



LEGISLATIVE SESSION '23 FINAL REPORT



DEAR CITY OFFICIAL:

We are pleased to provide you with the Florida League of Cities' 2023 Legislative Session Final Report. The report summarizes key legislation that the League tracked during this year's session. It is important to note that the report only includes a partial list of the 1,828 bills that were filed during the session. Out of these bills, only 356 bills were passed by both chambers and presented to the Governor.

It is expected that many of the issues that did not pass this year will be debated during next year's session. Thus, it is crucial for you to stay engaged in legislative advocacy year-round. We encourage you to continue holding #commongrounds meetings with members in your local legislative delegation. This continual communication is essential for the League's overall lobbying efforts, and it lays the foundation for our success as we prepare for the 2024 Legislative Session. Legislative committees will begin meeting this Fall, and the 60-day session will convene on January 9, 2024.

If you have any questions or require additional information on these bills or any other bills, please don't hesitate to contact the League's Legislative Affairs team at 850.222.9684.

Thank you for your continuous support of the Florida League of Cities.

Respectfully,



Jolien Caraballo
President
Vice Mayor
City of Port St. Lucie



Jeannie Garner
Executive Director/CEO



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TABLE OF CONTENTS

2023 Legislative Platform	1
Bills that Passed.....	2
Bills that Failed.....	22
FLC Legislative Affairs Team.....	40
FLC Field Advocacy and Federal Affairs Team	40
Legislative Glossary.....	41

2023 FLORIDA LEAGUE OF CITIES LEGISLATIVE PLATFORM

ENTERPRISE FUND TRANSFERS

The Florida League of Cities SUPPORTS the preservation of municipal authority to manage municipal revenue sources and realize a reasonable rate of return on their proprietary assets, investments and services.

MOBILITY PLANS

The Florida League of Cities SUPPORTS legislation that defines and clarifies mobility plans in order to provide a clear and concise regulatory framework for Florida cities to acquire, construct and implement both traditional and alternative modes of transportation.

SHORT-TERM RENTALS

The Florida League of Cities SUPPORTS legislation that restores authority to local governments for the regulation of short-term rental properties as necessary for quality of life, public safety and the creation of fair lodging standards. The Florida League of Cities SUPPORTS legislation clarifying that existing, grandfathered municipal short-term rental ordinances can be amended without penalty. The Florida League of Cities OPPOSES legislation that preempts municipal authority as it relates to the regulation of short-term rental properties.

ACCESSIBLE HOUSING

The Florida League of Cities SUPPORTS legislation that requires all money from the Sadowski State and Local Housing Trust Fund be used for Florida's affordable housing programs that are targeted to meet the needs of workforce housing, including home ownership and rental availability.

WATER RESOURCES PLANNING AND COMPREHENSIVE WATERSHED MANAGEMENT

The Florida League of Cities SUPPORTS legislation establishing a statewide coordinated planning and prioritization approach for water resource investments that funds Florida's current and projected water needs in an equitable manner and authorizing Comprehensive Watershed Management projects to qualify for funding under the state Water Protection and Sustainability Trust Fund.

OTHER ISSUES OF IMPORTANCE

PROPERTY TAX PROTECTION

The Florida League of Cities SUPPORTS legislation that maintains an equitable property tax system while preserving a municipality's ability to fund public infrastructure, police, fire, emergency services and other essential services. Any further erosions and/or exemptions on the current property tax structure will unfairly shift the tax burden to the business community, renters and others.

RESIDENTIAL ZONING

The Florida League of Cities SUPPORTS legislation that maintains, advances and encourages the fundamental ability for cities to tailor unique land development solutions through local decision-making, preserving the ability for cities to decide how they look and grow. Cities are strong supporters of affordable housing efforts and are best positioned to identify appropriate areas that can support high-density infill redevelopment.

TRANSPORTATION FUNDING

The Florida League of Cities SUPPORTS legislation directing the Florida Department of Transportation to provide financial assistance and incentives to develop and implement multimodal transportation plans that optimize different modes of combined transport and are tailored to municipal transportation demands. The Florida League of Cities SUPPORTS identifying additional transportation revenue to fund innovative infrastructure (e.g., electric vehicles) and transit projects to meet the surging transportation demands driven by growth in population throughout Florida.

WATER AND WASTEWATER PLANT OPERATOR LICENSURE

The Florida League of Cities SUPPORTS legislation to address workforce shortages in municipal water and wastewater facilities by: one, defining facility operators as critical and essential workers; two, providing reciprocity with other states for licensure of facility operators; and three, allowing credit toward licensure for military experience and time served performing similar functions and providing flexibility for facilities to use retired or out-of-state operators in emergencies.

BUILDING CODES/CONSTRUCTION

Building Construction (Monitored)

CS/CS/HB 89 (Maggard) specifies that if a building code administrator, plans examiner or inspector requests another local enforcing agency employee or person contracted by the local enforcing agency to review building plans and that person or employee identifies specific plan features that do not comply with the Florida Building Code, the Florida Fire Code, Life Safety Code or applicable local amendments thereto, the building code administrator, plans examiner, inspector or fire official must provide this information to the local enforcing agency. In addition, the bill prohibits a local government from making or requiring substantive changes to building plans or specifications after a permit has been issued except for changes required for compliance with applicable codes. If substantive changes are made after a permit is issued, the local government must identify the specific plan features that do not comply with the Florida Building Code, the Florida Fire Prevention Code or the Life Safety Code or any local amendments thereto. The specific code chapters and sections upon which the finding is based must be provided to the permitholder. A plans examiner, inspector, building code administrator or fire official who fails to comply with these requirements will be subject to disciplinary action. Effective date: July 1, 2023. (Branch)

Fire Sprinkler System Projects (Monitored)

CS/CS/HB 327 (Bell) provides that a Contractor I or II may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers and the addition of 49 sprinklers, as long as the cumulative total number of fire sprinklers being added, relocated or deleted does not exceed 249. The bill also creates an expedited permitting process for certain "fire sprinkler system projects." A contractor must submit a completed application and payment to the local enforcement agency but is not required to submit plans or specifications as a condition of obtaining a permit for such projects. The agency must issue the permit in person or electronically. The agency must require at least one inspection of the project. A "fire sprinkler system project" means a fire protection system alteration

of a total of 20 or fewer fire sprinklers, or the installation or replacement of an equivalent fire sprinkler system component in an existing commercial, residential, apartment, cooperative or condominium building. Effective date: July 1, 2023. (Branch)

Public Construction (Supported)

CS/CS/SB 346 (DiCeglie) requires contracts for construction services between a local government and a contractor to include a "punch list" of items to render complete, satisfactory and acceptable the construction services contracted for, which outlines the estimated cost of each item necessary to complete the work. The bill requires the local government to pay the entire contract balance, except for 150% of the portion attributed to those projects on the list, within 20 days after the list is created. It limits a local government's ability to withhold certain amounts under the contract to only those subject to a written good faith dispute or claims against public surety bonds. A local government must pay the undisputed portions of a contract within 20 days. It requires the local government to pay the contractor for the remaining list of projects upon their total completion. The bill makes similar changes to requirements for construction contracts with public entities. Lastly, the bill amends the definition of "public works project" by preempting any local preference requirements in competitively procured public construction projects when any state funds are used for the project. Effective date: July 1, 2023. (Branch)

ECONOMIC DEVELOPMENT

Economic Programs (Monitored)

CS/CS/HB 5 (Esposito) eliminates Enterprise Florida, Inc. (EFI) and transfers all its duties, functions, records, existing contracts, administrative authority and unexpended balances of appropriations and allocations relating to its programs to the Department of Commerce, which is created in the bill by the renaming of the Department of Economic Opportunity (DEO). Duties related to international trade and development are transferred to a new direct-support organization under the Department. The transition must be completed by December 1, 2023. The bill appropriates \$5 million to the new international trade direct-support organization created in the bill, \$5

million and 20 FTE to DEO and \$2 million to EFI to implement the transition.

The bill repeals several obsolete or expired economic development incentive programs, including the entertainment industry tax credit, corporate income tax credits for spaceflight projects, the qualified defense contractor and space flight business tax refund program, tax refunds for qualified target industry (QTI) businesses, the economic gardening business loan pilot program, the economic gardening technical assistance pilot program, the quick action closing fund, the innovation incentive program, the Florida small business technology growth program, the new markets tax credit, the microfinance loan program, the Golf Hall of Fame, and the International Game Fish Association World Center facility. Existing contracts authorized under programs remain in force, but new certifications or agreements may not be made. The bill also renames the Division of Strategic Business Development as the Division of Economic Development, repeals the Office of Film and Entertainment and eliminates the Film Advisory Council. The bill requires the Florida Sports Foundation (recreated in the bill) and VISIT FLORIDA to contract with the Department as direct-support organizations. Effective date: July 1, 2023. (Taggart)

Rural Development (Supported)

CS/CS/CS/HB 1209 (Shoaf) specifies that an agency agreement that provides state or federal financial assistance to local government entities within a rural area of opportunity (RAO) must allow the agency to provide for the payment of invoices to the county, municipality or RAO for verified and eligible performance that has been completed in accordance with the terms and conditions in the agreement. The bill amends the Rural Infrastructure Fund to:

- ▶ Increase the maximum grant award from 50% to 75% of the total infrastructure cost, or up to 100% of the total infrastructure project cost for a project that is located in a rural community that is also located in a fiscally constrained county or in a RAO;
- ▶ Remove the requirement that projects must be linked to specific job-creation or job-retention opportunities;

- ▶ Remove the currently permitted use of funds for improving access, availability and improvement of broadband internet service;
- ▶ Increase the maximum grant for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation activities to \$300,000 for all projects and remove the limitation that the grant not exceed 30% of the total project cost; and
- ▶ Remove the 33% local match requirement for grants for surveys, feasibility studies and the pre-clearance review of land for projects in an RAO.

Effective date: July 1, 2023. (Taggart)

ETHICS AND ELECTIONS

Elections (Monitored)

CS/SB 7050 (Ethics and Elections Committee) makes numerous changes to the state's election laws relating to voter registration, voter signature verification, candidate oaths, candidate disclosures, candidate name designations, vote-by-mail requirements, canvassing boards, issuance of "voter guides," third-party voter registration organizations, voter address records, post-election reports, precinct boundary data, early voting, campaign finance reporting and penalties for violations of elections laws. Of interest to municipal governments, the bill amends Section 100.342, Florida Statutes, relating to notices of special elections. Current law requires 30 days' notice of a special election or referendum to be published in a local newspaper, and CS/SB 7050 would authorize this notice to instead be published on the county's website, the municipality's website or the supervisor of election's website. The bill also revises requirements for precinct boundary data by deleting requirements relating to the use of census blocks and removing specified "visible features" and boundaries from the types of boundaries that may be used as a precinct boundary. In addition, the bill revises the schedule for campaign finance, electioneering, and political committee reporting from monthly to quarterly, except for the third quarter immediately preceding a general election. It preempts local governments from enacting a campaign finance reporting schedule that differs from the schedule required by state law. Effective date: July 1, 2023. (O'Hara)

Ethics Requirements for Officers and Employees of Special Tax Districts (Monitored)

CS/HB 199 (Hunschofsky, Daley) addresses ethical conflicts of officers of independent taxing districts. The bill clarifies that certain conduct by such officers, such as misuse of public position and disclosure of information for personal benefit, is prohibited despite the current law exemption relating to the officers' conflicting employment and contractual relationships. The bill also requires elected local officers of independent special districts to undergo four hours of annual ethics training. Effective date: July 1, 2023. (O'Hara)

Ethics Requirements for Public Officials (Financial Disclosure) (Opposed)

CS/CS/SB 774 (Brodeur) requires elected mayors and elected members of the governing body of a municipality, as well as candidates for such offices and members of the Florida Commission on Ethics, to file an annual full disclosure of financial interests (Form 6), beginning January 1, 2024. These individuals are currently required to file simple financial disclosures (Form 1). The bill also addresses requirements for e-filing of financial disclosures. It maintains the requirement that Form 6 filers submit their disclosures to the Commission on Ethics' electronic filing system beginning January 1, 2023, and requires Form 1 filers to submit their disclosures electronically beginning January 1, 2024. In addition, it allows filers to submit federal tax returns for purposes of showing income. The bill also increases the maximum civil penalty for violations of the Code of Ethics to \$20,000 from \$10,000. In addition, the bill adds commissioners of a community redevelopment agency to the list of officers exempt from having to complete ethics training in the year they begin their term if the term begins after March 31. The bill also clarifies that a candidate may submit a verification or receipt of a previous financial disclosure filing to the qualifying officer in lieu of the full financial disclosure. Effective date: Upon becoming law except as otherwise specified. (O'Hara)

Residency of Local Elected Officials (Monitored)

HB 411 (Steele) imposes new requirements for the redistricting of school board member districts, municipal districts and county districts. The bill prohibits county commission districts, municipal districts and school board member residence areas from being drawn with the intent to favor or disfavor a candidate for the governing body or an incumbent member

of the governing body. It requires county, municipal and school board member districts to be as nearly equal in population as possible. The bill also specifies that changes to county, municipal or school board member districts may not be made in the 270 days before the respective general elections of a county, municipality or school board. The bill voids any county ordinance, municipal ordinance or school district resolution adopted on or after July 1, 2023, that conflicts with the bill's requirements. Effective date: July 1, 2023. (O'Hara)

FINANCE AND TAXATION

Tax Package (Monitored)

HB 7063 (Ways and Means Committee/McClain) is the annual comprehensive tax package. The bill contains various provisions concerning sales taxes and exemptions, the state corporate income taxes, documentary stamp taxes, intangible personal property taxes, ad valorem taxes, and various other tax provisions affecting county, municipal and state revenues. Among the many tax provision, the bill:

- ▶ Permanently exempts several products from sales tax including baby and toddler products, oral hygiene products, adult incontinence products, and firearm storage devices, among others.
- ▶ Provides for various sales tax holidays including two 14-day back-to-school tax holidays, two 14-day disaster preparedness tax holidays, a three-month recreational sales tax holiday and a seven-day "tool" sales tax holiday.
- ▶ Clarifies that totally and permanently disabled veterans and surviving spouses may transfer their existing homestead exemption to a new property and that such veterans and surviving spouses who purchase a home in Florida may receive a refund for taxes paid in the year of purchase.
- ▶ Limits county authority to levy special assessments on land classified as agricultural (bonded assessment revenues are exempted). This prohibition does not apply to non-agricultural structures on the property.
- ▶ Requires counties to go to referendum to impose additional tourist development tax levies. It also extends statutory authority to use 10% of tourist development tax revenues for public safety/law enforcement purposes to all fiscally constrained counties.

