CS/SB 820 was passed by the full Senate. HB 637 died in committee. (Branch)

Electrical Contractors (Monitored)

SB 446 (Gibson) and **HB 295** (Mercado) would have allowed a city or county to require an electric journeyman to be present to supervise or perform work on an industrial or commercial new construction site if the electrical work being performed was in excess of 77 volts. Under current law, they are only required to be on a worksite with a facility of 50,000 gross square feet or more. The bills died in committee. (Branch)

ECONOMIC DEVELOPMENT

Economic Development and Tourism Development Accountability (Opposed – Mandate)

CS/CS/HB 3 (Grant, M.) would have changed the definition of economic development activities to include, among other things, direct financial incentives, indirect financial incentives, fee or tax-based incentives, and below-market leases or deeds for real property. The bill would have provided new operational standards for economic development agencies that included financial disclosure requirements of directors, officers and board members; procedures for handling conflicts of interest; salary limitations for board members and staff; and travel restrictions for economic development agency members. Finally, the bill contained significant transparency measures, including reporting requirements associated with contracts and audit requirements. The bill was passed by the full House, but died awaiting Senate action.

CS/SB 1714 (Perry) would have specified reporting, contractual and accountability requirements for “economic development agencies” and “tourism promotion agencies” that engage in economic development and tourism promotion on behalf of local government’s entities. The bill would have imposed numerous restrictions, limitations and reporting requirements on economic development agencies and tourism promotion agencies.

The bill would have also enacted contract approval and additional reporting requirements for county governing boards that impose tourist development taxes and modified existing reporting requirements for entities that partner with VISIT FLORIDA or Enterprise Florida, Inc. The bill died in committee. (Cook)

Film and Television Production (Supported)

HB 341 (Silvers) would have established the Florida Motion Picture Capital Corporation (FMPCC) to encourage the use of the state as a site for movies and television shows. The corporation would have been responsible for providing financing to productions that are estimated to generate the greatest economic impact to the state. The FMPCC would have been funded by a combination of federal, state and local dollars and would have been governed by a board of directors serving three-year terms. The bill contained several accountability measures relating to the use of these funds for film and television production. The bill died in committee. (Cook)

Sports Franchise Facilities (Opposed)

HB 13 (Avila) and **SB 352** (Garcia) would have prohibited a sports franchise from constructing, reconstructing, renovating or improving a facility on public land. The bills would have also required a lease of a facility on public land to be at fair market value. The bills would have required contracts or agreements entered into or renewed after July 1, 2018, between a governmental entity and a sports franchise, to include provisions requiring the sports franchise to pay any outstanding debt incurred by the governmental entity if the franchise permanently discontinues use of the facility. Finally, the bills would have clarified that the sale of any public lands to a sports franchise for the construction, renovation or improvement of a facility must have been at fair market value. HB 13 passed the full House but died awaiting Senate action. SB 352 died in committee. (Cook)

Sports Development (Opposed)

SB 778 (Lee) and **HB 6005** (Avila) would have repealed statutes relating to the process for receiving state funding for constructing, reconstructing, renovating or improving a professional sports facility. In effect, the bills would have prohibited the use of state funds for facilities used by professional sports teams. The bills died in committee. (Cook)

Rural Economic Development (Monitored)

HB 1193 (Latvala) and **SB 1496** (Gainer) would have increased the maximum grant amounts that regionally based economic development organizations (EDOs) could have received from the Department of Economic Opportunity from \$50,000 to \$250,000. New language was also added specifying that grants awarded to EDOs in rural areas of opportunity would have been required to be matched with nonstate resources equaling 50 percent of the grant amount. The bills died in committee. (Cook)

Rural Economic Development Initiative (Monitored)

CS/SB 170 (Grimsley) and **HB 1403** (Avila) would have revised the intent and direction of the current Rural Economic Development Initiative (REDI) by expanding the definition of “rural area of opportunity” and included specific goals for qualifying projects. Those specific goals included job creation, improving community infrastructure and access to health care, and the development and growth of a skilled workforce. The bills would have amended the membership of the REDI Board of Directors and required submission of an annual report to the Legislature that included descriptions of all project operations and any major accomplishments. The bills died in committee. (Cook)

Regional Rural Development Grants (Monitored)

CS/CS/HB 1103 (Albritton) and **CS/CS/SB 1646** (Montford) would have made substantial changes to the Regional Rural Development Grants Program including:

- Increasing the maximum grant amount awarded from \$150,000 to \$250,000
- Revising the match requirement from an equal amount to a 25 percent annual match

The bills would have also revised the Rural Infrastructure Fund to:

- Remove the requirement that total project grants be up to 40 percent of the total cost for catalyst site projects

- Expand eligible projects and uses to include broadband internet service and required they be conducted through partnerships with dealers of communication services and established by a publicly noticed and competitively selected process.

CS/CS/SB 1646 was passed by the Senate and House chambers but died awaiting final action by the Senate. CS/CS/HB 1103 died on the House floor. (Cook)

EMERGENCY MANAGEMENT

Emergency Management (Monitored)

HB 7083 (Government Accountability Committee) would have extended the number of days that an employee of a state agency may be eligible for paid leave during a disaster. The bill required the Division of Emergency Management to use a qualified interpreter in certain emergency broadcasts. In addition, the bill would have required county emergency management plans to include a fuel contingency plan and provide certain information online about shelters, including which shelters accepted pets. The bill would have prohibited a public entity from holding a budget adoption meeting during a declared emergency if such public entity was within the jurisdiction of an imposed curfew. Finally, the bill would have required the Department of Transportation to undertake a study examining the use of railroad tanker cars to facilitate the delivery and storage of motor vehicle fuels to areas of the state impacted by hurricane events. The bill was passed by the full House, but died awaiting action by the Senate. (Branch)

Post-hurricane Relief for Residents of Health Care Facilities (Monitored)

SB 372 (Garcia), **HB 327** (Richardson) and **CS/SB 1874** (Passidomo) would have required the Florida Public Service Commission, in the event of an emergency, to prioritize the restoration of services to critical medical facilities with at least 50 residents, including nursing homes and assisted living facilities. The bills would have also required the Agency for Health Care Administration to conduct annual inspections to ensure that facilities have an operational emergency power source and sufficient fuel supply for at least four days of a power outage. The bills died in committee.

SB 284 (Book) and **HB 479** (Williams) were similar to SB 372, but it would have required every critical medical facility to maintain a fully operational emergency power source and a supply of fuel for at least five days during a power outage. The bills died in committee.

SB 558 (Campbell) and **HB 1321** (Hardemon) were similar to SB 372 (Garcia), but they would have provided a deadline of January 1, 2019, for health care facilities to adhere to the operational generator and supply of fuel criteria. The bills died in committee. (Branch)

Disaster Recovery Services Contracts (Monitored)

HB 1087 (Watson, B.) and **SB 1456** (Thurston) would have authorized political subdivisions of the state to add vendors to an existing contract or enter into a second contract with additional vendors for debris removal services if the originally contracted vendor did not make a good faith effort to fulfill its obligations within 14 days after a state of emergency was declared. The bills would have established criteria for selecting additional vendors. The bills died in committee. (Branch)

Emergency Alerts (Monitored)

SB 1116 (Simmons) would have authorized local law enforcement agencies to activate the Emergency Alert System and issue an Imminent Threat alert when the agency confirmed that an imminent threat to the public existed. This alert would have extended to public and private schools and required them to go into lockdown immediately following the event if certain criteria was met. The bill died in committee. (Cook)

ETHICS

Ethics Code/Sexual Harassment (Monitored)

CS/SB 1628 (Book) and **HB 1233** (Jacobs) would have established a definition for "sexual harassment" and amended the state Code of Ethics to prohibit public officers, employees and lobbyists from sexually harassing any person. The bills would have created the Prevention of Sexual Harassment and Misconduct Task Force to examine best practices to prevent sexual misconduct in government settings. CS/SB 1628 passed the Senate, was substantially amended and passed the House, and died awaiting action by the Senate. HB 1233 died in committee. (O'Hara)

State Ethics Reform and Sexual Harassment (Monitored)