- ▶ Increases the discrepancy thresholds for a property appraiser to challenge a value adjustment board (VAB) decision in circuit court.
- ▶ Requires that any referendum for specified taxes (e.g., the Tourist Development Tax, Tourist Impact Tax, Children's Services Tax, Discretionary Sales Surtaxes, Ninth-Cent Fuel Tax, and Local Option Fuel Tax) must coincide with a general election and may only take place once within 48 months prior to reenactment or increase of the tax.
- ▶ "Freezes" local communications services tax rates at their current level until January 1, 2026.
- ▶ Provides additional guidelines for property owners to receive a property tax refund following a catastrophic event that renders their residence uninhabitable.
- ▶ Appropriates \$35 million to offset the reductions in local property tax revenues from complying with section 197.3181, Florida Statutes, directing counties to issue prorated property tax refunds to property owners whose homes were rendered uninhabitable by Hurricanes Ian or Nicole.

Effective date: July 1, 2023, except as otherwise provided. (Chapman)

GENERAL GOVERNMENT

Local Ordinances (Supported)

CS/CS/SB 170 (Trumbull) imposes new requirements on municipalities for adopting and enforcing ordinances. First, the bill requires a municipality to prepare a business impact estimate before adopting an ordinance and specifies the minimum content that must be included in the statement. The bill exempts the following ordinances from this requirement: ordinances required to comply with federal or state laws or regulations; ordinances relating to the issuance or refinancing of debt; ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget; ordinances required to implement a contract or agreement, including grants or financial assistance; emergency ordinances; ordinances relating to procurement; ordinances enacted to implement Part II, Ch. 163, including land development regulations, zoning, development orders, development agreements and development permits; ordinances enacted to implement Sections 190.005 and 190.046 (CDDs); ordinances enacted to implement the Florida Building Code; and

ordinances enacted to implement the Florida Fire Prevention Code. The business impact estimate must be posted on the municipality's website no later than the date of publication of notice of the proposed ordinance. Second, the bill requires a municipality to suspend enforcement of an ordinance that is the subject of a civil action challenging the ordinance's validity on the grounds that it is arbitrary or unreasonable or expressly preempted by state law. This requirement applies only if: the action was filed within 90 days of the ordinance's effective date, suspension of the ordinance was requested in the complaint and the municipality was served with a copy of the complaint. If the municipality prevails in the civil action, the municipality may enforce the ordinance unless the plaintiff appeals the decision and obtains a stay of enforcement from the court. Third, the bill authorizes the award of attorney fees, costs and damages to a prevailing plaintiff in a civil action commenced after October 1, 2023, in which an ordinance is alleged to be arbitrary or unreasonable. Attorney fees, costs and damages are capped at \$50,000. The bill authorizes a court to impose sanctions upon a party for filing a paper, pleading or motion for an improper purpose (such as to harass or delay). The bill requires courts to prioritize and expedite the disposition of cases in which enforcement of an ordinance is suspended. The bill exempts ordinances listed above from the stay of enforcement provision. Additionally, the bill clarifies current law relating to notice and publication of ordinances by specifying that consideration of an ordinance properly noticed may be continued to a subsequent meeting if the date, time and place of the subsequent meeting is publicly stated. This provision is retroactive. Effective date: October 1, 2023, except as otherwise specified. (O'Hara)

Water and Wastewater Facility Operators (Supported)

CS/CS/CS/SB 162 (Collins) requires the Department of Environmental Protection to issue reciprocal licenses to public water utility workers licensed in other states who meet specified requirements, including holding an active and valid license in the other jurisdiction, passing a licensure examination in the other jurisdiction that is comparable to Florida's licensure examination, and not being subject to any disciplinary action. The Department is directed to give education and operational experience credits to license applicants who have performed comparable duties in the

armed forces but do not meet other requirements for a reciprocal license. Further, the bill provides that, during a declared state of emergency, the Department may issue a temporary license to applicants who otherwise meet the requirements for license reciprocity, and it must waive the application fee for a temporary operator license. Finally, the bill directs the Department to adopt rules for licensure by reciprocity. Effective date: July 1, 2023. (O'Hara)

HOUSING

Condominiums and Cooperative Associations (Monitored)

CS/CS/SB 154 (Bradley) revises the milestone inspection requirements for condominium and cooperative buildings that are three or more stories in height. In addition, the bill makes other changes concerning condominium and cooperative associations and reserve and structural integrity reserve study requirements. With respect to milestone inspection, the bill revises requirements to:

- ▶ Limit the milestone inspection requirements to buildings that include a residential condominium or cooperative;
- ▶ Provide that the milestone inspection requirements apply to buildings that in whole or in part are subject to the condominium or cooperative forms of ownership, such as mixed-ownership buildings;
- ▶ Clarify that all owners of a mixed-ownership building in which portions of the building are subject to the condominium or cooperative form of ownership are responsible for ensuring compliance and must share the costs of the inspection;
- ▶ Require a building that reaches 30 years of age before December 31, 2024, to have a milestone inspection before December 31, 2024;
- ▶ Delete the 25-year milestone inspection requirements for buildings that are within three miles of the coastline;
- ▶ Authorize the local enforcement agencies that are responsible for enforcing the milestone inspection requirements the option to set a 25-year inspection requirement if justified by local environmental conditions, including proximity to seawater;
- ▶ Authorize the local enforcement agency to extend the inspection deadline for a building upon

a petition showing good cause that the owner or owners of the building have entered into a contract with an architect or engineer to perform the milestone inspection services and the milestone inspection cannot reasonably be completed before the deadline; and permit local enforcement agencies to accept an inspection and report that was completed before July 1, 2022, if the inspection and report substantially complies with the milestone requirements;

- ▶ Provide that the inspection services may be provided by a team of design professionals with an architect or engineer acting as a registered design professional in responsible charge; and
- ▶ Clarify that an association must distribute a copy of the summary of the inspection reports to unit owners within 30 days of its receipt.

The bill requires the Florida Building Commission (FBC) to establish by rule a building safety program to implement the milestone inspection requirements within the Florida Building Code. The FBC must specify the minimum requirements for the building safety program by December 31, 2024, including inspection criteria, testing protocols, standardized inspection and reporting forms that are adaptable to an electronic format, and record maintenance requirements for the local authority having jurisdiction. Effective date: Except for the dispute resolution provisions that take effect on July 1, 2027, the bill takes effect upon becoming law. (Branch)

Housing (Supported)

CS/SB 102 (Calatayud) creates the Live Local Act to address Florida's affordable housing needs. The Act uses a combination of funding, tax credits, tax exemptions and land use controls to create incentives for affordable housing.

Zoning and Land Use Controls and Local Government Requirements:

- ▶ For a 10-year period, the bill requires cities and counties to allow multifamily rental and mixed-use residential as allowable uses in any area zoned for commercial, industrial or mixed use if at least 40% of the units are affordable to income-eligible households for at least 30 years. For mixed-use projects, at least 65% of the total square footage must be used for residential purposes. The local

government may not require the proposed project to obtain a zoning or land use change, special exception, conditional use approval, variance or comprehensive plan amendment for the height, densities and zoning authorized by the bill.

- ▶ A local government may not restrict the height of an eligible project below the tallest currently allowed height for a commercial or residential development in the jurisdiction within 1 mile of the proposed project or three stories, whichever is higher.
- ▶ A local government may not restrict the density of an eligible project below the highest allowable density in the jurisdiction where residential development is allowed.
- ▶ Applications for eligible projects must be administratively approved by the local government with no further action by the governing body if the project satisfies applicable land development regulations and comprehensive plan requirements for mixed-use residential developments (other than height, density and zoning).
- ▶ A local government must consider reducing parking requirements for eligible projects if the proposal is located within half a mile of a "major transit stop" (as defined by the local government).
- ▶ Cities and certain counties with less than 20% of land zoned for commercial or industrial uses are only subject to these requirements for mixed-use developments (exclusively residential projects would not be eligible).
- ▶ Recreational and commercial working waterfront areas are exempt.
- ▶ The proposed project must otherwise comply with applicable state and local laws.
- ▶ Sections 125.01055(6) and 166.04151(6) currently authorize local governments to allow affordable housing developments on any parcel zoned residential, commercial or industrial, notwithstanding any other law to the contrary. The bill removes areas zoned residential from this provision.
- ▶ Requires cities and counties, as well as independent special districts within local governments, to post annually an inventory of city- and county-owned lands appropriate for use as affordable housing on their websites.

- ▶ Prohibits cities and counties from enacting rent control requirements.
- ▶ Requires cities and counties to post on their websites policies for implementing state laws that require expedited processing of building permits and development orders.

Tax Exemptions:

- ▶ Requires a new property tax exemption for newly constructed multifamily developments of over 70 affordable units that serve up to 120% AMI and do not have a Land Use Restriction Agreement with the Florida Housing Finance Corporation (FHFC); the exemption applies only to the affordable housing units.
- ▶ Authorizes cities and counties to implement additional property tax exemptions for developments that serve households at 60% AMI or below. Eligible projects must have at least 50 units and dedicate at least 20% of the units for affordable housing.
- ▶ Creates a new sales tax refund on building materials for affordable housing developments subject to an agreement with FHFC.

Funding and Tax Credits:

- ▶ Proposes \$811 million for affordable housing programs, including \$252 million for SHIP; \$259 million for SAIL; \$100 million for the Florida Hometown Hero Housing Program; \$100 million for a competitive loan program for new construction projects that have not yet commenced construction and are experiencing verifiable cost increases due to market inflation; and up to \$100 million for a new Live Local Tax Donation Program, whereby taxpayers can direct payments to the FHFC for use as SAIL funds in exchange for tax credits against corporate or insurance premium tax.

Effective date: July 1, 2023, except as otherwise specified. (Branch)

LAND USE AND COMPREHENSIVE PLANNING

Land Use and Development Regulations (Opposed)
CS/CS/SB 1604 (Ingoglia) makes a variety of changes relating to comprehensive plans and land development regulations.

Required Planning Periods for Comprehensive Plans

The bill revises the two statutory required planning periods that must be covered in a local government comprehensive plan from five to 10 years and from 10 to 20 years.

Evaluation and Appraisal Reports, EAR-based Amendments and Population Projections

With respect to Evaluation and Appraisal Reports (EAR), the bill requires that when local governments notify the state land planning agency of a determination whether EAR-based plan amendments are needed, the notification must include a separate affidavit signed by the Chair or Mayor of the governing body, attesting that all elements of its comprehensive plan comply with section 163.3191, Florida Statutes. The affidavit must also certify that the adopted plan covers the minimum 10-year planning period and cite the source and date of the population projections used in establishing the 10-year planning period. The bill requires, rather than encourages, local governments to update plans to reflect changes in local conditions and specifies that updates to the required elements and optional elements of the plan be processed in the same amendment cycle. It specifies that if a local government fails to submit the letter and affidavit to the state land planning agency or fails to transmit the update to its plan within one year after the date the letter was transmitted to the state, the local government may not initiate or adopt any publicly initiated plan amendments until such time it complies with the requirements. It provides that the failure of a local government to timely update its plan may not be the basis for the denial of privately initiated plan amendments. If a local government fails to update its plan pursuant to state law, the state land planning agency must provide the required population projections to the local government. The local government must initiate an update to its plan within three months following receipt of the projections and shall transmit the update within 12 months. The bill authorizes local governments to provide alternative population projections based on professionally accepted methodologies, but only if those projections exceed the projections provided by the state.

Regulation of Single-Family Residential Design Elements

In 2022, the Legislature amended section 163.3202

to prohibit local governments from regulating building design elements for single-family and two-family homes, with specified exceptions. The bill narrows two of the current law exceptions relating to planned unit developments and architectural review boards by specifying the exception applies only to planned unit developments approved before July 2023 and architectural review boards created before January 2020.

Substation Approval Process

The bill amends the electric substation approval process in section 163.3208, Florida Statutes, by changing the definition of "distribution electric substation" to "electric substation" and expands the scope of the definition to include accessory administration, maintenance buildings and related accessory uses and structures. In addition, the new language specifies that new and existing substations shall be a permitted use in all land use and zoning categories.

Mobility Fees

The bill clarifies that if a local government adopts an alternative mobility funding system under section 163.3180(5)(i), Florida Statutes, the holder of any transportation or road impact fee credits previously granted is entitled to the full benefit of the density or intensity prepaid by the credit balance as of the date the impact fee was established.

Development Agreements of Independent Special Districts

Finally, the bill authorizes the review of a development agreement by an independent special district executed within three months preceding the effective date of a law modifying the makeup of the special district's governing board. It requires the new governing board to review any development agreements within the initial four months of taking office.

Effective date: July 1, 2023, except as otherwise provided. (Chapman)

Local Government Comprehensive Plans (Monitored) CS/CS/SB 540 (DiCeglie)

allows the prevailing party in a legal challenge to a comprehensive plan or plan amendment to recover attorney fees and costs, including reasonable appellate fees and costs. The bill resolves a split among Florida district courts of appeal by clarifying the scope of review under section 163.3215, Florida Statutes, for a local government to

grant or deny a development order by providing the order may be challenged only if it would materially alter the use, density or intensity of the property in a manner not consistent with the comprehensive plan. Finally, the bill prohibits local governments from enforcing any land development regulations, other than those relating to density and intensity, against any of the institutions within the Florida College System. Effective date: July 1, 2023. (Chapman)

OTHER

Chiefs of Police (Opposed)

CS/CS/HB 935 (Giallombardo, Jacques) prohibits a municipality from terminating a chief of police without providing the chief a written notice of the termination. After a chief receives a notice of termination, a municipality must provide an opportunity for the chief to appear at the next regularly scheduled public meeting of the governing body of the municipality and provide a response to the termination. The bill also prohibits an employment contract between a municipality and a chief of police from waiving or modifying any requirements of the bill or including a nondisclosure clause that prohibits a chief from responding to the termination at a public meeting. Effective date: July 1, 2023. (Taggart)

Department of Business and Professional Regulation (Monitored)

CS/CS/HB 869 (McClain) addresses various regulatory functions of the Department of Business and Professional Regulation. Two sections of the bill may be of interest to local governments. First, section 6 of the bill requires each licensee issued a license or licensed agent managing a license classified as a vacation rental to submit any change in the street or unit address or number of houses or units included under the license within 30 days after the change. Second, section 8 of the bill amends section 553.73, Florida Statutes, relating to the Florida Building Code, to authorize the Florida Building Commission to delay the effective date of the energy provisions of the Florida Building Code for up to three additional months if energy code compliance software is not approved by the Commission at least three months before the effective date of the updated Florida Building Code. Effective date: July 1, 2023. (Taggart)

Drone Delivery Services (Supported)

CS/CS/CS/SB 1068 (Collins) prohibits a political subdivision from withholding the issuance of a business tax receipt or development permit, or enacting or enforcing an ordinance or resolution prohibiting a drone delivery service's operation based on the location of the delivery service's drone port, but does allow political subdivisions to enforce generally applicable minimum setback and landscaping regulations. The bill exempts drone ports, except for their stairwells, from the Florida Building Code, as well as from provisions concerning fire protection systems of the Florida Fire Prevention Code. The bill defines "drone delivery service" as a person engaged in the business of delivering goods via drone and who is covered by the Small Unmanned Aircraft Systems Rule. It defines "drone port" as a stand-alone building that does not exceed 1,500 square feet in area or 36 feet in height, is located in a nonresidential area, is used by a drone delivery service for the launch and landing of drones, was constructed using Type I or Type II construction as described in the Florida Building Code, and, if greater than one story in height, includes at least one stairwell that may be used for egress. Effective date: July 1, 2023. (Branch)

Emergency Opioid Antagonists (Monitored)

CS/CS/HB 783 (Caruso) creates the Statewide Council on Opioid Abatement (Council) within the Department of Children and Families (DCF) for the purpose of enhancing the development and coordination of state and local efforts to abate the opioid epidemic and to support the victims of the opioid crisis and their families. The bill amends the definitions of "authorized health care practitioner" and "caregiver" in section 381.887, Florida Statutes, to clarify that caregivers need not have recurring contact with persons at risk of an opioid overdose to meet the definition and to include health care practitioners who dispense drugs in the definition of "authorized health care practitioner." The bill allows pharmacists to prescribe as well as dispense emergency opioid antagonists within the constraints of that section of statute. Additionally, the bill adds emergency opioid antagonists that are delivered through a prefilled injection device delivery system to the types of opioid antagonists that may be prescribed, dispensed and administered under the section. The bill further requires each Flor-

ida College System institution and state university to store a supply of emergency opioid antagonists in each residence hall or dormitory residence owned or operated by the institution. The emergency opioid antagonists must be easily accessible to campus law enforcement officers who are trained in their administration. The bill provides civil or criminal immunity for campus law enforcement officers trained to administer the opioid antagonist as well as for the employing institution when the officer administers or attempts to administer the antagonist in accordance with the bill. Effective date: July 1, 2023. (Taggart)

Government and Corporate Activism (Monitored)

CS/CS/HB 3 (Rommel) attempts to eliminate the consideration of environmental, social and governance (ESG) from government investment strategies, procurements, bond issuances and use of banks. Provisions relevant to local governments include:

- ▶ Requires fiduciaries of all government retirement plans to make investment decisions that consider only pecuniary factors that do not include the consideration or furtherance of any social, political or ideological interests. By December 15, 2023, and by December 15 of each odd-numbered year thereafter, each government retirement system or plan shall file a comprehensive report detailing and reviewing the governance policies concerning decision-making in vote decisions and adherence to the fiduciary standards as required by the bill.
- ▶ Prohibits local governments from the issuance of bonds used to further an ESG purpose. The bill defines ESG bonds to include bonds that will be used to finance a project with an ESG purpose including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds and other environmental bonds marketed as promoting an environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives.
- ▶ Requires that any contract between a government entity and an investment manager include provisions requiring a disclaimer be included in any communications discussing ESG interests from the investment manager. The disclaimer must state: "The views and opinions expressed in this

communication are those of the sender and do not reflect the views and opinions of the people of the State of Florida."

- ▶ Amends the definition of a "qualified public depository" to prohibit government entities from depositing funds in banks that make it a practice to deny or cancel services of its customers based on a person's political opinions, speech, affiliations, lawful ownership or sales of firearms, production of fossil fuels or other factors related to ESG. Pursuant to current law, all public deposits may only be deposited in a qualified public depository.
- ▶ Amends procurement requirements of all governmental entities to prohibit government bodies from giving a preference to vendors based on ESG factors or requesting information from vendors related to ESG.

Effective date: July 1, 2023. (Cruz)

Local Government (Supported)

CS/CS/SB 718 (Yarborough) revises procedures for municipal annexation and contraction and local government initiatives and referenda. It identifies the "report" that must be prepared prior to annexation or contraction as a "feasibility" study conducted by qualified staff or consultants and provides that such study must analyze the economic, market, technical, financial and management feasibility of a proposed annexation or contraction. The bill removes the requirement for contractions that a municipality provide specific findings when rejecting a petition from voters requesting exclusion from municipal boundaries. It also specifies that a governing body's rejection of a petition for contraction is a legislative decision. For instances in which more than 70% of the acres proposed for contraction are owned by private entities that are not registered electors, the bill specifies that the owners of a majority of the acreage consent to the contraction. This change applies to contraction petitions filed on or after July 1, 2023. Lastly, the bill prohibits local governments from requiring an initiative and referendum process for amending land development regulations. Effective date: July 1, 2023. (Cruz)

Natural Emergencies (Monitored)

CS/CS/SB 250 (Martin) makes various changes to existing Florida law regarding the preparation and

response activities of state and local government to natural emergencies. Specifically, the bill provides that following a declared natural emergency as defined in section 252.34(8), a county or municipality may not prohibit the placement of a temporary shelter (including but not limited to a recreational vehicle, a trailer or similar structure on a residential property) for up to 36 months or until a certificate of occupancy is issued on the permanent residential structure, on the property, whichever occurs first, if certain conditions are met including:

- ▶ The resident makes a good faith effort to rebuild or renovate the damaged property, such as applying for a building permit, submitting a plan or design to the county or municipality, or applying for a construction loan;
- ▶ The temporary shelter is connected to water and electric utilities and does not present a danger to health or human safety; and
- ▶ The resident lives in the temporary shelter.

The bill requires the Division of Emergency Management (DEM) to post on its website a model debris removal contract for the benefit of local governments (this provision is effective upon becoming law). In addition, the bill requires DEM to prioritize technical assistance and training to fiscally constrained counties on aspects of preparedness, response, recovery and mitigation (also effective upon becoming law). The bill encourages local governments to create emergency financial plans in preparation for major natural disasters. The bill also authorizes local governments to create specialized building inspection teams following a natural disaster and encourages interlocal agreements for additional building inspection services during a state of emergency. Local governments are required to expedite the issuance of building permits following a natural disaster. The bill increases the extension of certain building permits following a declaration of a state of emergency from six to 24 months and caps such extension at 48 months in the event of multiple natural emergencies. Effective upon becoming law, the bill prohibits counties and municipalities within the disaster declaration for Hurricane Ian or Hurricane Nicole from increasing building fees until October 1, 2024.

Effective upon becoming law, registered contractors can engage in contracting for the types of work covered by their registration within areas for which a state of emergency has been declared. The bill prohibits counties and municipalities within 100 miles of Hurricane Ian or Hurricane Nicole's landfall from adopting more restrictive or burdensome procedures to their comprehensive plans or land development regulations concerning review, approval or issuance of a site plan, development permit or development order before October 1, 2024. Furthermore, such counties and municipalities may not propose or adopt a moratorium on construction, reconstruction or redevelopment of any property damaged by Hurricane Ian or Nicole. The bill also extends the date for fire control districts within 50 miles of Hurricane Ian's landfall to submit statutorily required performance reviews. The amends the Consultants' Competitive Negotiation Act to allow for additional disaster-related construction projects relating to Hurricane Ian to utilize the "continuing contracts" provision through December 31, 2023. The bill makes the Local Government Emergency Bridge Loan Program a revolving program and makes funds available for local governments impacted by federally declared disasters until July 1, 2038, appropriates \$50 million in nonrecurring funds from the General Revenue Fund to the program for the 2023-2024 fiscal year, and authorizes \$50 million of funds appropriated in special session to a previous version of the program to be transferred and used for this program. The bill clarifies the 45-day grace period following a hurricane in which owners must bring a derelict vessel into compliance before being charged with a violation. The bill directs DEM to administer a revolving loan program for local government hazard mitigation projects and appropriates \$1 million in nonrecurring funds from the General Revenue Fund and \$10 million in nonrecurring funds from the Federal Grants Trust Fund for such activity during the 2023-2024 fiscal year. Finally, the bill shields public utilities from liability for damages arising from changes in reliability, continuity or quality of services stemming from an emergency or disaster. Effective date: July 1, 2023, except as otherwise provided. (Branch)

Prohibited Applications on Government-Issued Devices (Monitored)

CS/CS/SB 258 (Burgess) requires governmental entities to block all prohibited applications on government-issued devices (e.g., cellphones, laptops or other electronic devices), restrict access to prohibited applications on a government-issued device, and retain the ability remotely wipe and uninstall any prohibited application from a compromised government-issued device. The term "prohibited application" is defined as any internet application that is created, maintained or owned by a foreign principal of a foreign county of concern and that participates in activities that endanger cybersecurity or any internet application that the Department of Management Services (DMS) deems to present a security risk in the form of an unauthorized access to or temporary unavailability of the public employer's records, digital assets, systems, networks, servers or information. The bill prohibits any person, including an officer or employee of a public employer, from downloading or accessing a prohibited application on a government-issued device. The prohibition does not apply to a law enforcement officer if the use of the prohibited application is necessary to protect safety or to conduct an investigation within the scope of the officer's employment. An employee or officer of a public employer may apply to the DMS for a waiver of the prohibition. DMS is tasked with compiling and maintaining a list of prohibited applications and publishing the list on its website. DMS is also required to update the list quarterly and provide notice of any update to public employers. Within 15 days after receiving notice of a list update, an employee or officer of a public employer must remove, delete or uninstall any prohibited application from their government-issued device. DMS must establish procedures for granting or denying waivers applied for by government officials or employees seeking to download or access a prohibited application based on the disclosures required to be made in the waiver application submitted to DMS. Effective date: July 1, 2023. (Taggart)

Specialty Contractors (Monitored)

CS/CS/HB 1383 (Trabulsy) addresses occupation licensing by local governments, which the Legislature passed in 2021. The bill extends by one year (from July 1, 2023, to July 1, 2024) the authority of local

governments to continue licensing local occupations that were licensed on or before January 1, 2021. The bill requires the state's Construction Industry Licensing Board (CILB) to establish, by July 1, 2024, voluntary certified specialty contractor licensing in the following categories:

- ▶ Structural aluminum or screen enclosures
- ▶ Marine seawall work
- ▶ Marine bulkhead work
- ▶ Marine dock work
- ▶ Marine pile driving
- ▶ Structural masonry
- ▶ Structural prestressed, precast concrete work
- ▶ Rooftop solar heating installation
- ▶ Structural steel
- ▶ Window and door installation, including garage door installation and hurricane or windstorm protection
- ▶ Plaster and lath
- ▶ Structural carpentry.

The bill prohibits a local government from requiring a license issued by a local government or CILB to perform a job scope that does not substantially correspond to one of the state's contractor or specialty contractor categories. A local government may continue to offer licensing for veneer, including aluminum or vinyl gutters, siding, soffit or fascia; rooftop painting, coating and cleaning above three stories in height; or fence installation and erection, if the local government imposed such a licensing requirement before January 1, 2021. In addition, the bill allows a county located in an area designated as an area of critical state concern (e.g., Monroe County) to offer licensing for any job scope that requires a contractor license under this part if the county imposed such a licensing requirement before January 1, 2021. Lastly, a local government may not require a license as a prerequisite to submit a bid for public work projects if the work to be performed does not require a license under general law. Effective date: July 1, 2023. (Branch)

Substance Abuse Services (Monitored)

CS/SB 210 (Harrell) modifies requirements for licensed substance abuse service providers offering treatment to individuals living in recovery residences. The following substances may not be used on the

premises of a provider licensed by the Department of Children and Families (DCF):

- ▶ Alcohol;
- ▶ Marijuana, including marijuana certified by a qualified physician for medical use;
- ▶ Illegal drugs; and
- ▶ Prescription drugs when used by persons other than for whom the medication is prescribed.

The bill further prohibits referrals from licensed service providers to recovery residences that allow the use of such substances on the premises and requires service providers to provide proof of a prohibition on the use of such substances in applications for licensure with the DCF. Moreover, referrals to a recovery residence must include placement into the licensed housing component of a service provider's day or night treatment program, regardless of whether the housing component is affiliated with the service provider. This will ensure that all patients referred to a recovery residence are also referred into licensed community housing as part of treatment. The bill makes it a second-degree misdemeanor for any person discharged from a recovery residence to willfully refuse to depart after being warned by an owner or authorized employee of the residence. Additionally, the bill requires the DCF to establish a mechanism for imposing and collecting fines arising from failed recovery residence inspections and improper referrals made by licensed service providers, no later than January 1, 2024. Effective date: July 1, 2023. (Taggart)

Technology Transparency (Monitored)

CS/CS/SB 262 (Bradley) prohibits employees of a governmental entity from using their position or any state resources to communicate with a social media platform to request that it remove content or accounts. In addition, a governmental entity may not initiate or maintain any agreements with a social media platform for the purpose of content moderation. The prohibitions do not apply to routine account maintenance, attempts to remove accounts or content pertaining to the commission of a crime, or efforts to prevent imminent bodily harm, loss of life or property damage. These provisions take effect on July 1, 2023.

The bill creates a new statute (section 501.1735, Florida Statutes) to provide protection to children in online spaces. Specifically, the bill prohibits online platforms that provide online services, products, games or features that are likely to be predominantly accessed by children from processing or collecting the personal information of children in the various methods described in the bill. A violation of the statute is an unfair and deceptive practice actionable and enforceable by the Department of Legal Affairs (DLA).

The bill creates the "Florida Digital Bill of Rights" to allow the state's consumers to control the digital flow of their personal information, including the right to:

- ▶ Confirm and access their personal data;
- ▶ Delete, correct or obtain a copy of that personal data;
- ▶ Opt out of the processing of personal data for the purposes of targeted advertising, the sale of personal data, or profiling in furtherance of a decision that produces a legal or similarly significant effect concerning a consumer;
- ▶ Opt out of the collection of sensitive data; and
- ▶ Opt out of the collection of personal data collected through the operation of a voice recognition feature.

The bill prohibits a device that has a voice or facial recognition feature, video or audio recording features, or other electronic, visual, thermal or olfactory features that collect data from such features from engaging in surveillance when the features are not in active use by a consumer or expressly authorized by the consumer. The bill's privacy provisions generally apply to "controllers," businesses that collect Florida consumers' personal information, make more than \$1 billion in gross revenues and meet one of the following thresholds:

- ▶ Derives 50% or more of its global gross annual revenues from advertisements, including from providing targeted advertising or the sale of ads online;
- ▶ Operates a consumer smart speaker and voice command component service with an integrated virtual assistant connected to a cloud computing service that uses hands-free verbal activation; or

- ▶ Operates an app store or digital distribution platform that offers at least 250,000 different software applications for consumers to download and install.