CS/CS/HB 7007 (formerly PCB PIE 18-01) (House Public Integrity and Ethics Committee) and **SB 1534** (Mayfield) would have addressed public officer, employee and third-party conduct regarding solicitation and negotiation of conflicting and potentially conflicting income-producing relationships, addressed post-service lobbying restrictions by legislators and

state agency officials, and revised executive branch lobbyist registration requirements. CS/CS/HB 7007 was later amended to establish a definition for “sexual harassment,” to prohibit sexual harassment in the conduct of public business, and to revise procedures applicable to state and local agencies relating to sexual harassment complaints and prevention. CS/CS/HB 7007 passed the House and died awaiting action by the Senate. SB 1534 died in committee. (O’Hara)

Government Integrity – Misuse of Public Funds (Monitored)

CS/CS/HB 7073 (formerly PCB PIE-04) (Public Integrity and Ethics Committee) would have established various provisions to promote integrity in government and to prevent fraud, waste and abuse relating to the expenditure of public funds. The bill included substantial provisions relating to local government expenditures and use of state-appropriated funds including the creation of the Florida accountability officer within the Office of the Auditor General. It would have authorized the Florida accountability officer to investigate complaints alleging waste, fraud, abuse, misconduct or gross mismanagement relating to the expenditure of public funds within and by state and local government. CS/CS/HB 7073 passed the House and died awaiting action by the Senate. (O’Hara)

Ethics (Monitored)

SB 1750 (Rodriguez Jr.) would have amended current law to prohibit a state public official from voting on matters that would inure to the special gain or loss of certain individuals and entities. It would have also required state officers to disclose certain conflicts before participating in matters that would inure to their special gain or loss. The bill would have allowed a prevailing complainant in an action by a respondent to recover costs and fees, even if the underlying complaint was determined by the Ethics Commission to have been filed with malicious intent. SB 1750 died in committee. (O’Hara)

FINANCE & TAXATION

Homestead Exemption Implementation (Supported)

HB 593 (Porter) and **SB 772** (Grimsley) would have required the Legislature to appropriate monies beginning FY 2019-2020, if Amendment 1 was approved by voters, to offset reductions in ad valorem tax revenue experienced by local governments within a Rural Area of Opportunity that resulted from the additional homestead exemption required by Amendment 1. The bills died in committee. (Hughes)

Publicly Funded Retirement Plans (Opposed – Mandate)
SB 980 (Brandes) and **HB 1363** (McClure) would have made numerous changes to the reporting requirements for publicly funded retirement plans including revising the minimum requirements for actuarial reports for retirement systems or plans to include a list of pre-retirement and post-retirement benefits provided to employees. The bills also required the recommended contribution rates be stated as a percentage of the annual revenue of the plan sponsor. The bills died in committee. (Hughes)

Sales Tax on Commercial Leases (Opposed – Mandate)

SB 60 (Hukill) and **HB 939** (Toledo) would have reduced the sales tax rate on commercial leases from 5.8 to 5.0 percent. The negative fiscal impact of these bills was estimated to be \$12.69 million annually. The bills died in committee. (Hughes)

Tax on Commercial Leases (Opposed – Mandate)

HB 409 (Ahern) and **SB 902** (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, 2019, the exemption would have been \$10,000 and would have increased annually until the sales tax on commercial leases was repealed on January 1, 2028. The bills died in committee. (Hughes)

Property Tax Exemption and Assessment:

Manufacturing Equipment (Opposed – Mandate)

SJR 136 (Stuebe) would have proposed an amendment to the state constitution authorizing the Legislature to exempt certain manufacturing equipment from the tangible personal property tax or to allow manufacturing equipment to be assessed at less than just market value pursuant to an accelerated depreciation method established by general law. The bill died in committee. (Hughes)

Statewide Travel Management System (Opposed – Unfunded Mandate)

HB 5203 (House Government Operations and Technology Appropriations Subcommittee) required that each “reporting entity” (including municipalities) report monthly any information relating to travel resulting in an overnight stay by a public officer or employee, including: name and position title; purpose of travel; dates and location of travel; mode of travel; and, total travel cost. **CS/HB 11** (Metz) and **CS/SB 354** (Stargel) included similar language and would have also required the reporting of travel expenses. The bills died in committee. (Hughes)

Tourist Development Tax (Monitored)

CS/HB 585 (Fine) and **CS/SB 658** (Brandes) would have expanded the allowable uses of tourist development tax (TDT) revenues to authorize the acquisition, improvement or financing of public facilities, if such facilities were needed to increase tourist-related business activities that were recommended by the county tourist development council and certain conditions were met. Similar provisions were included in CS/HB 7087 which passed this session. CS/SB 658 died in committee. CS/HB 585 was passed by the full House but died awaiting Senate action. (Hughes)

Truth in Millage Notices (Monitored)

HB 765 (Ingoglia) would have authorized the property appraiser to post truth in millage notices on the property appraiser's website in lieu of providing notice by first-class mail with certain conditions and limitations. The bill died in committee. (Hughes)

Ad Valorem Taxation: Damaged Properties (Monitored)

SB 1600 (Passidomo) and **HB 1375** (Eagle) would have provided that certain residential properties damaged or destroyed in 2017 by a natural disaster could have received an abatement of certain property taxes. SB 1600 included all natural disasters, and HB 1375 covered only those properties damaged or destroyed by Hurricane Irma. Similar provisions were included in CS/HB 7087 which passed this session. The bills died in committee. (Hughes)

Homestead Exemption for Disabled First Responders (Monitored)

SB 1284 (Simmons) would have revised the definition of the term "first responder" to include law enforcement officers, correctional officers, firefighters, emergency medical technicians or paramedics whose injuries were certified by their employing organizations to be caused by service in the line of duty on September 11, 2001, while responding to the terrorist attacks in New York City. The bill died in committee. (Hughes)

PACE – Improvements to Real Property (Monitored)

SB 1858 (Passidomo) and **HB 1225** (Jacobs) would have made numerous modifications to the Property Assessed Clean Energy (PACE) program. The bills would have revised the definition of "qualified improvements" to include wind resistance improvements. The bills died in committee. (Hughes)

Property Tax Exemptions (Monitored)

HB 727 (Grall) and **SB 934** (Hukill) would have increased the property tax exemption, from \$500 to \$5,000, for homesteaded residents who are widows, widowers, blind, or totally and permanently disabled. The bills had an estimated negative fiscal impact on municipalities of \$5.47 million per year. The bills died in committee. (Hughes)

Taxation of Real Property (Monitored)

SB 1386 (Rodriguez, J.) would have prohibited separate ad valorem taxes or non-ad valorem assessments against land on which a multiple parcel building is located. The bill died in committee. (Hughes)

Property Tax Administration (Monitored)

SB 1406 (Perry) would have allowed the property appraiser to contract for services to examine or audit homestead tax exemptions. The bill died in committee. (Hughes)

Property Tax Exemption for Parents of Fallen Veterans (Monitored)

HJR 743 (Abruzzo) and **SB 1636** (Rader) 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. The bills died in committee. (Hughes)

Property Tax Exemption Implementation: Parents of Fallen Veterans (Monitored)

HB 745 (Abruzzo) and **SB 1638** (Rader) would have implemented HJR 745 or SJR 1636, if approved by voters. The bills died in committee. (Hughes)

Property Tax: Heavy Equipment (Monitored)

SB 916 (Grimsley) and **HB 1271** (Ahern) would have defined "heavy equipment rental property" and "dealer of heavy equipment rental property" for the purposes of ad valorem taxation. The bills would have also expanded the definition of "inventory" to include heavy equipment rental property. The bills died in committee. (Hughes)

Property Tax Exemption: Generators (Monitored)

SJR 974 (Brandes) would have proposed an amendment to the state constitution authorizing the Legislature to exempt permanently installed standby generators from the tangible personal property tax. The bill died in committee. (Hughes)

Property Tax Exemption: Generators (Monitored)

SB 976 (Brandes) would have implemented SJR 974, if approved by voters, related to a new exemption from the tangible personal property tax for permanent standby generators. The bill would have also prohibited property appraisers from considering those generators in determining the assessed value of real property. The bill died in committee. (Hughes)

Sales Tax Holiday (Monitored)

SB 686 (Perry) would have created a 10-day back-to-school sales tax holiday. Between July 27- August 5, 2018, sales tax could not be collected on specified items, including certain clothing, personal computers and school supplies. These sales tax holiday provisions were included in CS/HB 7087. See CS/HB 7087 on page 9. The bill died in committee. (Hughes)

Local Tax Referenda (Monitored)