The bill specifies several actions that controllers must take in regard to the processing and collection of personal data, including disclosure of the main parameters used in collecting data from an online search engine, assessment of processing activities involving personal data, providing a privacy notice to consumer, and other certain actions relating deidentified data maintained by a controller. The bill also prohibits certain businesses from selling sensitive personal data without receiving prior consent of the consumer, or if the sensitive data is of a known child, without an affirmative authorization for processing that child's data. The bill requires that a person who engages in the sale of sensitive personal data post a notice on its website of such a potential sale. Finally, the bill provides exemptions for the use of certain data and expresses that restrictions on the collection or retention of data for a particular purpose is prohibited. Effective date: July 1, 2024, except as otherwise provided. (Taggart)

Temporary Commercial Kitchens (Monitored)

CS/CS/SB 752 (Calatayud) preempts the regulation of licenses, registrations, permits and fees for temporary commercial kitchens to the state. The bill defines the term "temporary commercial kitchen" to mean "any kitchen that is a public food service establishment, used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle-mounted, that include self-contained utilities, including, but not limited to, gas, water, electricity or liquid waste disposal." The term does not include a tent. The bill requires an operator of a public food service establishment who provides commissary services to a temporary commercial kitchen to maintain a registry to verify that each temporary commercial kitchen that receives such services is properly licensed. Also, the bill requires the operator of a temporary commercial kitchen to properly display its public food service establishment license number to assist the public food service establishment in verifying the licensure of the temporary commercial kitchen. The bill allows a mo-

bile food dispensing vehicle or temporary commercial kitchens operated on the same premises of a separately licensed food service establishment to operate during the same hours of operation as the separately licensed food service establishment. Generally, temporary commercial kitchens may not operate in one location for longer than 30 consecutive days. However, the bill allows a licensed food service establishment to operate a temporary commercial kitchen as follows:

- ▶ On site for the purpose of supplementing its kitchen operations for 60 consecutive days, with an additional 60-day extension.
- ▶ During a period of renovation, repair or rebuilding, on site or off premises within line of sight not exceeding 1,320 feet from the licensed permanent food service establishment, for 120 consecutive days. An extension may be granted if the licensed permanent food service establishment demonstrates that additional time is necessary to complete the renovation, repair or rebuilding.
- ▶ If a licensed permanent food service establishment is rendered uninhabitable because of a natural disaster, the establishment may operate a temporary commercial kitchen on site or nearby as reasonably practicable to the establishment's location, subject to notification to DBPR every 90 days.

Effective date: July 1, 2023. (Taggart)

Unmanned Aircraft Systems Act (Supported)

CS/CS/HB 645 (Brackett) amends Florida's Unmanned Aircraft Systems Act to add the following items to the state's definition of "critical infrastructure facility":

- ▶ A water intake structure, water treatment facility, wastewater treatment plant or pump stations;
- ▶ A refinery;
- ▶ A gas processing plant, including a plant used in the processing, treatment or fractionation of natural gas;
- ▶ A seaport listed in section 311.09(1), Florida Statutes, which need not be completely enclosed by a fence or other physical barrier or be marked with a sign or signs indicating that entry is forbidden;

- ▶ An inland port or other facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport;
- ▶ An airport as defined in section 330.27, Florida Statutes;
- ▶ A spaceport territory as defined in section 331.303(18), Florida Statutes;
- ▶ A military installation as defined in 10 United States Constitution section 2801(c)(4);
- ▶ An armory as defined in section 250.01, Florida Statutes; and
- ▶ A dam as defined in section 373.403(1), Florida Statutes, or other structures, such as locks, floodgates or dikes, which are designed to maintain or control the level of navigable waters.

The bill also modifies existing items under the definition to include any liquid natural gas or propane gas terminal or storage facility, regardless of size, and any power generation or transmission facility, station or electrical control center. Except for the specified deepwater ports, the revised and added structures and facilities must be completely enclosed by a fence or other physical barrier or be clearly marked with a sign or signs indicating that entry is forbidden, which must be posted on the property in a manner reasonably likely to come to the attention of intruders. Any person who knowingly and willfully operates a drone over the specified additional facilities and structures is subject to a definite term of imprisonment not exceeding 60 days, plus a possible additional \$500 fine, except for those actions committed by the identified entities, agencies or persons to which these provisions do not apply. In addition, the bill removes the current provision mirroring federal law, requiring a person or governmental entity seeking to restrict or limit the operation of drones in close proximity to infrastructure or facilities that the person or governmental entity owns or operates to apply to the Federal Aviation Administration (FAA) for the designation pursuant to section 2209 of the FAA Extension, Safety and Security Act of 2016. The bill also strikes the provision making the definition of "critical infrastructure facility" inapplicable to a drone operating in transit for commercial purposes in compliance with FAA regulations, authorizations or exemptions. Operation of these drones would be restricted as provided in state law unless the state law conflicts with

a federal definition of what constitutes a "fixed-site facility" or with any other federal law, regulation or authorization.

The bill provides that effective on the same date that CS/CS/SB 264 takes effect (that date being July 1, 2023), the definition of "critical infrastructure facility," if the facility employs measures such as fences, barriers or guard posts that are designed to exclude unauthorized persons, will also include:

- ▶ A chemical manufacturing facility;
- ▶ An electrical power plant as defined in section 403.031(20), Florida Statutes;
- ▶ A liquid natural gas terminal;
- ▶ A telecommunications central switching office;
- ▶ A seaport list in section 311.09, Florida Statutes; and
- ▶ An airport as defined in section 333.01, Florida Statutes.

Effective date: July 1, 2023, except as otherwise provided. (Branch)

PERSONNEL

Rights of Law Enforcement Officers and Correctional Officers (Monitored)

CS/HB 95 (Duggan) amends section 112.532, Florida Statutes, to prohibit a law enforcement or correctional officer's employing agency from discharging, suspending, demoting or otherwise disciplining an officer solely as a result of a prosecuting agency determining the officer withheld exculpatory evidence or because their name was included in a Brady identification system. It does not prevent the employing agency from taking disciplinary action based on the underlying actions of the officer. The bill creates section 112.536, Florida Statutes, which requires a prosecuting agency that maintains a Brady identification system to adopt policies outlining protections for officers, which must include the right of an officer to receive written notice that a prosecuting agency has included the officer in a Brady identification system and the right of an officer to request reconsideration of the prosecuting agency's decision to include the officer in a Brady identification system and their right to submit evidence in support of the request for reconsideration. If the prosecuting

agency determines the officer should not be included in the Brady identification system, the agency must remove the officer's name and send notice to the officer's employing agency confirming the removal. If an officer's name was previously included in a Brady identification system and their name was disclosed in a pending criminal case, the prosecuting agency must notify all parties to the pending case of the officer's removal from the system. An officer may petition the court for a writ of mandamus to compel the prosecuting agency to comply with the bill's requirements. Effective date: July 1, 2023. (Cruz)

PROCUREMENT

Commercial Service Airport Transparency and Accountability (Monitored)

CS/CS/HB 1123 (Casello/Gossett-Seidman) revises legislation enacted in 2020 relating to commercial service airport transparency and accountability. As passed, the bill:

- ▶ Defines the term "consent agenda;"
- ▶ Revises the website location on which a commercial service airport must provide a link to its airport master plan;
- ▶ Amends the requirement for posting a contract to the airport's website to provide that any contract or contract amendment in excess of \$325,000 (increased from \$65,000) must be posted on the airport's website and expressly limits the requirement to contracts for the purchase of commodities or contractual services;
- ▶ Requires that commercial service airports use competitive solicitation processes for purchases of commodities and contractual services that exceed the threshold amount of \$325,000 (increased from \$65,000); and
- ▶ Specifies that governing bodies of certain categories of commercial service airports must approve, award or ratify any contract for commodities or contractual services, depending on the airport size and contract amount, as a separate line item on the governing body's agenda with a reasonable opportunity for public comment, and prohibits approval, award or ratification of such contracts as part of a consent agenda.

Effective date: July 1, 2023. (Taggart)

Energy (Monitored)

CS/CS/SB 284 (Brodeur) revises vehicle procurement requirements for the state purchasing plan. It requires vehicles of a given use class to be selected for procurement based on the lowest lifetime ownership costs rather than on the greatest fuel efficiency available. Emergency response vehicles are exempt from this requirement. The bill requires, when available, the use of ethanol and biodiesel blended fuels and natural gas fuel when a state agency purchases an internal combustion engine vehicle. It requires the Department of Management Services to make recommendations to state agencies and local governments before July 1, 2024, regarding the procurement of electric vehicles, natural gas fuel vehicles and vehicles powered by renewable energy. Effective date: July 1, 2023. (Branch)

Interests of Foreign Countries (Monitored)

CS/CS/SB 264 (Collins) restricts the issuance of government contracts or economic development incentives to foreign entities that are owned by, controlled by or organized under the laws of a foreign country of concern (i.e., the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan Regime of Nicolas Maduro, or the Syrian Arab Republic, including any agency of or other entity within significant control of such foreign country of concern). The bill further prohibits a foreign principal, as defined in the bill, from owning or acquiring agricultural land or other interests in real property on or within 10 miles of a military installation or critical infrastructure facility. A foreign principal that owns agricultural land acquired before July 1, 2023, may continue to hold such land and must register with the Florida Department of Agriculture and Consumer Services (DACS) by January 1, 2024, on a form prescribed by DACS. If the property owned or acquired before July 1, 2023, is on or within 10 miles of a military installation or critical infrastructure facility, the foreign principal must similarly register with the Department of Economic Opportunity by December 31, 2023. The bill prohibits the People's Republic of China, the Chinese Communist Party, its officials and members, other political party official or members, other legal entities or subsidiaries organized under the laws of,

or having a principal place of business in, China or its political subdivisions, or other persons domiciled in China, who are not U.S. citizens or lawful permanent residents of the United States, from purchasing or acquiring an interest in, real property in Florida. However, a natural person may purchase one residential real property not exceeding 2 acres in size and not on or within 5 miles of a military installation if certain conditions are met. The bill also allows the purchase of real property for diplomatic purposes recognized, acknowledged and allowed by the federal government. The bill also amends the Florida Electronic Health Records Act to require the physical storage of personal medical information in the continental U.S., U.S. territories or Canada. The bill amends the Health Care Licensing Procedures Act to require that licensees sign an affidavit attesting that all patient information is physically stored in the continental U.S., U.S. territories or Canada. Finally, the bill amends section 836.05, Florida Statutes, relating to criminal threats and extortion, to provide that a person who violates the statute while acting as a foreign agent for the purpose of benefitting a foreign country of concern, commits a first degree felony. Effective date: July 1, 2023. (Taggart)

PUBLIC RECORDS AND PUBLIC MEETINGS

Building Plans, Blueprints, Schematic Drawings and Diagrams (Supported)

SB 7008 (Governmental Oversight and Accountability Committee) renews the exemption from public records requirements for building plans, blueprints, schematic drawings and diagrams that depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development. The bill also removes language in current law relating to how an agency may disclose the exempt information. Effective date: October 1, 2023. (Taggart)

National Public Safety Broadband Network (Supported)

SB 7006 (Governmental Oversight and Accountability Committee) renews the exemption from public records requirements for information held by an agency relating to the Nationwide Public Safety

Broadband Network. Effective date: October 1, 2023. (Taggart)

Security and Fire Safety System Plans (Supported)

HB 7007 (Ethics, Elections and Open Government Subcommittee) removes the scheduled repeal date of the public record and public meeting exemptions for security or fire safety system plans under sections 119.071(3)(a) and 286.0113(1), Florida Statutes. The bill repeals section 281.301, Florida Statutes, because the information and meetings protected under this section were deemed duplicative of the exemptions in sections 119.071(3)(a) and 286.0113(1). Effective date: October 1, 2023. (Taggart)

PUBLIC SAFETY

Funeral Service Benefits for Public Safety Officers (Monitored)

CS/CS/HB 535 (Botana) authorizes the head of a law enforcement agency to grant up to eight hours of administrative leave to a law enforcement officer in order for the officer to attend a funeral service in Florida of another officer who was killed in the line of duty. Leave may be denied, if necessary, to maintain minimum or adequate staffing requirements. In addition, the head of a law enforcement agency may authorize travel expenses for a law enforcement officer to attend such funeral service. Effective date: October 1, 2023. (Taggart)

Law Enforcement Operations (Monitored)

CS/CS/CS/HB 1595 (Yarkosky) addresses the duties of sheriffs and revises procedures for challenging reductions in a municipal law enforcement agency's budget. For sheriffs, the bill clarifies that the sheriff has exclusive policing jurisdiction in the unincorporated areas of each county and has concurrent jurisdiction with municipal and special district law enforcement agencies in the jurisdictions of those entities. It provides for the transfer of policing responsibility and authority to the sheriff in counties that do not currently have an elected sheriff. With respect to the budget appeal process for challenges to funding reductions in a municipal law enforcement agency's budget, the bill only allows a challenge if the reduction is more than 5% of the prior year's budget. The bill also transfers the appeal process from the Administration Commission to the Division of

Administrative Hearings and requires that a copy of the petition be provided to the affected municipality. It provides time limits for the filing of a petition, the petition hearing and the issuance of a final order on a petition. The bill requires an administrative law judge's final order to be based on whether the proposed budget reduction will impair the law enforcement agency's ability to ensure public safety. Effective date: Upon becoming law. (Taggart)

Persons with Disabilities Registry (Monitored)

CS/HB 1275 (Plasencia) allows a local law enforcement agency to develop and maintain a Special Persons Registry. The registry contains a list of persons who have developmental, psychological or other disabilities or conditions that may be relevant to their interactions with law enforcement officers. Adults may enroll themselves in the registry. Minors may be enrolled in a registry by their parent or legal guardian. The bill exempts from public records requirements all records and personal identifying information relating to enrollment of persons in a special persons registry and persons enrolled in a special persons registry held by a local law enforcement agency. It authorizes local law enforcement agencies to disclose confidential and exempt information to certain persons under certain circumstances and provides for the exempt status of such information held by those individuals and entities to be maintained. Effective date: On the date HB 1275 takes effect (June 1, 2024). (Taggart)

911 Public Safety Telecommunicator Certifications (Monitored)

CS/HB 341 (Amesty) addresses workforce shortages among 911 public safety telecommunicators (911 PSTs). The bill allows the certification of a 911 PST to automatically revert to inactive status for up to six years if not renewed at the end of the two-year certification period. Consequently, certificate holders will no longer have to request their certification to be placed on inactive status or pay the applicable \$50 fee required by current law. In addition, the bill provides for retroactive applicability to certificates that have expired or are set to expire in the six-year period preceding the effective date of the bill. Effective date: Upon becoming law. (Taggart)

Public Safety Emergency Communications Systems (Monitored)

CS/HB 1575 (Brackett) creates a limitation on when a local authority having jurisdiction over public safety emergency communication system may require installation of an enhancement system. Two-way radio communication enhancement systems are post-construction systems that accept and amplify first responders' radio signals so that the radio strength at ground level is equal to the radio signal strength in all locations throughout a building. Unless a building undergoes a significant renovation or poses a safety threat, a local authority may only require an assessment no more often than every three years for high-rise buildings or buildings exceeding 12,000 square feet or every five years for all other buildings. If an enhancement system is required after assessment of a new building, a contractor must submit a design to the local authority for an enhancement system, and the local authority must require installation of the system within 12 months after issuance of a temporary certificate of occupancy. If a local authority requires an existing building to retrofit its enhancement system, it must give the building owner one year to do so. Effective date: July 1, 2023. (Taggart)

UTILITIES AND NATURAL RESOURCES

Biosolids (Monitored)

CS/CS/HB 1405 (Tuck) authorizes the Department of Environmental Protection to provide grants for projects that convert wastewater residuals to Class A biosolids and Class AA biosolids. Effective date: July 1, 2023. (O'Hara)

Department of Agriculture and Consumer Services (Monitored)

CS/HB 1307 (McClure) revises various provisions of law relating to the powers and duties of the Florida Department of Agriculture and Consumer Services. The bill amends the current law definition of "Category I liquefied petroleum gas dealer" to include persons engaged in the design of equipment for use of liquefied petroleum or natural gas. This definition has relevance to the current law preemption of local government prohibition of the types or fuel sources of energy production in Section 366.032, Florida Statutes, which includes a Category I liquefied petroleum gas dealer within the scope of the

preemption. In addition, the bill amends the current law definition of "Category V LP gas installer to include persons engaged in the design of equipment for use of liquefied petroleum or natural gas. This definition, as well as the definition of "Category I liquefied petroleum gas dealer," are relevant to the current law restriction on local licensing and registration requirements for plumbing contractors in Section 489.105(3)(m), Florida Statutes. Effective date: July 1, 2023. (O'Hara)

Department of Agriculture and Consumer Services (Monitored)

CS/CS/HB 1279 (Alvarez) amends various provisions relating to the Department of Agriculture, including provisions concerning the regulation of aquaculture. The bill expresses an intent to eliminate duplication of regulatory inspections of aquaculture products and preempts the regulatory and permitting authority of all aquaculture products to the Department. Effective date: July 1, 2023. (O'Hara)

Environmental Protection (Monitored)

CS/CS/HB 1379 (Steele) imposes new requirements and restrictions on local governments relating to pollutant load reduction, local government comprehensive plans, basin management action plans, on-site sewage treatment and disposal systems, mandatory connection to central sewer systems, septic system and wastewater treatment facility remediation plans and advanced waste treatment systems.

Comprehensive Plans and Capital Improvements Schedule

The bill requires counties and municipalities within a BMAP area to include in their comprehensive plans' capital improvements schedules a list of projects necessary to achieve the pollutant load reductions attributable to the local government pursuant to a basin management action plan. It also requires counties and municipalities to include within their comprehensive plans' potable water, drainage, sewer, solid waste, and aquifer recharge element a consideration of the feasibility of providing sanitary sewer services within a 10-year planning horizon to any group of more than 50 built or unbuilt residential lots with a density of more than one septic tank per acre. It further specifies that counties and municipalities should also address within that comprehensive

plan element the coordination of the treatment or upgrade of facilities providing such services and to prioritize advanced waste treatment. These comprehensive plan updates must be made by July 1, 2024. Local governments within a Rural Area of Opportunity are exempted from these new requirements.

Indian River Lagoon Protection Program

The bill establishes this program within the Department of Environmental Protection (DEP), which consists of the various basin management action plans around the Indian River Lagoon. The Department water management districts, local governments and other stakeholders are directed to identify and prioritize strategies necessary to meet water quality standards. Beginning January 2024, the bill prohibits the installation of new septic systems for areas within the Program where central sewer is available. If central sewer is not available, only advanced nutrient-reducing on-site systems or distributed wastewater systems will be permitted. By July 2030, the bill requires any existing septic system within the areas subject to the Program to connect to central sewer if available or upgrade to an advanced on-site system.

Outstanding Florida Springs

The bill requires DEP and relevant local governments and relevant public and private wastewater utilities, as part of a BMAP that contains an Outstanding Florida Spring, to develop a septic tank remediation plan for a spring if DEP determines that septic tanks within a BMAP contribute at least 20% of nitrogen pollution if DEP determines remediation is necessary to achieve the TMDL. It prohibits the installation of septic systems where connection to central sewer is available. For lots of less than 1 acre where central sewer is not available, the bill requires the use of advanced treatment on-site systems.

Basin Management Action Plans (BMAPs)

The bill requires BMAPs to include five-year implementation milestones. It specifies additional required contents for BMAPs, including a requirement that any entity with a specific pollutant load reduction requirement established in a plan identify the projects or strategies the entity will undertake to meet the BMAP's current five-year milestone. Each project identified must include an estimated amount

of nutrient reduction that is expected. The applicable five-year milestone for new or revised BMAPs must include a list of projects that will achieve the pollutant load reductions needed to meet the TMDL or established load allocations, and each BMAP project must include a planning-level cost estimate and an estimated date of completion. Each new or revised BMAP must include a list of projects developed in connection with a cooperative agricultural regional water quality improvement element, which is part of a BMAP. The bill prohibits the installation of new septic systems within areas subject to a basin management action plan or reasonable assurance plan where connection to central sewer is available. In addition, the bill requires the installation of advanced on-site septic systems on lots of 1 acre or less located within such areas if central sewer is not available.

Grants and Loans for Septic-to-Sewer Conversions

The bill encourages local governments that receive grants or loans from DEP to offset the cost of connecting to sewer to identify the owners of septic tanks within their jurisdictions who are eligible to apply for grants or loans and notify them of such funding availability. It encourages such local governments to maintain a publicly available website with information relating to grant or loan availability.

Wastewater Grant Program

The bill renames the Wastewater Grant Program in Section 403.0673, Florida Statutes, to the "Water Quality Improvement Grant Program" and expands funding eligibility to the following project types: connecting septic tanks to sewer; upgrading wastewater treatment facilities to advanced waste treatment or greater; repairing, upgrading, expanding or constructing stormwater treatment facilities; repairing, upgrading, expanding or constructing wastewater treatment facilities that result in improvements to water quality, including reuse and collection systems; projects identified pursuant to the development of a BMAP or a cooperative agricultural regional water quality improvement element; projects identified in a wastewater treatment plan or a septic tank remediation plan; projects listed in a city or county capital improvement element; and projects retrofitting septic tanks to enhanced nutrient-reducing systems where central sewer is unavailable. The bill specifies that funding priority must be

given to projects most likely to achieve the maximum pollutant reduction.

Advanced Waste Treatment

For facilities that discharge to specified waters and are required by current law to upgrade to advanced waste treatment by a specified date, the bill authorizes the Department of Environmental Protection to require even more stringent treatment standards of these facilities if necessary to achieve the total maximum daily load or applicable water quality criteria. In addition, beginning January 2033, waters that are not attaining nutrient standards or that are subject to a nutrient basin management action plan or reasonable assurance plan are subject to the requirement to upgrade to advanced wastewater treatment facilities or to a more stringent treatment standard. Finally, the bill provides that sewage disposal facilities may not dispose of any wastes in the following waters without providing advanced waste treatment or a more stringent treatment standard within a 10-year period: a waterbody that does not attain nutrient standards after July 2023, a waterbody that is subject to a nutrient related basin management action plan after July 2023, or a waterbody that is subject to an adopted reasonable assurance plan after July 2023.

Florida Forever

The bill dedicates \$100 million annually to DEP from the Land Acquisition Trust Fund for the acquisition of lands through the Florida Forever Program. Effective date: July 1, 2023. (O'Hara)

Flooding and Sea Level Rise Vulnerability Studies (Monitored)

CS/HB 111 (Hunschofsky) revises current law provisions that require certain public-financed projects and infrastructure to undergo a Sea Level Impact Projection (SLIP) study prior to construction. The bill expands the types of projects and infrastructure subject to the requirement by including "potentially at-risk" projects within an area that is "at-risk due to sea-level rise." This means the requirement is expanded to certain structures within any area that is at risk due to sea level rise, not just areas within the coastal building zone. It defines "at-risk due to sea-level rise" and "potentially at-risk structure or infrastructure." The bill requires the SLIP study stan-

dard risk assessment to provide an estimated probability of significant flood damage to the structure or infrastructure, to provide a list of flood mitigation strategies evaluated as part of the design of the structure or infrastructure, and to identify appropriate flood mitigation strategies for consideration as part of the structure or infrastructure design. In addition, the bill revises entities and projects eligible for funding under the Resilient Florida Grant Program to include feasibility studies and permitting costs for innovative measures that focus on nature-based solutions and water management districts in support of local government adaptation planning efforts if the grant is used for the express purpose of supporting the Florida Flood Hub and the Department of Environmental Protection in data collection and creation, modeling and the implementation of statewide standards. Effective date: July 1, 2023. (O'Hara)

Florida Shared-Use Nonmotorized Trail Network (Supported)

CS/SB 106 (Brodeur) expands the state's Shared-Use Nonmotorized (SUN) Trail Network and enhances the coordination of the state's trail system with the Florida Wildlife Corridor. Among other things, the bill prioritizes the development of "regionally significant trails," which are trails that cross multiple counties, serve economic and ecotourism development, showcase wildlife areas, ecology and natural resources, and serve as main corridors for trail connectedness across the state. The bill authorizes the Florida Department of Transportation and local governments to enter sponsorship agreements with private or nonprofit entities for trails and to use associated revenues for maintenance, signage and related amenities. In addition, the bill recognizes "trail town" communities (communities located along or in proximity to one or more nonmotorized recreational trails) and directs the State Division of Tourism Marketing to coordinate with the Office of Greenways and Trails and the Florida Department of Economic Opportunity to promote the use of trails as economic assets, including the promotion of trail-based tourism. Effective date: July 1, 2023. Chapter No. 2023-20. (O'Hara)

Preemption Over Utility Service Restrictions (Opposed)

CS/CS/HB 1281 (Buchanan) prohibits a local gov-

ernment from enacting or enforcing an ordinance, resolution, rule, code or policy or from taking any action that restricts or prohibits or has the effect of restricting or prohibiting the use of any major appliances, including stoves and gas grills. The bill exempts local government actions and regulations necessary to implement the Florida Building Code and the Florida Fire Prevention Code. Effective date: July 1, 2023. (O'Hara)

Ratification of Rules of the Department of Environmental Protection (Monitored)

HB 7027 (Water Quality, Supply & Treatment Subcommittee) ratifies rules relating to the standards for on-site sewage treatment and disposal systems and domestic wastewater facility planning for facilities expansion, collection/transmission systems and an operation and maintenance manual. State law requires legislative ratification of agency rules exceeding a specified fiscal regulatory impact threshold. Effective date: Upon becoming law. (O'Hara)

Vessel Regulations (Monitored)

CS/CS/HB 847 (Stark) amends section 403.813, Florida Statutes, which currently authorizes exemptions from certain state and local permitting requirements for floating vessel platforms and floating boat lifts under specified circumstances. The bill provides that local governments may require only a one-time registration of floating vessel platforms where the platform owner self-certifies compliance with the statutory exemption criteria to ensure compliance with ordinances, codes, state-delegated programs or regulations relating to building or zoning, which may not be applied more stringently or inconsistently with the exemption criteria of the statute. In addition, the bill adds additional authority for municipalities and counties to adopt an ordinance establishing an idle speed, no wake boating-restricted area within the portion of the Florida Intracoastal Waterway within their jurisdiction under specified conditions. The additional authority would allow for the adoption of idle speed, no wake boating-restricted areas within 500 feet of a sewage pump-out facility at a public or private nonresidential marina on a waterway where the sewage pump-out facility is within 100 feet of the marked portion of the Florida Intracoastal Waterway. Effective date: July 1, 2023. (O'Hara)

BUILDING CODES/CONSTRUCTION

Building Permit Applications to Local Governments (Monitored)

HB 765 (Roth) was a bill dealing with building permit applications. The bill would have required municipalities to notify the owner of a property and the contractor listed on the permit within 60 days before the permit is set to expire. The bill increased the permit reduction fee by 25% for each business day the local government fails to meet the established timeframes. HB 765 would have also required a municipality to accept applications electronically and post the status update of each building permit application on its website. The bill would have prohibited a municipality from using a permit application unless it included an attachment with a specified "notice" statement that was referenced in the bill. (Branch)

Residential Building Permits (Opposed)

SB 682 (DiCeglie) and **CS/HB 671** (Esposito) were comprehensive building permit bills. Of concern to cities, the bills would have done the following:

- ▶ Required the local jurisdiction to reduce the permit fee by 75% if an owner retains a private provider.
- ▶ Reduced the time frame of when municipalities must provide written notice of receipt and any other additional information that is required for a properly completed application to an applicant.
- ▶ Reduced the number of times a municipality can ask an applicant for additional information.
- ▶ Allowed an application to be "deemed" approved if municipalities fail to meet any of the timeframes. (Branch)

CYBERSECURITY

Cybersecurity (Monitored)

CS/HB 1511 (Giallombardo) and **CS/SB 1708** (DiCeglie) would have made several changes to the Local Government Cybersecurity Act (Act). The bills revised the definition of "cyber incident" and revised timelines for local governments to report cybersecurity incidents. The bills would have required local governments to report cybersecurity incidents within four hours of discovery; current law allows for 48 hours. Ransomware incidents would have been required to be report-

ed within two hours of discovery; current law allows for 12 hours. The bills would have established an operations committee within the Florida Digital Service to assist with collaboration between state agencies and local governments. The bills would have also provided municipalities with a presumption from liability in connection with a cybersecurity incident for entities that were substantially compliant with the Act. (Taggart)

State Cybersecurity Operations (Monitored)

SB 2508 (Appropriations) would have transferred the Cybersecurity Operations Center (CSOC) and its associated duties, responsibilities, contracts, unexpended balances of appropriations, allocations and positions from the Florida Digital Service (FDS) within the Department of Management Services (DMS) to the Florida Department of Law Enforcement (FDLE). In accordance with the recommendations of the February 1, 2021, Florida Cybersecurity Task Force Final Report, the bill also would have required state agencies to conduct comprehensive risk assessments on an annual basis instead of once every three years. (Taggart)

ECONOMIC DEVELOPMENT

Financial Assistance for Rural Areas of Opportunity (Supported)

CS/HB 413 (Abbott) and **SB 1628** (Simon) would have prohibited agency agreements from requiring local governments within a rural area of opportunity to expend funds in order to be reimbursed. (Taggart)

Florida First Production Partnership Pilot Program (Supported)

HB 251 (Trabulsy) and **SB 476** (Gruters) would have created the Florida First Production Partnership Program within the Department of Economic Opportunity. The purpose of the program would have been to boost Florida's economic prosperity by providing a tax credit award to certified film projects that provide the greatest return on investment and economic benefit to the state. (Taggart)

ETHICS AND ELECTIONS

Local Redistricting (Monitored)

SB 1080 (Yarborough) and **HB 7069** (State Affairs Committee) would have specified criteria for redis-

tricting for school boards, cities and counties. The bills would have prohibited county commission districts, municipal districts and school board member residence areas from being drawn with the intent to favor or disfavor a candidate for the governing body or an incumbent member of the governing body. They required county commission districts to be as nearly equal in population as possible. Current law does not address requirements for municipal redistricting, but the bills would impose such requirements and override any local charter provisions that conflict with the bills. The bills required municipalities to fix the boundaries of their districts to keep them as nearly equal in proportion to their respective populations as practicable and provide that they may only do so in odd-numbered years. The bills would have made void any ordinance adopted by a county, municipality or school district on or after July 1, 2023, that conflicts with the bills. (O'Hara)

Political Advertisements for Nonpartisan Office (Monitored)