CS/CS/SB 272 (Brandes) and **CS/CS/HB 317** (Ingoglia) would have amended when a local government may put a local discretionary surtax ballot initiative on the ballot. The bills required a referendum to adopt or amend a local discretionary surtax be held at a general election and would have required a simple majority of voter approval for passage. The bills died in committee. (Hughes)

Local Business Tax (Monitored)

SB 910 (Garcia) would have created new exemptions from the local business tax for veterans, certain spouses of veterans and low-income people. The bill would have exempted businesses with fewer than 25 people if an exempt individual owned a majority interest in the business. The bill died in committee. (Hughes)

Annual Sales Tax Holiday for Veterans (Monitored)

HB 69 (McGhee) would have created an annual sales tax holiday for veterans from November 1 through December 31, during which time the sales tax could not have been collected on the retail sale of certain items to a veteran. The bill died in committee. (Hughes)

Homestead Exemption for Surviving Spouses of Deceased Disabled Veterans (Monitored)

HB 527 (Magar) and **SB 1000** (Grimsley) would have carried over certain ad valorem tax discounts to widows or widowers of certain deceased veterans as long as they did not remarry or sell the property. The bills died in committee. (Hughes)

Increase of Homestead Portability Timeframe (Monitored)

SJR 452 (Brandes) and **HJR 501** (Ahern) would have proposed an amendment to the state constitution to increase the period from two to three years when accrued Save-Our-Homes benefits could be transferred from a prior homestead to a new homestead. The bills died in committee. (Hughes)

Implementation of Increase of Homestead Portability Timeframe (Monitored)

SB 454 (Brandes) and **HB 503** (Ahern) would have increased the period from two to three years when accrued Save-Our-Homes benefits could be transferred from a prior homestead to a new homestead. The bills died in committee. (Hughes)

Charter County and Regional Transportation System Surtax (Monitored)

CS/CS/HB 243 (Avila) and **SB 688** (Garcia) would have required any county operating under home rule charter to use the proceeds of the Charter County and Regional Transportation System Surtax for the planning, development and expansion of fixed guideway rapid transits or bus systems. Surtax proceeds could have been pledged by the governing body of the municipality for bonds issued to refinance existing bonds or new bonds issued for the construction of roads or bridges. Additionally, each such municipality could have used surtax proceeds for transit systems within the municipality. CS/CS/HB 243 was passed by the full House but died awaiting Senate action. SB 688 died in committee. (Hughes)

HOUSING**State Housing Trust Fund (Supported)**

SB 874 (Passidomo) and **HB 191** (Shaw) specified that monies deposited in the State Housing Trust Fund and the Local Government Housing Trust Fund may not be transferred or used for any other purpose. The bills would have also allowed for the continuation of transfers of these trust fund monies to the following programs:

- Affordable Housing Catalyst Program: provides specialized technical support to local governments and community-based organizations to implement the HOME Investment Partnership Program, State Housing Initiatives Partnership Program and other affordable housing programs

- **Training and Technical Assistance Program:** provides community-based organizations, staff of state and local governments and designated lead agencies of homeless assistance continuums of care with the necessary training and technical assistance to meet the needs of homeless persons, very-low-income persons, low-income persons and moderate-income persons for standard, affordable housing
- **State Office on Homelessness/Council on Homelessness:** provides programs that assist persons who are homeless or at risk for homelessness

The bills died in committee. (Branch)

Housing Assistance (Monitored)

HB 301 (Cortes, J.) would have created a local government risk mitigation program through a local government's housing assistance plan for counties and municipalities participating in the State Housing Initiatives Partnership program. The program was intended to provide a mechanism for a landlord of affordable housing rentals units to offset out-of-pocket losses incurred from property damage or unpaid rent by tenants. The bill died in committee. (Branch)

Florida Affordable Housing Guarantee Program (Monitored)

SB 1174 (Stewart) would have revised the definition of "eligible housing" under the Florida Affordable Housing Guarantee Program to include evacuees from a United States territory. The bill died in committee. (Branch)

IMMIGRATION

Federal Immigration Enforcement/Sanctuary Policies (Monitored)

HB 9 (Metz) and **SB 308** (Bean) prohibited the adoption of a sanctuary policy by a local government and required cooperation with federal immigration authorities. The bill required a state or local government official to promptly report to the attorney general or local state attorney a known or probable violation of the law. The bill imposed a civil penalty of at least \$1,000 but no more than \$5,000 for each day a policy that violates the act was in effect. HB 9 passed the House, but SB 308 was never considered by the Senate. (Cruz)

Enforcement of Federal Laws (Monitored)

SB 1726 (Torres) and **HB 1333** (Smith) would have created the Florida Trust Act, which sought to protect the constitutional rights of Florida residents to use the state's

resources on state and local matters exclusively and to set forth relevant definitions pertaining to federal immigration enforcement. The bills would have prohibited law enforcement from using resources to investigate or detain a person for immigration enforcement and prohibited the creation or use of a database for immigration enforcement. Neither bill was considered in any committee. (Cruz)

INSURANCE

Workers' Compensation Benefits for First Responders (Opposed – Unfunded Mandate)

SB 126 (Torres) and **HB 629** (Asencio) would have allowed for a mental or nervous injury suffered by a law enforcement officer, firefighter, emergency medical technician or paramedic to be compensable under the workers' compensation law if the mental or nervous injury was demonstrated by a preponderance of the evidence. SB 126 and HB 629 were not considered in committee. See CS/CS/SB 376 on page 2. (Cruz)

Workers' Compensation (Monitored)

HB 7009 (House Commerce Committee) would have allowed injured workers to receive up to 260 weeks of temporary total disability or temporary partial disability, and would have substantially revised existing attorney fees provisions. HB 7009 would have mandated a specified notice regarding attorney fees be signed by the claimant stating that the injured worker may be responsible for any remaining attorney fees and would have removed a restriction for injured workers to enter into a fee agreement with an attorney. The bill passed the House but was not heard in the Senate. (Cruz)

LAND USE & COMPREHENSIVE PLANNING

Private Property Comprehensive Plan Element (Opposed – Unfunded Mandate)

HB 207 (McClain) and **SB 362** (Perry) would have required local governments to adopt a new mandatory element in their comprehensive plans that would address the protection of private property. The bills were not considered in committee. (Cruz)

Regional Planning Council Meetings (Monitored)

HB 611 (Geller) and **SB 1380** (Rodriguez) would have allowed a regional planning council (RPC) member to attend an RPC meeting via real-time videoconferencing under certain circumstances and to be counted for purposes of a quorum requirement. The bills were not considered in committee. (Cruz)

Annexation Procedures for Municipalities (Supported)

HB 1121 (Silvers) and **SB 1722** (Torres) would have revised the process for cities to make annexations. The bills would have amended the definition of enclave and adjusted annexation procedures of enclaves. The bills were not considered in committee. (Cruz)

Vegetable Gardens (Opposed – Preemption)

SB 1776 (Bradley) would have preempted local governments from enacting local ordinances or regulations of vegetable gardens on residential properties. The bill passed the Senate but was never considered by the House. (Cruz)

Military Affairs (Monitored)

HB 785 (Ingram) and **SB 1864** (Broxson) would have prohibited the construction of buildings, roads, billboards, advertising, utilities or structures that are incompatible with the mission of a military base on lands located in a rural-lands-protection easement. The bills were not considered in committee. (Cruz)

OTHER**Community Development Districts (Opposed – Preemption)**

CS/SB 1348 (Perry) and **CS/CS/HB 883** (Ingoglia) would have allowed a petitioner to establish a new community development district (CDD) of less than 2,500 acres within the next 10 years. If the district was to become established, individuals could have petitioned the municipality or county to amend its boundaries to include a previously identified parcel that was a proposed addition to the district. The bills would have prohibited a local government from charging a filing fee. The bills were passed by the House and Senate chambers but died in messages. (Branch)

Public Deposits Act (Supported)

HB 769 (Trumbull) and **SB 1258** (Hutson) would have allowed the state's chief financial officer to designate credit unions as qualified public depositories if certain conditions were met. The bills died in committee. (Hughes)

Government Actions Discriminating Against Businesses/ Wedding Cake Bill (Opposed – Preemption)

SB 1290 (Baxley) and **HB 871** (Fant) would have created the Free Enterprise Protection Act. The legislation was filed in response to a business refusing to make a wedding cake for a wedding reception in