CS/SB 1372 (Ingoglia) and **HB 1321** (Beltran) would have struck provisions in current law that prohibit the political advertisement of a candidate running for nonpartisan office from stating the candidate's party affiliation and would have struck provisions in current law that prohibit a candidate for nonpartisan office from campaigning based on party affiliation. This would have authorized a candidate for a nonpartisan municipal election to state their party affiliation in a political advertisement. HB 1321 would have required all candidates running for a partisan office to state their party affiliation in a political advertisement and would also have required candidates running for any nonpartisan office (including municipal) to state their party affiliation or state "nonpartisan" in lieu of party affiliation. (O'Hara)

Prohibition on Open Primaries and Nonpartisan Elections (Opposed)

HB 405 (Tramont) proposed an amendment to the Florida Constitution that would have prohibited nonpartisan municipal elections. The proposal also would have provided that only qualified electors in a municipal election with the same party affiliation as a candidate for office would have been able to vote in the primary election for such office (even if a candidate has no opponent with a different party

affiliation). The same prohibitions and limitations would have been imposed on all other state, county and local primary elections, including school boards. In addition, the proposal specified that a candidate for office may not be prohibited from disclosing their party affiliation to the electors and may not be prohibited from campaigning or qualifying for office based on party affiliation. (O'Hara)

FINANCE AND TAXATION

Ad Valorem Tax Exemption for Nonprofit Homes for the Aged (Monitored)

CS/HB 127 (Smith) and **CS/SB 566** (Wright) would have expanded the current ad valorem tax exemption for not-for-profit homes for the aged. The bills would have allowed a home for the aged owned by a separate entity that is owned by a not-for-profit corporation to also receive the exemption. (Cruz)

Communication Services Tax (Opposed)

HB 1153 (Steele) and **CS/SB 1432** (Trumbull) would have frozen the current local tax rate for CST for three years, from January 2023 to January 2026. Additionally, the bills would have prevented local governments from charging franchise fees for the location of the utilities in the public right of way. Lastly, the bill would have reduced the state tax rate for CST percentage by 1.44% as well as the portion on direct-to-home satellite services by 1.44%. HB 1153 was included in the Ways and Means Committee tax package (HB 7063), with the language relating to the 1.44% reduction in the state tax rate removed. (Chapman)

Constitutional Amendment: Homestead Tax Exemption for Certain Senior, Low-income, Long-term Residents (Monitored)

SJR 126 (Avila) and **HJR 159** (Borrero) would have proposed an amendment to the Florida Constitution to increase the just value of a home that may be eligible to receive an additional homestead exemption for homes owned by seniors 65 years or older from \$250,000 to \$300,000. Under current law, a county or city may authorize an additional homestead exemption for seniors over the age of 65 if the value of the home is \$250,000 or less, has been a permanent residence for at least 25 years and certain income limitations are met. The legislation would have simply

increased the just value limit of real estate eligible for the homestead tax exemption from \$250,000 to \$300,000. (Cruz)

Constitutional Amendment: Revised Limitation on Increases of Homestead Property Tax Assessments (Opposed)

SJR 122 (Avila) and **HJR 469** (Fernandez-Barquin) would have reduced the limitation on annual increases of homestead property tax assessments from 3% to 2%. SJR 122 and HJR 469 were constitutional amendments and would have required the approval of the Florida Legislature and the voters of Florida. (Chapman)

Florida Main Street Program and Historic Preservation Tax Credit (Monitored)

CS/SB 288 (DiCeglie) and **HB 499** (Stark) would have created the Main Street Historic Tourism and Revitalization Act, which would have provided a tax credit against corporate income taxes and insurance premium taxes for qualified expenses incurred in the rehabilitation of a certified historic structure. (Chapman)

Homestead Exemption for First Responders (Monitored)

HB 101 (Woodson) and **SB 184** (Polsky) would have expanded the current homestead exemption for the surviving spouse of a first responder who dies in the line of duty to include first responders who die in the line of duty while employed by the United States Government. These provisions were included in the 2023 tax package (HB 7063). (Cruz)

Homestead Tax Exemptions (Monitored)

HB 1599 (Tuck) and **SB 1716** (Yarborough) would have revised the interest rate and penalty that applies to property owners who unlawfully received a homestead exemption. (Chapman)

Implementing Bill: Homestead Assessments (Opposed)

CS/SB 120 (Avila) and **HB 471** (Fernandez-Barquin) would have reduced the limitation on annual increases of homestead property tax assessments from 3% to 2% if SJR 122 or a similar constitutional amendment was approved by the voters at the next general election. (Chapman)

Implementing Bill: Homestead Exemptions for Persons Age 65 and Older (Monitored)

CS/SB 124 (Avila) and **CS/HB 161** (Borrero) would have increased the just value limit of real estate eligible for the homestead tax exemption that may be adopted by counties or municipalities for certain persons age 65 and older if SJR 126, HJR 159 or a similar constitutional amendment is approved by the voters at the next general election. (Cruz)

Local Tax Referenda Requirements (Monitored)

CS/CS/SB 698 (Ingoglia) and **CS/HB 731** (Temple) would have required referendums to reenact an expiring source of county or municipal revenue to be held at a general election immediately preceding the expiration or enactment date. Sources of revenue identified by the bill included: Tourist Development Tax, Children's Services Special District Millage Rate, Dependent District Millage Rates, Municipal Millage Rates in Excess of Limits, Local Government Discretionary Sales Tax, Ninth-Cent Fuel Tax and Local Option Fuel Tax. The bills specified that a referendum to extend or increase millage may only be held once during the 48-month period preceding the effective date of the referendum. (Chapman)

Property Tax Administration (Monitored)

CS/SB 474 (Garcia) and **CS/HB 1131** (Fernandez-Barquin) would have revised the timeframe under which certain appeals of value adjustment board decisions must be filed by a property appraiser under certain circumstances. (Chapman)

Taxation of Affordable Housing (Supported)

HB 229 (Cross) would have authorized local governments to adopt ordinances to grant partial ad valorem tax exemptions to property owners whose properties are used to provide affordable housing. (Cruz)

Tourist Development (Monitored)

HB 7053 (Regulatory Reform & Economic Development Subcommittee) would have redirected a percentage of revenue levied to the Tourism Industry Marketing Corporation (VISIT FLORIDA) annually. The bill would have also repealed the Tourism Promotional Trust Fund within the Department of Economic Opportunity. (Chapman)

Tourist Development Taxes (Monitored)

HB 309 (Shoaf) and **SB 640** (Simon) would have

allowed for a fiscally constrained county bordering either the Gulf of Mexico or the Atlantic Ocean to utilize up to 10% of the tourist development tax revenues received to reimburse for expenses incurred in providing public safety services needed to address impacts related to increased tourism and visitors to the area. (Chapman)

LAND USE AND COMPREHENSIVE PLANNING

Agriculture Lands (Monitored)

CS/CS/CS/HB 1343 (Tuck) and **CS/CS/SB 1184** (Collins) would have increased the exemption from the levy of a county special assessment for fire protection services from \$10,000 to \$350,000 for the value of nonresidential farm buildings. The bills would have authorized the construction of housing for migrant farmworkers on land zoned agricultural without any local government approval by ordinance or resolution. The migrant farmworker housing may not exceed 7,500 square feet. The bills would have required that the migrant workers have legal status to work in the United States. The bills would have prohibited local governments from adopting a land use or zoning restriction, condition or regulation that requires the termination or surrender of an agricultural classification for any property. **CS/CS/SB 1184** would have completely prohibited counties from levying any special assessment on lands classified as agricultural that meet certain requirements. **CS/CS/CS/HB 1343** clarified that the county prohibition from a county levying special assessments does not apply to non-agricultural structures, including both residential and nonresidential structures, and their curtilage. **CS/CS/CS/HB 1343** removed the provisions that completely prohibit counties from levying any special assessment on lands classified as agricultural that meet certain requirements. This language was instead included in the 2023 tax package (HB 7063). (Cruz)

Alternative Mobility Funding Systems (Supported)

CS/CS/HB 235 (Robinson, W.) and **SB 350** (Brodeur) would have provided clarity to local government adoption of a mobility plan and a mobility fee system. The bills would have prohibited a transportation impact fee or fee that is not a mobility-based fee from being imposed within the area that is within a mobility plan. The bills would have required mobility fees to be updated every five years once adopted or updated. The

bills outlined the comprehensive requirements a local government would have had to follow in implementing the mobility plan and mobility fee system. In addition, the bills made a revision to the impact fee statute that was substantially amended during the 2021 Legislative Session. (Cruz)

Land Development Initiative and Referendum Processes (Monitored)

CS/CS/HB 41 (Garcia) and **SB 856** (Rodriguez) would have prohibited an initiative or referendum process for any amendment to local land development regulations. Under current law, the initiative or referendum process is prohibited for any development order and, under certain circumstances, local comprehensive plan or map amendments. The bills would have prohibited the use of initiatives or referendums for any amendment to land development regulations. The substance of **CS/CS/HB 41** was later amended onto **SB 718**. See the summary for **CS/CS/SB 718** for more details. (Chapman)

Local Regulation of Nonconforming or Unsafe Structures (Opposed)

CS/CS/HB 1317 (Roach) and **CS/CS/CS/SB 1346** (Avila) would have allowed private property owners in coastal communities to obtain a building permit to demolish any nonconforming structure as defined in the bill, including those which have been locally designated as historic in nature. The bills would have automatically authorized the building of a replacement structure. (Cruz)

OTHER

Actions Against Public-Use Airports (Monitored)

HB 347 (Bankson) would have specified that a person who owns, operates or uses a public-use airport would not be subject to civil liability or criminal prosecution as it relates to noise or nuisances that result from operation or use. The bill did not prohibit a local government from regulating the location and construction of a public-use airport after July 1, 2023. (Branch)

Flags (Monitored)

SB 668 (Collins) and **SB 1011** (Borrero) would have prohibited governmental agencies from displaying to the public any flag that did not follow the protocol adopted by the Governor. The current protocol of

displaying flags is based on the United States Flag Code and the Florida Flag Code and directs the public and governmental agencies on how to display the United States Flag, the State Flag, the POW/MIA Flag, the Firefighter Memorial Flag and the Honor and Remember Flag. (Taggart)

Flood Damage Prevention (Supported)

HB 859 (Basabe) and **SB 1018** (Trumbull) would have allowed local governments to adopt by ordinance a minimum freeboard requirement or a maximum voluntary freeboard that exceeds the requirements in the Florida Building Code. (Branch)

Food Insecure Areas (Supported)

HB 727 (Rayner-Goolsby) and **SB 778** (Rouson) would have authorized local governments to enact land development regulations to allow for small-footprint grocery stores within food-insecure areas. Food insecure areas are areas where people have limited access to affordable and healthful and nutritious foods. (Cruz)

Governmental Agency Drone Use (Monitored)

HB 1455 (Altman) and **SB 1514** (Wright) would have required all governmental agencies that use a drone not produced by an approved manufacturer to submit to the Department of Management Services a comprehensive plan for discontinuing the use of such drone by July 1, 2026. (Branch)

License or Permit to Operate Vehicle for Hire (Monitored)

CS/CS/HB 807 (Borrero) and **SB 1700** (DiCeglie) would have allowed a person who holds a valid vehicle-for-hire license or permit from any city or county the ability to operate a vehicle for hire in another city or county without being subject to additional licensing or permitting requirements. (Branch)

Licensed Counseling for First Responders (Opposed)

HB 169 (Lopez) and **CS/SB 314** (Rodriguez) would have required employers of first responders to pay for up to 12 hours of licensed counseling following a work-related traumatic event. This benefit would have been in addition to any potential workers' compensation claim or counseling services covered by health insurance. The bills would have also held the employing agency responsible for paying for up to an additional

24 hours of treatment if a mental health specialist finds that the first responder requires more hours of counseling. (Cruz)

Local Floodplain Management (Opposed)

SB 920 (DiCeglie) would have prohibited a local government from denying a request for a variance or an exception if the local floodplain management requirements exceeded the minimum standards for the National Flood Insurance Program. (Branch)

Monuments and Memorials (Monitored)

CS/SB 1096 (Martin) and **CS/HB 1607** (Black) would have provided that any person or entity that damaged, defaced, destroyed or removed an existing monument or memorial would be civilly liable for the costs to return, repair or replace the monument or memorial unless the person was authorized, or the entity was the owner. The bills provided legal standing to any resident of this state to bring a civil action against any person or entity for damaging a monument or memorial displayed on public property. The bills clarified that these provisions did not prevent an agency from relocating a monument or memorial when necessary for the construction, expansion or alteration of publicly owned buildings, roadways or other transportation projects. (Taggart)

Preemption of the Regulation of Tobacco and Nicotine Products (Supported)

HB 519 (Edmonds) and **SB 530** (Polsky) would have repealed the preemption on the regulation of tobacco and nicotine products. (Taggart)

Private Property for Motor Vehicle Parking (Supported)

CS/HB 617 (Lopez, V.) and **CS/SB 694** (Gruters) would have narrowed the current preemption on the regulation of private parking lot operations to include a preemption only on the rates charged for parking and for violating the parking lot rules. The bills would have restricted parking lot owners from charging a late fee until after 30 days from the date the invoice was postmarked. The bills would have also prohibited parking lot owners from charging for parking if the vehicle was on the property for less than 10 minutes. (Taggart)

Public Meetings (Supported)

HB 397 (Tuck) would have allowed local governments to meet in private with legal counsel, during the 90-day notice period, to discuss claims concerning the Bert Harris Act and private property rights. Transcripts of these private meetings would have been made a part of the public record upon settlement of a claim or when the statute of limitation has expired if there is no litigation or settlement. (Cruz)

Resale of Tickets (Monitored)

HB 317 (McFarland) and **CS/SB 388** (Bradley), of concern to municipalities, would have preempted the regulation of sales or resale of tickets to the state. (Taggart)

Retail Sale of Domestic Dogs and Cats (Monitored)

HB 849 (Killebrew) and **SB 800** (Wright) would have prohibited for-profit businesses from selling domestic cats and dogs. The bills did not prohibit a city or county from adopting an ordinance on the sale of animals that is more stringent than the bill. (Taggart)

Statewide Blue Ribbon Task Force on County Realignment (Monitored)

SB 740 (Brodeur) would have created the Statewide Blue Ribbon Task Force on County Realignment within the Department of Economic Opportunity. The task force would have studied and evaluated the effectiveness, efficiency and value of realigning county boundaries in the state. This task force would have been comprised of key stakeholders, including one representative from the Florida League of Cities. (Cruz)

Substance Abuse and Mental Health Services (HB 1303 – Opposed; CS/SB 1010 – Monitored)

HB 1303 (Snyder) and **CS/SB 1010** (Gruters) would have created the Substance Abuse and Mental Health Treatment and Housing Task Force within the Department of Children and Families. The bills directed the task force to study issues related to the regulation of treatment providers and the impact of current regulations on the site selection of community residential homes. The bills directed the task force to conduct a statewide review of zoning codes to determine the effect of local regulations. The bills exempted all certified recovery residences from state and local zoning laws or ordinances, including

all requirements included in Chapter 419, Florida Statutes, which do not apply to all other single-family and multifamily dwellings from July 1, 2023, until July 1, 2026, while the study was conducted. Any future changes to provisions relating to recovery residence credentialing would have to have been adopted by department rule beginning October 1, 2023, rather than legislatively. As the bills moved through the committee process, CS/SB 1010 was narrowed to remove the above provisions from the bill. (Taggart)

Towing Vehicles (Monitored)

SB 438 (Rodriguez) would have clarified current law to ensure that law enforcement agencies could tow a motor vehicle from the scene of an incident to their storage facility in lieu of the wrecker operator's storage facility. Current law prohibits a law enforcement agency from placing a hold on a motor vehicle within a wrecker operator's storage facility for more than five business days. If a law enforcement agency does tow a vehicle to their own facility, the agency may not release the vehicle to the owner or lienholder until proof of payment of the towing and storage charges incurred by the wrecker operator are presented to the agency. If the agency releases the vehicle without proof of payment, they are liable for the charges. The bill would have also preempted to the state the regulation of claiming a lien for the recovery, removal, towing or storage of a vehicle or vessel, including the notification of fees. (Taggart)

PERSONNEL**Cost-of-Living Adjustment of Retirement Benefits (Monitored)**

HB 181 (López) and **SB 1354** (Stewart) would have specified the minimum factor used to calculate the cost-of-living adjustment for certain retirees and beneficiaries of the Florida Retirement System. (Cruz)

Local Official's Employment Contract (Opposed)

CS/SB 696 (Ingoglia) and **HB 729** (Holcomb) would have prohibited a municipality from renewing, extending or renegotiating employment contracts with the Chief Executive Officer of a municipality or a municipal attorney within a certain timeframe. (Chapman)

Rights of Law Enforcement Officers and Correctional Officers (Monitored)

HB 927 (Alvarez) and **SB 1086** (Gruters) would have required an agency to provide notice to a law enforcement or correctional officer within 180 days after alleged misconduct before any disciplinary action, suspension, demotion or dismissal can be taken. (Chapman)

PROCUREMENT**Competitive Award of Public Construction Works Contracts (Supported)**

SB 830 (Hooper) would have clarified that a public works project for the purposes of repair or maintenance also included projects that utilize a consortium or cooperative purchasing agreement. (Taggart)

Small Business Certification Program (Monitored)

SB 918 (DiCeglie) would have directed the Office of Supplier Diversity of the Department of Management Services to establish a Small Business Certification Program. The bill would have required local governments to accept this small business certification regardless of any additional local certification process. (Taggart)

PUBLIC RECORDS AND PUBLIC MEETINGS**Accessibility of Government Records (Monitored)**

SB 1516 (Pizzo) and **HB 1527** (Joseph) would have required governmental agencies to provide members of the Legislature and the Florida cabinet any requested documents within seven days after receiving the request. The governmental entity would have been prohibited from redacting the records and would have been required to waive all fees associated with the request. The legislative member or the cabinet member requesting the records would have been responsible for keeping the records confidential and could have only shared the records with another member of the Legislature. (Taggart)

Electronic Payment of Public Records Fees (Monitored)

SB 1264 (Rouson) would have required an agency to provide an electronic option for the payment of any fee associated with a request to inspect or copy public records. (Taggart)

Federal Law Enforcement Agency Record (Monitored)

HB 279 (Jacques) and **SB 310** (Collins) would have required federal law enforcement agencies that are not subject to the Freedom of Information Act and have a physical office in Florida to comply with the state's public records requirements. (Taggart)

Public Meetings/Commission on Public Safety in Urban and Inner-City Communities (Monitored)

HB 495 (Antone) would have created the Commission on Public Safety in Urban and Inner-City Communities within the Department of Law Enforcement. The purpose of the commission would have been to investigate system failures and the causes and reasons for high crime and gun violence incidents in urban and inner-city neighborhoods and communities and to develop recommendations for system improvements. Linked to HB 495, HB 497 (Antone) would have created a public meeting exemption for the Commission on Public Safety in Urban and Inner-City Communities when exempt or confidential information is discussed. (Taggart)

Public Records/Current and Former County and City Attorneys (Supported)

CS/SB 216 (Burgess) and **CS/HB 525** (Arrington) would have created a public records exemption for the personal identifying and location information of current county and city attorneys and assistant/deputy county and city attorneys, as well as information regarding the spouses and children of those attorneys. (Taggart)

Public Records Exemption for Animal Foster or Adoption (Monitored)

HB 157 (Holcomb) and **SB 518** (DiCeglie) would have provided a public records exemption for the personal information of individuals who foster or adopt an animal from an animal shelter or animal control agency operated by a local government. (Taggart)

Public Records/Reports of County or Municipal Code Violations (Supported)

SB 842 (Harrell) would have provided a public records exemption for the personal identifying information of a person reporting a potential code violation. (Taggart)

Surrendered Newborn Infants (Monitored)

CS/HB 899 (Canady) and **CS/SB 870** (Burton) would have authorized the use of newborn infant safety devices by hospitals, emergency medical services stations and fire stations. (Taggart)

PUBLIC SAFETY**Impeding, Provoking or Harassing First Responders (Supported)**

CS/CS/SB 1126 (Avila) and **CS/CS/HB 1539** (Rizo) would have made it unlawful for any person, after receiving a warning from a first responder not to approach, to violate such warning and approach or remain within 20 feet of a first responder who is engaged in the lawful performance of any legal or emergent duty, with the intent to: one, interrupt, disrupt, hinder, impede or interfere with the first responder's ability to perform such duty; two, provoke a physical response from the first responder; or three, directly or indirectly harass the first responder or make so much noise that a first responder is prevented from performing their official duties or providing medical aid. **CS/CS/SB 1126** reduced the distance to 14 feet or roughly the size of a midsize sedan vehicle. (Taggart)

Possession or Use of a Firearm in a Sensitive Location (Monitored)

HB 215 (Rayner-Goolsby) and **HB 456** (Berman) would have prohibited the possession or use of a firearm in "sensitive locations." The bills defined a sensitive location as numerous public facilities including but not limited to buildings or facilities owned, leased or operated by government entities, including public transportation. (Taggart)

SHORT-TERM RENTALS**Public Lodging and Food Service Establishments (Supported)**

HB 1399 (Cassel/Woodson) and **SB 1422** (Pizzo) would have required an applicant for a vacation rental license to provide the Division of Hotels and Restaurants of the Department of Business and Professional Regulation (DBPR) with proof of inspection and compliance with municipal codes when the property being licensed changed in use from single-family residential to a transient public lodging establishment. The bills would have also required that the applicant provide proof that the underlying homeowner's

insurance policy allows the structure to be used as a transient public lodging establishment and a signed affidavit from the chief executive of the local government where the property is located confirming the operation is allowed. (Taggart)

Short-Term Rentals (Opposed)

CS/CS/CS/SB 714 (DiCeglie) was a comprehensive bill dealing with short-term rentals. Of concern to cities, the bill did the following:

Impact on Local Governments

CS/CS/CS/SB 714 maintained the current preemption on local governments from adopting zoning ordinances specific to short-term rentals, as well as regulating the duration of stays and the frequency in which the properties are rented. The bill expanded this preemption to include local regulations on advertising platforms.

Local Registration Programs

The local government would have had 15 days after receiving an application for registration to either accept the application or issue a written notice specifying all deficiencies. Both parties may have agreed to extend the timeline. If a municipality did not accept or deny an application within that 15-day window, that application would have been deemed approved.

As a condition of registration, the local registration program would have only required the owner or operator of a vacation rental to:

- ▶ Pay a fee of no more than \$150 for processing an individual registration application or \$200 for a collective application for up to 25 properties or units. A local government may have imposed a fine for failure to register.
- ▶ Charge a reasonable fee for inspections to ensure compliance with the Florida Building and Fire Prevention Code. Inspections cannot be a condition of receiving a local registration number.
- ▶ Renew their registration no more than once per year unless the property has a change in ownership.
- ▶ Submit identifying information about the owner or the property manager and the short-term rental being registered.
- ▶ Obtain a license as a transient public lodging

establishment by the Department of Business and Professional Regulation (DBPR).

- ▶ Obtain all required tax registration, receipts or certificates issued by the Department of Revenue, a county or a municipal government.
- ▶ Maintain all registration information on a continuing basis so it is current.
- ▶ Comply with parking and solid waste handling requirements; these requirements cannot be imposed solely on short-term rentals.
- ▶ Designate and maintain a property designee who can respond to complaints and other immediate problems related to the property, including being available by phone 24 hours a day, seven days a week.
- ▶ Pay in full all municipal or county code liens against the property being registered.
- ▶ State the maximum occupancy of the short-term rental based on the number of sleeping accommodations for persons staying in the short-term rental. A municipality would have first needed to adopt by ordinance maximum occupancy limits for rented properties.
- ▶ Provide guests with information related to health and safety concerns and applicable laws, ordinances or regulations by posting on the property or by delivery to guests.

June 1, 2011, Grandfather Provision

The bill maintained the grandfathering of ordinances that were adopted prior to June 1, 2011. Additionally, the bill clarified that cities may amend grandfathered ordinances to be less restrictive without voiding those ordinances.

Impact on Advertising Platforms and DBPR

Advertising platforms would have been required to:

- ▶ Collect and remit all required taxes.
- ▶ Require each person listing a property as a vacation rental to include in the advertisement the state license number and, if applicable, the local registration number. They will also be required to attest that the license and registration numbers are valid.
- ▶ By July 1, 2024, the advertising platform would have been required to check and verify the license number of all listings with DBPR prior to posting the advertisement. Additionally, license numbers would have had to be checked at the end of each

calendar quarter with the department.

- ▶ Remove from public view an advertisement from their website within 15 business days after notification by DBPR in writing that a vacation rental failed to display a valid license number.
- ▶ Adopt an anti-discrimination policy.

DBPR would have been required to:

- ▶ By July 1, 2024, maintain all vacation rental license information in a readily accessible electronic format.
- ▶ Impose fines on advertising platforms that are noncompliant with the requirements listed in this section.

Termination/Denial of License

A local government would have been able to terminate, refuse to issue or renew when:

- ▶ There was an unsatisfied municipal or county code lien, so long as the local government allows the owner at least 60 days before the termination to satisfy the lien.
- ▶ The premises and its owner are subject to a final order or judgment directing the termination of the premises' use as a vacation rental.
- ▶ A local government would have been able to suspend a local registration for up to 30 days if a short-term rental is found to have three or more violations of local registration requirements or for violations of another local law, ordinance or regulation in a 90-day period. If a fourth violation occurs in the following six months, the registration may be suspended for up to six months.

DBPR could have revoked, refused to issue or renew a short-term rental license or suspended the license for up to 30 days under several circumstances:

- ▶ The property owner violates the terms of any lease or applicable condominium, coop or homeowner's association restrictions as determined by a final order of a court or by a written decision by an arbitrator authorized to oversee the dispute.
- ▶ The local registration is terminated by a local government for violating any of the registration requirements described above.
- ▶ The property owner and property are subject to a final order or judgment directing termination of the property's short-term rental status. (Taggart)

Short-Term Rentals (Opposed)

CS/CS/HB 833 (Duggan) was a comprehensive bill dealing with short-term rentals. Of concern to cities, the bill did the following:

Impact on Local Governments

CS/CS/HB 833 maintained the current preemption on local governments from adopting zoning ordinances specific to short-term rentals, as well as regulating the duration of stays and the frequency in which the properties are rented. The bill expanded this preemption to include local regulations on advertising platforms.

Local Registration Programs

The local government would have had 15 days after receiving an application for registration to either accept the application or issue a written notice specifying all deficiencies. Both parties may agree to extend the timeline. If a municipality did not accept or deny an application within that 15-day window, that application would have been deemed approved. As a condition of registration, the local registration program may have only required the owner or operator of a vacation rental to:

- ▶ Pay a fee of no more than \$150 for processing an individual registration application or \$200 for a collective application for up to 75 properties or units.
- ▶ Renew their registration no more than once per year unless the property has a change in ownership.
- ▶ Submit identifying information about the owner or the property manager and the short-term rental being registered.
- ▶ Obtain a license as a transient public lodging establishment by the Department of Business and Professional Regulation (DBPR).
- ▶ Obtain all required tax registration, receipts or certificates issued by the Department of Revenue, a county or a municipal government.
- ▶ Maintain all registration information on a continuing basis so it is current.
- ▶ Comply with parking and solid waste handling requirements; these requirements cannot be imposed solely on short-term rentals.
- ▶ Designate and maintain a property designee who can respond to complaints and other immediate

problems related to the property, including being available by phone.

- ▶ State the maximum occupancy of the short-term rental based on the number of sleeping accommodations for persons staying in the short-term rental. A municipality would have first needed to adopt by ordinance maximum occupancy limits for rented properties.

June 1, 2011, Grandfather Provision

The bill maintained the grandfathering of ordinances that were adopted prior to June 1, 2011. Additionally, the bill clarified that cities may amend grandfathered ordinances to be less restrictive without voiding those ordinances.

Impact on Advertising Platforms and DBPR

Advertising platforms would have been required to have the operator who places an advertisement on the platform:

- ▶ Collect and remit all required taxes.
- ▶ Require each person listing a property as a vacation rental to include in the advertisement the state license number and, if applicable, the local registration number. They would have also been required to attest that the license and registration numbers are valid.
- ▶ By July 1, 2024, the advertising platform would have been required to check and verify the license number of all listings with DBPR prior to posting the advertisement. Additionally, license numbers would have had to be checked at the end of each calendar quarter with the department.
- ▶ Remove from public view an advertisement from their website within 15 business days after notification by DBPR in writing that a vacation rental fails to display a valid license number.
- ▶ Adopt an anti-discrimination policy.

DBPR would have been required to:

- ▶ By July 1, 2024, maintain all vacation rental license information in a readily accessible electronic format.
- ▶ Impose fines on advertising platforms that are noncompliant with the requirements listed in this section.