Colorado. The bills broadly defined discriminatory actions by governmental entities against businesses. The legislation would have prohibited a governmental entity from taking discriminatory action against a business on the basis of the internal policies of the business entity, including, but not limited to, personnel and employee benefit policies that are in compliance with state law. Additionally, the bills would have also prohibited a government discriminatory action because of the business' exercise of a right guaranteed under the state or federal constitutions, including, but not limited to, the rights of freedom of expression and free exercise of religion. The legislation could have potentially preempted some city regulations; such as human rights ordinances. The bills were not considered in committee. (Cruz)

Municipal Conversion of Independent Special Districts (Monitored)

SB 84 (Lee) would have required an independent special district wishing to convert to a municipality to have a minimum population of 1,500 if the population of the county is less than 75,000 or, if the county has more than 75,000, then the independent special district wishing to convert to a municipality must have had a population of at least 5,000. The bill died in committee. (Branch)

Cardrooms (Opposed – Preemption)

HB 6029 (Plakon) would have shifted the required local approval for cardroom gaming from the governing board of the city to the governing board of the county, even if the facility was located within municipal boundaries. The bill died in committee. (Cook)

Racing Animals (Opposed – Preemption)

HB 1433 (Byrd) and **SB 1774** (Rader) would have preempted the regulation of the welfare of racing greyhounds to the state. The bills died in committee. (Cook)

Parking Garages (Opposed – Preemption)

SB 378 (Steube) would have preempted a city from adopting an ordinance or rule that prohibited a driver from, or authorized the issuance of a citation to a driver for, back-in parking a vehicle in a parking space located in a parking garage. The bill would have voided any such ordinance or rule in effect on July 1, 2018. The bill died in committee. (Cook)

Public Charters and Amendments (Opposed – Mandate)

SB 1480 (Brandes) would have required the Department of State (DOS) to create and maintain a centralized electronic database containing county, municipal and special district charters and amendments that would have been required to have been accessible to the public through the department's website. Any amendments to a city charter after July 1, 2018, would have had to be filed electronically with the DOS within 90 days of adoption. Cities that failed to comply with these new requirements would not have been able to levy a new tax, levy or collect an existing tax or issue a bond until they complied. The bill died in committee. (Cook)

Towing and Immobilizing Fees and Charges (Opposed – Preemption)

HB 963 (Cortes) and **SB 1632** (Mayfield) would have prohibited cities from enacting an ordinance that imposed a fee or charge on an authorized wrecker operator or towing company for towing, impounding or storing a vehicle or vessel. This legislation would have prohibited cities from contracting with towing companies for towing services if the contract required the tow company to pay an annual, quarterly or monthly fee to provide those services. Additionally, the bills revised that the maximum rate charged to immobilize a vehicle or vessel. The bills limited cities to charging an administrative fee of up to 25 percent of the maximum towing rate to the registered owner of the towed vehicle, when it was towed from public property. Finally, the bills clarified that cities would have been prohibited from imposing a charge, fee or fine on the registered owner of the towed vehicle, unless specific requirements were met. HB 963 was passed by the full House but died awaiting Senate action. SB 1632 died in committee. (Cook)

Companion Animal Public-Private Partnership Act (Opposed – Unfunded Mandate)

HB 249 (Watson, B.) and **SB 1356** (Rader) would have prohibited an animal shelter from euthanizing an animal, with certain exceptions, if a rescue organization had indicated it will take custody of the animal. The bills allowed for a reasonable fee to be assessed to the rescue organization. The bills died in committee. (Cook)

Gaming (Monitored)

HB 7067 (House Tourism and Gaming Subcommittee) would have ratified and approved a 2018 gaming compact between the Seminole Tribe of Florida and the State of Florida and authorized the governor to

execute the 2018 compact. Under its terms, the 2018 compact would have extended for 20 years both the Tribe's current exclusive authorization to conduct banked games statewide and the tribe's current exclusive authorization to conduct slot machine gaming outside of Miami-Dade and Broward counties. In exchange, the tribe would have made revenue sharing payments totaling at least \$3 billion to the state during the first seven years of the 2018 compact.

The 2018 compact would have reincorporated many of the same provisions of the gaming compact between the tribe and state executed on April 7, 2010 (2010 compact).

In addition, the bill would have clarified what types of games are authorized in which areas of the state. The bill was passed by the House and Senate chambers, however, the bill died in conference because the two chambers could not reach an agreement. (Cook)

Animal Rescue Organizations (Monitored)

SB 132 (Steube) and **HB 153** (Porter) would have required the sterilization of all dogs and cats sold or released from animal rescue organizations and animal control agencies. The bills would have also prohibited the importation of animals into the state by animal control agencies, except when animals are imported during an emergency or natural disaster. The bills died in committee. (Cook)

Public Lodging (Monitored)

SB 1138 (Steube) would have prohibited hotels and motels from having minimum-stay requirements greater than one night and directed the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules implementing the prohibition. The bill died in committee. (Cook)

Lost or Stray Dogs or Cats (Monitored)

HB 823 (Cruz) and **SB 1576** (Steube) would have required public and private animal shelters that take receivership of any lost or stray dogs and cats to adopt written policies and procedures to ensure that efforts were made to return owned animals to their owners. The bills died in committee. (Cook)

PERSONNEL

Firefighter Cancer Benefit (Opposed – Mandate)

CS/CS/SB 900 (Flores) and **HB 695** (Latvala, C.) would have entitled firefighters who received a diagnosis of any cancer to a package of mandated benefits. These benefits would have included, at no cost to the firefighter, coverage under a group health or self-insurance policy and a cash payout of \$25,000. These benefits would have been required to be available to the firefighter for at least 10 years after leaving employment. The bills died in committee. (Hughes)

Discrimination in Employment Screening (Opposed – Preemption)

SB 702 (Farmer) would have prohibited a public employer from inquiring into or considering an applicant's criminal history on an initial employment application, unless otherwise required 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 the applicant met the minimum employment requirements for the position. The bill died in committee. (Hughes)

Firefighter Cancer Initiative (Monitored)

HB 2915 (Nunez) would have provided a nonrecurring \$2 million appropriation for fiscal year 2018-2019 to the Department of Financial Services to fund the Firefighter Cancer Initiative at the University of Miami Miller School of Medicine. The bill died in committee. (Hughes)

Discrimination in Employment Screening (Monitored)

SB 798 (Braynon) would have prohibited a private employer from excluding an applicant from the initial interview for employment due to his or her conviction history of certain crimes. Employers would have also been prohibited from requiring the applicant to disclose certain convictions either on an employment application, prior to the initial interview, or before making a conditional offer of employment. The bill died in committee. (Hughes)

Discrimination in Employment Screenings (Monitored)

HB 51 (Jones), **SB 102** (Bracy) and **HB 433** (Henry) would have prohibited an employer from inquiring into or considering an applicant's criminal history on an initial employment application, unless otherwise required by law. The bills died in committee. (Hughes)

Employment Discrimination: Emergency Evacuation Order (Monitored)

HB 225 (Davis) and **SB 1828** (Rodriguez) would have prohibited an employer from taking retaliatory personnel action against an employee who had left a place of employment to evacuate under an emergency evacuation order. The bills provided an exemption for emergency personnel, individuals necessary for the restoration of vital services and individuals employed at nursing homes. The bills died in committee. (Hughes)

Discrimination in Labor and Employment (Monitored)

HB 393 (Berman) and **SB 594** (Stewart) would have prohibited an employer from providing less than favorable employment opportunities to an employee based on their sex. The bills would have also prohibited an employer paying an employee less than the employer pays another employee of the opposite sex with substantially the same job except when the employer can demonstrate the wage differential was based on specific factors. The bills died in committee. (Hughes)

PROCUREMENT

Department of Management Services (Monitored)

HB 111 (Albritton) and **CS/SB 368** (Brandes) would have created the Statewide Efficiency Task Force (SETF) for the purpose of evaluating the effectiveness and value of state and local procurement laws and determining where inconsistencies exist. The bills died in committee. (Cook)

Direct Purchases of Tangible Personal Property by Contractors (Monitored)

HB 715 (Leek) and **SB 1108** (Young) would have allowed cities to authorize the use of their government certificates of entitlement by contractors for the direct purchase of tangible personal property that would have become a part of the public works owned by the governmental entity. The bills died in committee. (Cook)

PUBLIC RECORDS & PUBLIC MEETINGS

Public Meetings (Supported)

CS/HB 79 (Roth) and **SB 192** (Baxley) would have exempted meetings between two members of any board or commission from certain public meetings and public records requirements. The bills specified that members of the same commission could have participated in fact-finding excursions to research public

business and could have participated in meetings with a member of the Legislature. The bills required that the board or commission provide reasonable notice and that appropriate records be taken and retained as public record. SB 192 contained additional language providing that notice would not have been required when two or more members of a board are gathered if no official acts were taken and no public business was discussed. This language was not in CS/HB 79. CS/HB 79 died on the House floor. SB 192 was passed by the full Senate but died awaiting House action. (Cook)

Public Meetings and Records (Supported)

CS/HB 439 (Donalds) and **CS/SB 560** (Steube) would have expanded the public meeting requirements exemption that allows city officials to meet privately with their attorney to discuss pending litigation. The exemption would have been expanded to include “imminent” litigation. The bills would have required a transcript of the meeting to be kept and released to the public within a reasonable time after the matter was resolved or the statute of limitations had expired. CS/SB 560 was amended during the committee process to allow the designee of the chief administrative or executive officer of the city and the city’s technical experts to attend the meeting with the attorney to discuss imminent litigation. CS/HB 439 died in committee. CS/SB 560 died on the Senate floor. (Cook)

Public Meetings (Opposed – Unfunded Mandate)

HB 589 (Newton) and **SB 1092** (Rader) would have required meetings of any entities created by general or special law to be subject to the public meetings law. In addition, the bills would have required agendas and other meeting materials of these entities to be made available at least three days prior the meeting. The bills required the presiding officer to allot time for public comment as the first or last item listed on the agenda. The bills also required the board or commission of the entity to respond, publicly at the meeting or through written correspondence, to any question made by a member of the public. The bills died in committee. (Cook)

Public Records/Trade Secrets (Monitored)

CS/CS/HB 459 (Massullo) would have deleted several provisions that exempt agency contracts and other trade secrets from public records requirements. The bill was passed by the full House but died awaiting Senate action.

CS/CS/HB 461 (Massullo), **SB 956** and **SB 958** (Mayfield) would have created a public record exemption for trade secrets and a process by which requested records containing trade secrets could be released to the requestor. The bills would have applied to all state agencies, counties and municipalities. CS/CS/HB 461 was passed by the full House but died awaiting Senate action. SB 956 and SB 958 died in committee. (Cook)

Public Records (Monitored)

HB 273 (Rodrigues) and **SB 750** (Perry) would have prohibited cities from requesting clarification from the courts on certain public record requests. HB 273 was passed by the full House but died awaiting Senate action. SB 750 was voted down in committee. (Cook)

PUBLIC SAFETY

Office of Drug Control (Supported)

HB 865 (Abruzzo) and **SB 1068** (Rader) would have established the Office of Drug Control within the Executive Office of the Governor to coordinate drug control efforts, enlist the help of the public and private sectors in these efforts and make recommendations to the governor and Legislature relating to the implementation of the state’s drug control strategy. The bills died in committee. (Cook)

Fireworks (Opposed – Preemption)

CS/SB 198 (Steube) and **CS/HB 6037** (Grant, J.) would have repealed a provision that limits the number of entities authorized to sell fireworks in Florida and another provision that allows cities to adopt reasonable rules and regulations for approving permits for the public display of fireworks. The bills also would have repealed several other provisions related to fireworks. CS/SB 198 died in committee. CS/HB 6037 died on the House floor. (Cook)

Safe Neighborhood Improvement Districts (Supported)

HB 1407 (Williams), **CS/SB 1814** (Simmons) and **HB 1405** (Williams) were comprehensive bills that would have created a Safe Neighborhood Improvement District Revolving Loan Trust Fund within the Department of Legal Affairs. The money in the trust fund would have been used to provide loans for crime prevention projects. The bills provided guidelines that must be met before a loan could be approved and required the district to submit an annual report to the Florida Legislature. The bills died in committee. (Branch)

Texting While Driving (Supported)

CS/CS/SB 90 (Perry) and **CS/CS/HB 33** (Toledo) would have allowed law enforcement officers to issue texting-while-driving citations as a primary action. CS/SB 90 was amended during the committee process to require police officers to inform drivers stopped for texting that they can decline searches of their devices. CS/CS/SB 90 died in committee. CS/CS/HB 33 was passed by the full House but died awaiting Senate action. (Branch)

Mental Health & Substance Abuse (Monitored)

SB 202 (Steube) would have revised the duties of a law enforcement officer with respect to transporting a person for involuntary admission to a hospital or licensed facility. The law enforcement officer would have been permitted to detain the person for his or her own protection in an appropriate detention facility, until the person could be transported to such facility. The bill died in committee. (Branch)

Public Safety (Monitored)

HB 7101 (Oliva) was a comprehensive public safety bill in response to the shooting at Marjory Stoneman Douglas High School. The bill died on the House floor. See CS/SB 7026 on page 2. (Cook)

Firearm Safety (Monitored)

SB 7022 (Senate Rules Committee) among a host of other provisions, would have provided law enforcement and the courts with certain tools to enhance public safety by temporarily restricting firearm possession by a person who was undergoing a mental health crisis and when there was evidence of a threat of violence. The bill died in committee. See CS/SB 7026 on page 2. (Cook)

Concealed Weapons or Firearms in Courthouses (Monitored)

SB 134 (Steube) would have created a process by which concealed weapons licensees could temporarily surrender a firearm to security or management personnel upon arrival at a courthouse. The bill specifically defined courthouse as “a building in which trials and hearings are conducted on a regular basis” and would have preempted any local ordinance in conflict with this definition. If a building is used primarily for purposes other than the conduct of hearings, trials and housing judicial chambers, the definition applied only to the portion that is primarily used for hearings, trials and judicial chambers. The bill was voted down during the committee process. (Cook)

Medical Marijuana Retail Facilities (Monitored)

HB 1053 (DuBose) and **SB 1336** (Thurston) would have created medical marijuana retail facilities (MMRFs) and allowed for licensed MMRFs to dispense and deliver medical marijuana acquired from licensed medical marijuana treatment centers (MMTCs). The bills specified that licensed MMTCs could have contracted with up to 10 MMRFs per license for the dispensing and delivery of medical marijuana and that MMRFs could not be owned by anyone with a significant interest in a MMTC. The bills authorized cities to ban MMRFs, or if they chose not to do so, any adopted regulations could not be more restrictive than what is currently in place for pharmacies. The bills died in committee. (Cook)

Smoking Marijuana for Medical Use (Monitored)

SB 726 (Farmer) would have amended current law to allow qualifying patients to smoke medical marijuana. Current law prohibits doctors from prescribing “smokeable” medical marijuana. The bill died in committee. (Cook)

Substance Abuse Treatment (Monitored)

HB 1025 (Duran) and **SB 1468** (Rouson) would have authorized the Agency for Health Care Administration to seek federal approval for a waiver to increase the availability of federal Medicaid funding to provide programs that improve the quality of, and access to, treatment for individuals with a substance abuse disorder served by the Medicaid program. The bills also contained similar language to HB 865 and SB 1068, creating the Office of Drug Control within the Executive Office of the Governor. The bills died in committee. (Cook)

E911 Systems (Monitored)

CS/SB 190 (Steube) and **CS/HB 1057** (DuBose) would have required the Department of Management Services (DMS) to develop and implement a plan to require that emergency dispatchers be able to transfer an emergency call from one E911 system to another within the state. CS/SB 190 died in committee. HB 1057 died on the House floor. (Cook)

Juvenile Civil Citation and Diversion Programs (Monitored)

HB 489 (Pritchett) and **CS/SB 644** (Bracy) would have required counties and cities to create civil citation programs for juveniles alleged to have committed a violation that would have been treated as a misdemeanor offense if committed by an adult. The

bills would have allowed an officer making contact with a juvenile who admitted to commission of a second or third misdemeanor offense to issue a civil citation in lieu of arrest at the officer's discretion. The bills died in committee. (Cook)

Searches by Law Enforcement Officers (Monitored)

HB 233 (Jones) and **SB 262** (Farmer) would have prohibited a law enforcement officer from searching individuals or their property without first informing them of their lawful right to decline the search request, unless the law enforcement officer was carrying a valid search warrant or the search was based upon another legally sufficient justification. This bills died in committee. (Cook)

Law Enforcement Activities for Opioids in Small Counties (Monitored)

HB 253 (Daniels) and **SB 1720** (Montford) would have authorized a \$10 surcharge, collected by the clerk of the court, on a defendant's bail if that person was charged with specified drug or alcohol-related offenses. The fee would have been deposited into the Department of Law Enforcement Operating Trust Fund and been used to provide grants to law enforcement agencies in counties with a population of 50,000 or fewer to fund drug enforcement activities within those counties. The bills died in committee. (Cook)

Law Enforcement Practices (Monitored)

HB 397 (Stark) and **SB 592** (Bracy) would have required law enforcement officers who conduct a traffic stop and subsequently issue a traffic citation to note the race of the person to whom the citation was issued. The bills would have required law enforcement agencies to collect and submit this information to the Department of Highway Safety and Motor Vehicles (DHSMV). The bills would have also added new language prohibiting racial profiling by law enforcement. The bills died in committee. (Cook)

Mental Illness Training for Law Enforcement Officers (Monitored)

HB 781 (DuBose) and **SB 1440** (Powell) would have required the Florida Department of Law Enforcement to establish continued employment training relating to mental illness. The bills specified that completion of the training component could have counted toward the required 40 hours of instruction for continued employment as a law enforcement officer. The bills died in committee. (Cook)

Tobacco Products (Monitored)

HB 797 (Altman) and **SB 994** (Mayfield) would have amended the definition of "tobacco products" to add all recreational nicotine products including e-cigarettes, smokeless tobacco and other products. Additionally, the bills would have put in place product placement requirements for retailers that sell electronic nicotine delivery systems or e-liquid. The bills died in committee. (Cook)

Emergency Medical Services (Monitored)

HB 285 (Pigman) and **CS/SB 488** (Grimsley) would have exempted, under specified conditions, a governmental entity that maintains a fire rescue infrastructure and provides first responders from requiring a certificate of public convenience and necessity (COPCN) to provide advanced life support nontransport services (ALSNS).

CS/SB 488 was amended during the committee process to clarify that the exemption was preemptive in a county unless there was a countywide emergency medical services authority that had been created by special act or a governmental entity that contracts with a private entity to provide fire rescue. The bill required a governmental entity intending to provide ALSNS without a COPCN to notify the county and municipalities in its proposed service area when it submitted its application to the state. The bills died in committee. (Cook)

RETIREMENT & PENSION

Special Risk Class (Monitored)

HB 379 (Willhite) and **SB 606** (Stuebe) would have added 911 public safety telecommunicators to the special risk class of the Florida Retirement System. The bills died in committee. (Hughes)

Florida Retirement System (Monitored)

SB 722 (Garcia) and **HB 665** (Clemons) would have specified the minimum amount of the factor used to calculate the cost-of-living adjustment of benefits for a retiree or a beneficiary of the Florida Retirement System retiring on or after July 1, 2011, with service credit earned before July 1, 2011. The bills died in committee. (Hughes)

TORT LIABILITY

Duty to Provide Emergency Assistance (Monitored)

SB 516 (Mayfield) and **HB 345** (Goodson) would have required a person at the scene of an emergency to render aid to a person who is in imminent danger. The bills would have established a criminal penalty for those who do not render aid. The bills would have also provided immunity from liability for individuals who provide reasonable assistance. The bills were not considered in committee. (Cruz)

Liens on Property (Opposed – Unfunded Mandate)

CS/CS/SB 904 (Powell) and **HB 599** (Altman) would have provided that liens placed on property after a final judgment of foreclosure, but prior to judicial sale, would not be discharged by Florida's lis pendens statute. This legislation could have limited the ability of local governments to collect fines for code violations by ensuring that local governments couldn't enforce a lien against a foreclosed property between the date of the foreclosure sale and the date on which title to the property was transferred to the purchaser. **CS/CS/SB 904** was substituted for **HB 599** but died in the House in returning messages. (Cruz)

Sovereign Immunity (Opposed)

HB 1131 (Jenne) and **SB 1812** (Rader) would have substantially amended the waiver of sovereign immunity for governments, including cities. The bills would have increased the waiver of sovereign immunity for municipalities and other political subdivisions by allowing a local government to purchase insurance or self-insure up to \$5 million to pay a claim judgment by any one person or \$7.5 million to cover the total claims or judgments arising out of the same incident or occurrence. The bills were not considered in committee. (Cruz)

TRANSPORTATION

Drones (Supported)

CS/SB 624 (Young) and **CS/HB 471** (Yarborough) would have allowed police departments to use drones to gather evidence at a crime or traffic crash scene. The bill would have also prohibited a person from operating a drone over certain specified areas. The bills died in committee. (Branch)

Smart City Grant Program (Supported)

CS/CS/HB 633 (Fischer) and **CS/CS/SB 852** (Brandes) would have created a Florida Smart City Grant Program within the Florida Department of Transportation (FDOT) to provide incentives for municipalities and other regions of the state to develop innovative smart mobility solutions to local transportation challenges. **CS/CS/SB 852** would have also required the Florida Transportation Commission (FTC) to prepare a report for the governor and the Legislature listing all sources of revenue for transportation infrastructure and maintenance projects. Both bills died on second reading. (Branch)

Operation of Vehicles (Supported)

SB 116 (Baxley) and **CS/HB 117** (Stone) would have included authorized emergency, sanitation, utility service worker and wrecker operator in the definition of "vulnerable road user." The bills would have also required drivers to reduce their speed and/or vacate the lane closest to the worker when possible. **SB 116** died in committee. **CS/HB 117** died on the House floor. (Branch)

Electric Vehicles (Supported)

CS/HB 384 (Brandes) and **HB 981** (Olszewski) would have required the Florida Transportation Commission (FTC) to prepare a report for the governor and the Legislature listing all sources of revenue for transportation infrastructure and maintenance projects. The bills would have required each Metropolitan Planning Organization to consider infrastructure and technological improvements necessary to accommodate the increased use of autonomous technology and electric vehicles. **CS/SB 384** died in committee. **HB 981** was passed by the full House but died awaiting action by the Senate. (Branch)

Red Light Cameras (Opposed – Preemption)

HB 6001 (Avila), **SB 548** (Campbell) and **SB 176** (Hutson) would have preempted the Florida Department of Highway Safety and Motor Vehicles, counties and municipalities from installing and maintaining red light cameras effective July 1, 2021. The Revenue Estimating Conference estimated that the bills would have had a recurring annual impact of \$76.8 million to local government revenues. **HB 6001** was passed by the full House but died awaiting action by the Senate. **SB 548** and **SB 176** died in committee. (Branch)

Electric Vehicle Charging Stations

(Opposed – Preemption)

CS/SB 1082 (Simmons) would have revised the penalties for the unlawful parking of a vehicle in an electric vehicle charging station. Under current law, local governments can charge a fine not exceeding \$250. CS/SB 1082 would have limited the fine to \$30. The bill died in committee. (Branch)

Natural Gas Fuel Taxes (Opposed – Preemption)

PCS/SB 926 (Broxson) and **HB 647** (Raburn) would have delayed the effective date of the natural gas fuel tax until January 1, 2024. The bills died in committee. (Branch)

DOT Package/Metropolitan Planning Organizations (Opposed)

CS/CS/HB 1287 (Drake) and **CS/CS/SB 1104** (Brandes) were the comprehensive Department of Transportation package. Of concern to local governments was a provision in CS/CS/HB 1287, that reduced the voting membership of a Metropolitan Planning Organization (MPO) designated in an urban area with a population of 500,000 or less to no more than 11 apportioned voting members. The amended bill would have also eliminated the weighted voting structure and placed term limits on members. CS/CS/HB 1287 was passed by the full House but died awaiting Senate action. CS/CS/SB 1104 was passed by the full Senate but died awaiting House action. (Branch)

Dockless Bicycle Sharing (Monitored)

CS/CS/HB 1033 (Toledo) and **CS/SB 1304** (Young) would have preempted local governments from regulating dockless bicycles and bicycle-sharing companies. Both bills were amended during the committee process to remove the original preemption placed on local government. The amendment would have required all dockless bicycles and bicycle-sharing companies to comply with all local laws and regulations. The amendment would have also prohibited a local municipality, under certain circumstances, from limiting a bicycle sharing company engaged in the rental of bicycles from operating within its jurisdiction. CS/CS/HB 1033 was passed by the full House but died awaiting Senate action. CS/SB 1304 died in committee. (Branch)

Autonomous Vehicle (Monitored)

CS/HB 353 (Fischer) and **CS/SB 712** (Brandes) would have allowed a person to operate an autonomous vehicle in autonomous mode on all roads in this state, without requiring the person to be physically present in the vehicle. The bills specified that autonomous

vehicles registered in Florida would have been required to meet federal applicable standards and regulations. The bills died in committee. (Branch)

High-speed Passenger Rail (Monitored)

CS/HB 572 (Mayfield) and **HB 525** (Grall) would have established guidelines for the creation of safe and cost-effective transportation options for residents and visitors of this state, including a high-speed rail system. The bills would have also enhanced the safety requirements of high-speed passenger rail in order to protect the health, safety and welfare of the public. In addition, CS/HB 572 would have required the Florida Division of Emergency Management to offer training to local emergency officials on responding to an accident involving rail passengers or hazardous materials. The bills died in committee. (Branch)

Hazardous Walking Conditions (Monitored)

HB 188 (Steube) and **HB 1299** (Raburn) would have revised the speed and road conditions criteria that determine a hazardous walking condition for public school students. The bills would have required the district school superintendent to request a review of the road if a written request was made by a parent of a student in the school district. The state or local government with jurisdiction over the road would have been required to inspect such conditions jointly with other local officials. In addition, the bills required the governmental entity with jurisdiction to report its determination in writing to the district school superintendent. The bills died in committee. (Branch)

Statewide Alternative Transportation Authority (Monitored)

CS/HB 535 (Avila) and **SB 1200** (Young) would have created a Statewide Alternative Transportation Authority within the Department of Transportation that would have been solely responsible for the design and construction of alternative transportation systems. The bills defined “alternative transportation system” as a system of infrastructure, appurtenances and technology designed to move the greatest number of people in the least amount of time. The bills would have reallocated \$60 million in documentary stamp taxes currently allocated to the Florida Rail Enterprise to fund the initiative. The bills died in committee. (Branch)

Metropolitan Planning Organizations (MPOs) (Monitored)

HB 575 (Beshears) and **SB 1516** (Perry) would have revised the voting membership requirements for MPOs according to population. MPOs designated in an urbanized area with a population of 500,000 or fewer would have been required to consist of at least five, but not more than 11, apportioned members. MPOs designated in an urbanized area with a population of more than 500,000 would have been required to consist of at least five, but not more than 15, apportioned members. The bills would have prohibited an entire county commission from being members of the MPO governing board. The bills would have also prohibited an MPO from adopting a weighted voting structure. The bills died in committee.

HB 807 (Diamond) and **SB 984** (Brandes) would have required MPOs designated after July 1, 2018, to consist of at least five members, with the exact number determined on an equitable geographic-population ratio basis. The bills would not have affected MPOs designated before July 1, 2018. The bills died in committee. (Branch)

Small Business Roadway Construction Mitigation Grant Program (Monitored)

CS/SB 182 (Rodriguez, J.) and **CS/HB 567** (Duran) would have directed the Florida Department of Transportation to create a Small Business Roadway Construction Mitigation Grant Program. The program would have provided grants to qualified businesses negatively impacted by state road construction projects to help maintain the business during road construction. The bills died in committee. (Branch)

UTILITIES & ENVIRONMENT

Coastal Management (Supported)

CS/SB 174 (Hukill) and **HB 131** (Peters) would have revised criteria considered by the Department of Environmental Protection (DEP) in determining annual funding priorities for beach nourishment and inlet management projects, including the use of weighted tiers for such criteria. The bills directed an annual appropriation of the lesser of 7.6 percent or \$50 million from the state Land Acquisition Trust Fund for beach and inlet projects. CS/SB 174 passed the Senate and died awaiting action by the House. HB 131 died in committee. Note that the General Appropriations Act allocated \$50 million to DEP for Beach Management Funding Assistance and \$11.2 million for Hurricane Beach Recovery. (O'Hara)

Land Acquisition Trust Fund (Supported)

CS/SB 370 (Bradley) and **HB 1353** (Beshears) would have directed an annual appropriation of \$100 million to the Florida Forever Trust Fund from the Land Acquisition Trust Fund. CS/SB 370 passed the Senate and died awaiting action by the House. HB 1353 died in committee. Note that the General Appropriations Act allocated \$100.8 million to the Florida Forever Trust Fund. (O'Hara)

Wastewater Utilities (Supported)

CS/SB 244 (Brandes) and **CS/HB 837** (Edwards) provided incentives for wastewater utilities to follow industry best practices, improve their infrastructure and prevent sanitary sewer overflows and unauthorized discharge of pathogens. The bills created a voluntary incentive program for utilities to apply for and receive certification pursuant to standards created by the Environmental Regulation Commission. Specified incentives include permit extensions, a presumption of compliance with water quality standards for pathogens and a reduction in certain penalties. CS/SB 244 died in committee. CS/HB 837 passed the House and died awaiting action by the Senate. The substance of the bills was amended onto CS/CS/HB 1149, which passed. (O'Hara)

Disposable Plastic Bags (Supported)

SB 348 (Rodriguez, J.) authorized coastal municipalities with a population of less than 100,000 to establish a pilot program to regulate or ban disposal plastic bags. SB 348 died in committee. (O'Hara)

Disposable Plastic Bags & Auxiliary Containers (Supported)

HB 6039 (Richardson) and **SB 1014** (Stewart) removed the existing state preemption on local government regulation of auxiliary containers, wrappings or disposable plastic bags. Both bills died in committee. (O'Hara)

Fracking Ban (Supported)

HB 237 (Peters), **SB 462** (Young), **SB 834** (Farmer) and **SB 828** (Farmer) addressed extreme well stimulation or "fracking." HB 237 and SB 462 prohibited advanced well stimulation treatment in the state and provided that a permit for drilling or operating a well does not authorize the performance of advance well stimulation treatments. SB 834 defined "extreme well stimulation" and prohibited the activity within the state. SB 828 proposed an amendment to the Florida Constitution to ban extreme well stimulation. The bills died in committee. (O'Hara)

Offshore Drilling (Supported)

HB 1247 (Cruz) urged Congress to oppose the presidential executive order lifting the moratorium prohibiting oil drilling off the coast of Florida. HB 1247 died in committee. (O'Hara)

Florida Water Infrastructure Needs Solutions Task Force (Supported)

SB 1620 (Book) would have established a task force to evaluate funding mechanisms and strategies to ensure clean water for future generations and to submit a report to the Legislature by 2019 with recommendations. The bill died in committee. (O'Hara)

Natural Resources/Florida Forever (Monitored)

CS/HB 7063 (formerly GAC PCB 18-02) (Government Accountability Committee) would have substantially revised current state law provisions addressing the Florida Forever Program funding allocations and policies, added new requirements for public water supply public waste water treatment facilities, and added Department of Transportation responsibilities with respect to storm water reuse. The bill consolidated existing statutory allocations under the Florida Forever Program from nine categories into three main categories: land acquisition, Florida Communities Trust, and the Rural and Family Lands Protection Program. Each of the three categories would have received 33 1/3 percent of the funding received by the Florida Forever Program. The bill would have required the Department of Transportation to coordinate with local governments and state agencies to redirect storm water from road projects for beneficial reuse, if feasible. The bill would have required public water systems and domestic wastewater systems to develop an asset management plan (AMP) in accordance with Environmental Protection Agency guidelines and tied eligibility for state funds to continued implementation of the AMP. Lastly, the bill required that a public water or wastewater system with infrastructure within an identified special flood hazard area build any new infrastructure to withstand specified flood conditions. The bill died on the House calendar. (O'Hara)

Energy Security & Disaster Resiliency Pilot Program (Monitored)

HB 1133 (Raschein) and **SB 1888** (Garcia) would have created an Energy Security and Disaster Resilience Pilot Program within state-designated Areas of Critical State Concern to evaluate the effectiveness

of distributed energy generation and energy storage technologies in providing for energy needs during a natural disaster or a declared state of emergency. The bills directed the Florida Solar Energy Center to study the benefits of using solar energy storage technologies and other renewable energy generation and storage technologies and to make recommendations for expanding the pilot program statewide. The bills died in committee. (O'Hara)

Storm Hardening/Electric Utilities (Monitored)

SB 1166 (Rodriguez, J.) would have modified current law regarding petitions for a storm-recovery financing order by a public electric utility to the Public Service Commission. It would have required, under specified conditions, an electric utility to provide a discount on any storm-recovery charge to a customer or consumers having underground electric distribution lines servicing their properties and customers within the jurisdiction of a local government having an ordinance prohibiting the planting of trees of a specified size and distance from an electric transmission or distribution line. The bill died in committee. (O'Hara)

Flood Hazard Mitigation/Florida Communities Trust (Monitored)

SB 158 (Brandes) and **HB 1097** (Stevenson) would have revised the permissible projects that may be funded by the Florida Communities Trust (FCT) to include flood mitigation projects. The bills specify the purpose of such projects is to improve a community's classification under the National Flood Insurance Program Community Rating System and to assist local governments in implementing flood risk reduction policies and projects consistent with their comprehensive plan, an approved local hazard mitigation plan or an adaptation action plan. The bills died in committee. (O'Hara)

Land Acquisition Trust Fund – St. Johns River (Monitored)

CS/SB 204 (Bradley) directed an annual appropriation of \$50 million to the St. Johns River Water Management District for projects dedicated to the restoration of the St. Johns River and the Keystone Heights Lake Region. The bill also increased the annual appropriation for springs restoration from \$50 million to \$75 million. The bill passed the Senate but died awaiting action by the House. Note that the General Appropriations Act allocated \$25 million for the St. Johns River and Keystone Heights Lake region, and \$50 million for springs restoration. (O'Hara)

Land Acquisition Trust Fund – Indian River Lagoon (Monitored)

HB 339 (Harrell) and **SB 786** (Mayfield) directed an annual appropriation of \$50 million for projects dedicated to the conservation and management of the Indian River Lagoon, including grants for projects that implement the updated Indian River Lagoon Comprehensive Conservation and Management Plan. The bills died in committee. (O'Hara)

Public Utilities/Solar Producers (Monitored)

SB 292 (Rodriguez, J.) would have exempted certain entities from the definition of “public utility” when the entity provides or sells renewable solar energy to users located on the site of a renewable energy production facility with a capacity of 2.5 megawatts or less. The bill died in committee. (O'Hara)

Energy 2040 Task Force (Monitored)

SB 1038 (Brandes) and **HB 1411** (Diamond) would have created the Energy 2040 Task Force within the Public Service Commission to protect Florida's electric energy needs over the next 20 years and determine how to best meet those needs while increasing competition and consumer choice, among other things. The bills died in committee. (O'Hara)

Energy Grid (Monitored)

CS/SB 1586 (Simmons) and **HB 1411** (Diamond) would have required the Public Service Commission to hold a series of public hearings throughout the state to determine specified disaster-hardening standards that each electric utility may be able to achieve at a reasonable cost. The bill directed the commission to determine a disaster preparation and energy grid improvement plan for each electric utility to achieve the developed standards. The bills died in committee. (O'Hara)

Onsite Sewage Treatment Systems (Monitored)

CS/SB 1664 (Simmons) would have required the Department of Environmental Protection, as part of a basin management action plan, to develop onsite sewage treatment system remediation plans and waste water treatment plant remediation plans, if the department determined that remediation is necessary to meet a total maximum daily load. The bill specified what must be included in the plans, including priority ranking of projects for funding and implementation schedules. The bill died in committee. (O'Hara)

Public Utility Environmental Remediation Costs (Monitored)

SB 656 (Rodriguez, J.) would have allowed a municipality to request a hearing by the Public Service Commission to determine whether a utility acted prudently in events causing environmental damage or acted prudently to remedy the damage. The bill died in committee. (O'Hara)

Environmental Regulation Commission (Monitored)

CS/SB 316 (Stewart) and **HB 203** (Willhite) would have required the governor to make appointments to the Environmental Regulation Commission (ERC), subject to Senate confirmation, within 90 days of a vacancy. HB 203 would have required a majority of four votes for any ERC approval or modification of a proposed rule pertaining to air quality standards or water quality standards. The bills died in committee. (O'Hara)

County Ordinances in St. Lucie Watershed (Monitored)

HB 641 (Lee, L.) and **SB 1570** (Braynon) specified that county ordinances regulating transportation, composting or land application of sewage within the St. Lucie River watershed are not duplicative regulations. The bills died in committee. (O'Hara)

Wastewater Treatment Facilities (Monitored)

SB 1100 (Thurston) prohibited the decommissioning of a wastewater treatment facility until a replacement facility of equal or greater capacity is in service for two years. The bill died in committee. (O'Hara)

Inland Protection Trust Fund (Monitored)

SB 1438 (Grimsley) and **HB 1075** (Raburn) authorized the Inland Protection Trust Fund to be used for the cleanup of drycleaning solvents under the Drycleaning Solvent Cleanup Program, administered by the Florida Department of Environmental Protection. The bills died in committee. (O'Hara)

Water Management (Monitored)

SB 1506 (Farmer) would have amended various current law provisions relating to Outstanding Florida Springs, water quality and 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. The bill would have also required agricultural producers within specified areas around an Outstanding Florida Spring to implement best management practices necessary to achieve pollutant load reductions. The bill provided for increased

accountability and measurement of agricultural best management practices. It also revised criteria for receiving priority funding consideration for water projects, to include consideration of whether a project maximizes water conservation. The bill died in committee. (O'Hara)

Beverage Container Deposits (Monitored)

SB 1856 (Rader) would have required consumers to pay deposit fees on specified beverage containers at the point of sale. The bill established requirements and registration processes for the operation of beverage container redemption centers by local governments, nonprofit agencies and other individuals for refunding beverage container deposits and arranging for the recovery and recycling of the beverage containers. The bill preempted local governments from imposing or collecting any assessment or fee on deposit beverage containers for the same purposes as specified in the bill. The bill died in committee. (O'Hara)

VACATION RENTALS

Vacation Rental Requirements (Supported)

SB 1640 (Simmons) was a comprehensive proposal providing more state oversight over short-term rentals, while also allowing for additional local regulation in certain circumstances. The bill would have required vacation rentals to be licensed with the state and that certain licensing information be included in any advertisements or listings. The bill defined "commercial vacation rental" as a property managed by one licensed agent under a single license for five or more vacation rental units or as part of five or more vacation rental units under common ownership, control or management. The bill established higher regulatory standards for commercial vacation rentals than non-commercial vacation rentals. The bill defined "hosting platform" and required state registration of hosting platforms and the payment of a registration fee of no more than \$1,000. The bill established biannual inspection requirements for commercial vacation rentals. The bill would have preserved ordinances in place prior to June 1, 2011, and allowed for these ordinances to be amended if the amendment was less restrictive. The bill allowed for local government regulations specific to vacation rentals in single-family residences where the owner was not personally occupying at least a portion of the residence where vacation rental activities were occurring. Vacation

rental owners would have been required to submit a copy of their vacation rental license, a copy of the certificate of registration with the Department of Revenue and the owner's emergency contact information to the city. The bill would have prohibited a city from charging a fee for the submission of this information and specified that the information was for informational purposes only. Finally, the bill required hosting platforms to maintain records listing each transient public lodging establishment that it serves, the name of the operator, the transient public lodging establishment's license number and physical address, each period of rental reserved through the platform and the itemized amounts collected from the guest by the platform for the rental, taxes and all other charges. These records would have been required to be maintained by the hosting platform for three years and must have been transmitted to the Department of Business and Professional Regulation (DBPR) every three months in an electronic format. The bill authorized DBPR to fine a hosting platform for failure to comply with these provisions. Fine amounts could not have exceeded \$1,000 per offense. Components of SB 1640 were combined with CS/CS/SB 1400, refer to CS/CS/SB 1400 for more information. (Cook)

Listings for Vacation Rental Property (Monitored)

HB 789 (Stevenson) would have required each person operating a short-term vacation rental to display a valid certificate of registration number in each rental listing or advertisement. The bill established a \$50 per day fine for first-time violators. Repeat offenders would have been subject to a \$100 per day fine for noncompliance. The bill 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 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 sent to the governor for action and transmittal to the secretary of state. An enrolled bill may 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. 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).

For more information on the League's legislative initiatives, please contact:

FLORIDA LEAGUE OF CITIES

P.O. Box 1757

Tallahassee, FL 32302-1757

Phone: (850) 222-9684

Fax: (850) 222-3806

Email: *legislative@flcities.com*

www.floridaleagueofcities.com