Termination/Denial of License

DBPR may have revoked, refused to issue or renew a short-term rental license or suspend the license for up to 30 days under several circumstances:

- ▶ The property owner violates the terms of any lease or applicable condominium, coop or homeowner's association restrictions as determined by a final order of a court or by a written decision by an arbitrator authorized to oversee the dispute.
- ▶ The owner or operator fails to provide proof of local registration if required.
- ▶ The property owner and property are subject to a final order or judgment directing termination of the property's short-term rental status.
- ▶ The division would have been able to suspend a local registration for up to 30 days if a short-term rental is found to have two or more code enforcement violations found by the code enforcement board in a 90-day period. The division must have issued a written warning and provided an opportunity to cure a violation before taking action. (Taggart)

Vacation Rentals (Supported)

SB 92 (Garcia) and **HB 105** (Basabe) would have codified the ability of local governments to require vacation rental owners or operators to designate and maintain at all times the name and contact information of a responsible party who is able to respond to complaints and other immediate problems related to the property. (Taggart)

TORT LIABILITY**Sovereign Immunity (Opposed)**

CS/HB 401 (Beltran) and **SB 604** (Gruters) would have increased the statutory limits on liability for tort claims against the state and its agencies and subdivisions (which include cities). The current statutory limits for claims are \$200,000 per person and \$300,000 per incident. CS/HB 401 would have increased the caps for damages against state and local government entities to \$2,500,000 per person and \$5,000,000 per incident. SB 604 would have increased the caps to \$400,000 per person and \$600,000 per incident. (Cruz)

Statutes of Limitations for Negligence Actions (Supported)

HB 7059 (Gregory) would have reduced the statute of limitations from four years to two years for a negligence claim against the state or an agency or subdivision of the state (including cities). The bill would have also reduced the pre-suit notice period from three years to 18 months for such claims. The bill would have decreased from six months to four months the amount of time a government entity has to make a final disposition of a claim during the pre-suit process, after which time the plaintiff may bring a lawsuit. (Cruz)

TRANSPORTATION**Vertiports (Monitored)**

HB 349 (Bankson) and **SB 1122** (Harrell) would have promoted the development of a network of vertiports that would provide residents in Florida with equitable access to advanced air mobility operations for passenger and cargo services. The bills specified that a local government might not exercise its zoning and land use authority to give an exclusive right to one or more vertiport owners or operators. (Branch)

UTILITIES AND NATURAL RESOURCES**Boating Restricted Areas (Supported)**

HB 1103 (Tramont) and **SB 1314** (Wright) would have authorized counties and municipalities to establish certain portions of the Florida Intracoastal Waterway slow speed, minimum wake boating-restricted areas within 500 feet of any private or public marina pump out. (O'Hara)

Comprehensive Waste Reduction and Recycling Plan (Supported)

SB 506 (Stewart) and **HB 1427** (Casello) would have required the Department of Environmental Protection to develop a comprehensive waste reduction and recycling plan by July 2024 based on recommendations from the Department's 2020 75% Recycling Goal Final Report. The bills would have also required the Department to convene a technical assistance group to help develop the plan. The plan would have mandated the inclusion of the following: recycling goals based on sustainable materials management and waste diversion; a 30-year plan to

implement strategies relating to recycling education and outreach; local government recycling assistance; and recycling materials market development. The bills would have required the Department to submit a report and recommendations to the Legislature following completion of the plan. (O'Hara)

Construction Materials Mining Activities (Monitored)

HB 77 (Fabricio) and **SB 186** (Avila) provided that beginning July 2023, the ground vibration limit for construction materials mining activities within one mile of residentially zoned areas could not have exceeded .15 inches per second. The bills would have authorized the Chief Financial Officer to direct the State Fire Marshal to modify the standards for the use of explosives in connection with construction materials mining activities within one mile of residentially zoned areas. (O'Hara)

Energy Regulation (Opposed)

SB 1238 (Rodriguez) and **HB 1217** (Melo) would have prohibited local governments from imposing certain requirements and prohibitions relating to energy-savings or energy-producing factors. The bills would have provided that, except for the purpose of compliance with building and fire safety laws, a local government could not have required that a particular design or type of material be used in the construction of a building due to the design's or the material's energy saving or energy producing qualities. In addition, the bills would have prohibited a local government from prohibiting the use of a particular design or type of material in the construction of a building due to the material's or design's energy-saving or energy-producing qualities. The bills would have prohibited a local government from requiring a building or structure to be retrofitted with a particular device or type of material because of its energy-saving or energy-producing qualities. The bills would have prohibited a local government from prohibiting the purchase or use of vehicles based on the type of energy used. The bills stated that a local government could not have prohibited or restricted the sale, installation or use of natural gas home heating equipment, home appliances, outdoor heating appliances, torches, lamps, or other decorative features, or outdoor grills or stoves. The bills would have specified the prohibitions do not apply to any requirement included in a procurement document used

to procure goods or services, including the construction or design of buildings, to be owned and used by the local government. The bills would have clarified that local governments may adopt bid specifications for public works projects that include energy savings or energy production provisions. (O'Hara)

Energy Transition Task Force (Monitored)

HB 293 (Hinson) and **SB 680** (Davis) would have created the Energy Transition Task Force within the Department of Agriculture and Consumer Services to provide recommendations for fostering a fair and equitable transition of the state's energy infrastructure to renewable energy technologies within minority, underserved, rural and low-income communities. It would have directed the Task Force to submit a report with its recommendations to the Governor and Legislature by September 2024. (O'Hara)

Everglades Protection Area/Comprehensive Plan Amendments (Monitored)

HB 175 (Busatta Cabrera) and **CS/CS/SB 192** (Avila) would have required comprehensive plans and plan amendments by a county defined in Section 125.011(1) or any municipality therein (i.e., Miami-Dade County and municipalities within the county), that apply to any land within, or within two miles of, the Everglades Protection Area (EPA) to follow the state-coordinated review process for state agency compliance review under Part II, Chapter 163, Florida Statutes, and requires the Department of Environmental Protection (DEP) to coordinate with the affected local governments on mitigation measures for plans or plan amendments that would impact Everglades restoration. The EPA consists of the three state-designated Water Conservations Areas (WCA-1, WCA-2 and WCA-3) as well as Everglades National Park. If DEP determines that any portion of a proposed plan or proposed amendment will adversely impact the EPA or Everglades restoration objectives, the local government must modify the plan or plan amendment to mitigate such impacts before adoption of the plan or amendment, or that portion of the plan or amendment may not be adopted. Plan amendments that apply to any land within, or within two miles of, the EPA must be transmitted to DEP within 10 days of the second public hearing on the amendment. Finally, the bills would have required a county subject to the

bill and any municipality within that county to transmit a copy of any small-scale plan amendment to the Department of Economic Opportunity within 10 days after adoption (O'Hara)

Financing Improvements to Real Property (Monitored)

SB 810 (Gruters) and **CS/CS/HB 1151** (Amesty) would have amended Section 163.08, Florida Statutes, relating to Property Assessed Clean Energy (PACE) programs and financing. The bills would have expanded the purpose of the program to include resiliency-qualifying improvements to commercial or residential property. The bills would have defined commercial property to include multifamily, commercial, industrial, agricultural, nonprofit, long-term care facilities or government-commercial property. Government-commercial property would have been defined as real property owned by a local government and leased to a nongovernmental lessee. The bills would have expanded the types of improvements to commercial property that are eligible for PACE financing to include energy conservation and efficiency improvements and resiliency improvements. The bills would have specified conditions for entering financing agreements with commercial properties and governmental-commercial properties. They would have clarified the changes made by the bill are prospective and do not affect or amend any existing non-ad valorem assessment or any existing interlocal agreement between local governments. (O'Hara)

Implementation of the Recommendations of the Blue-Green Algae Task Force (Monitored)

HB 423 (Cross) and **CS/SB 1538** (Stewart) would have required septic tank owners to have the system inspected every five years and directed the Department of Environmental Protection to implement the inspection program. The bills would have required basin management action plans to include estimated pollutant load reductions that met or exceeded the amount of load reductions needed to meet the total maximum daily load requirements under the plan. The bills would have required the allocation of pollutant load reductions in a basin management action plan to consider projected increases in pollutant loading due to growth in population or agricultural activity and require the plan to provide strategies for mitigating or eliminating pollutant load increases for the life of the plan.

They also would have required the Department of Environmental Protection to conduct assessments of projects included in a plan to determine whether the project is working as intended. **CS/SB 1538** was amended to delete everything from the bill except for a requirement that each project listed in a basin management action plan with a total cost of \$1 million be assessed and monitored by the Department to determine whether the project is working as intended. (O'Hara)

Land Acquisition Trust Fund – Florida Forever (Supported)

HB 559 (Roth) and **SB 928** (Stewart) would have extended the retirement date of bond issues to fund the Florida Forever Act. The bills would have revised distributions for various programs funded by the Land Acquisition Trust Fund. **HB 559** specifies that the lesser of 40% or \$350 million shall be appropriated annually to the Florida Forever Trust Fund. **SB 928** would have specified that the lesser of 40% or \$300 million shall be appropriated annually to the Florida Forever Trust Fund. Both bills would have prohibited moneys distributed from the Trust Fund from being used for executive direction and support services by state agencies. (O'Hara)

Land and Water Management (Opposed)

HB 1197 (Maggard) and **SB 1240** (Burgess) would have prohibited counties and municipalities from adopting laws, regulations, rules or policies relating to water quality, water quantity, pollution control, pollutant discharge prevention or removal, or wetlands, and preempt such regulation to the state. The prohibition would not have applied to an interagency or interlocal agreement between the Department of Environmental Protection and any agency or local government and would not have applied to any local government conducting programs relating to or materially affecting the water resources of the state. In addition, the prohibition would not have applied to the authority of a county or municipality to regulate and operate its own water system, wastewater system or stormwater system. The bills would have required the Department of Environmental Protection to notify the Chief Financial Officer (CFO) of any violations of the preemption and authorize the CFO to withhold state-shared revenues from such county or municipality. (O'Hara)

Management and Storage of Surface Waters (Monitored)

HB 371 (Killebrew) and **SB 910** (Burton) would have provided an exemption from surface water management and storage regulations for implementing certain projects for environmental habitat creation, restoration and enhancement activities, and water quality improvements on agricultural lands and government-owned lands. The bills would have removed current law requirements for the Department of Environmental Protection and water management districts to be notified of such projects. (O'Hara)

Mitigation Credits (Monitored)

HB 1167 (Duggan) and **SB 1702** (DiCeglie) would have authorized the Department of Environmental Protection (DEP) and the water management districts if mitigation credits were not available in sufficient quantities to be sold or used to offset imminent adverse impacts within a mitigation service area, to release mitigation credits to a mitigation bank before the bank met the mitigation success criteria specified in its permit if the bank had been successfully constructed and there was a high degree of confidence that the required ecological performance standards would have been met. If mitigation credits were not available in a basin, the bills would have authorized DEP or water management districts to allow the use of mitigation credits available within surrounding basins. The bills would have specified that mitigation credits are unavailable within a basin if the party requesting credits submits an affidavit signed by the mitigation banks within the basin attesting that credits are not available. The bills would have authorized certain projects to use mitigation banks on a case-by-case basis regardless of whether they are located within a mitigation service area, if sufficient quantities of mitigation credits are not available to be sold or used to offset imminent and otherwise allowable adverse impacts within a mitigation service area. The bills would have required DEP to initiate rulemaking by August 2023 to implement the bill. (O'Hara).

Municipal Electric Utilities (Opposed)

SB 1380 (Martin) would have provided that any municipal electric utility serving any electric retail customer located outside of the municipality's

corporate boundaries would have been a "public utility" subject to regulation by the Public Service Commission (PSC) for a minimum of five years. The bill would have directed the PSC to develop rules for such regulation. (O'Hara)

Municipal Utilities (Opposed)

CS/HB 1331 (Busatta Cabrera) would have substantially amended provisions of law relating to municipal water and electric utility extraterritorial surcharges, extraterritorial service and transfers of enterprise funds. The bill would have authorized a municipal utility to transfer a portion of its earnings to the municipality for general government purposes. The revenues transferred to fund general government purposes could not have exceeded a rate equal to the amount derived by applying the average of the midpoints of the rates of return on equity approved by the PSC for investor-owned utilities in the state. The amount of the transfer would have been required to be further reduced based on the percentage of extraterritorial customers served by the utility. The bill would have eliminated the automatic 25% surcharge that may be added to the rates and fees charged to extraterritorial customers. (O'Hara)

Municipal Water and Sewer Utility Rates (Monitored)

HB 361 (Robinson, F.) and **SB 1712** (Jones) would have required a municipality that operated a water or sewer utility that provided services to customers in another recipient municipality using a facility or plant located in the recipient municipality to charge customers in the recipient municipality the same rates, fees and charges it imposed on customers within its own municipal boundaries. (O'Hara)

On-Site Sewage Treatment and Disposal System Inspections (Supported)

HB 1425 (Caruso) would have required on-site sewage treatment and disposal systems to have been inspected at least once every five years and would have directed the Department of Environmental Protection to administer the inspection program with a phased-in implementation plan that prioritized areas within a basin management action plan. The inspection would have been required to have been paid by the system owner, and an owner would have been required to take remedial measures if an inspection identified a system failure. (O'Hara)

Organic Material Products (Monitored)

SB 1472 (Bradley) and **CS/HB 1361** (Truenow) would have amended the Florida Right to Farm Act. The definition of "farm" would have been amended to include the production of organic material, and the definition of "farm operation" would have been amended to include the collection, storage, processing and distribution of organic material products. Organic material would have been defined as vegetative matter resulting from landscaping maintenance or land clearing operations, including clean wood and materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps and associated rocks and solids. (O'Hara)

Preemption of Recyclable and Polystyrene Materials (Supported)

SB 498 (Stewart) would have removed the state preemption of local government laws relating to auxiliary containers, wrappings or disposable plastic bags and would have removed the state preemption of local government laws relating to the use or sale of polystyrene products. (O'Hara)

Preemption of Tree Pruning, Trimming and Removal (Supported)

SB 886 (Stewart) would have repealed a state law preemption of local government regulation of tree pruning, trimming or removal on residential property. (O'Hara).

Recycling of Covered Electronic Devices (Monitored)

HB 691 (Basabe) and **CS/SB 1030** (Trumbull) would have established the statewide Covered Electronic Device Recovery Program within the Department of Environmental Protection. A covered electronic device would have meant a computer, portable computer, computer monitor or television. The term would not have included devices that were part of a car, an appliance or other equipment, and it would not have included phones. The bills would have specified requirements for a statewide plan for the recycling of covered electronic devices and would have required counties to submit a plan for the disposal of covered electronic devices by January 2025. In addition, the bills would have required the owners or operators of industrial, institutional or commercial facilities to dispose of the facilities' covered electronic devices in a permitted reclamation facility beginning January

2026. The bills would have prohibited any person from disposing of covered electronic devices except at a permitted reclamation facility beginning January 2028. **CS/SB 1030** was amended to expand the list of covered electronic devices. (O'Hara)

Resilience Districts (Opposed)

HB 1147 (Buchanan) and **SB 1200** (Grall) would have created the Resilience District Act of 2023 by amending Chapter 190, Florida Statutes, relating to Community Development Districts. The bills would have established the exclusive and uniform method for the establishment of a special district to address infrastructure through a petition from taxpayers who owned real property within the district ("infrastructure resilience district"). The bills would have established the exclusive and uniform method for the establishment of a special district by petition from residents and taxpayers who were unit owners of condominiums or an associated group of condominiums within the district's proposed boundaries ("condominium resilience district"). The bills would have prohibited local governments from creating resilience districts. They would have provided for the process of creation of taxpayer-initiated districts and condominium owner-initiated districts, with input, review and approval by the affected local government. For taxpayer-initiated petitions, the bills would have specified the petition must be filed with the local government, which will serve as manager for the district unless the district hires a private individual to serve as manager. It would have specified the required contents of the petition, including a description of the property to be included in the district, why the district was needed, a proposed budget and a timeline for the expenditure of funds. The bills would have required the county or municipality receiving a petition to conduct a public hearing to consider its merits and whether it meets specified criteria. They would have authorized the local government to adopt a resolution supporting or opposing creation of the district by a supermajority vote. A local government would have been authorized to consider the following factors in granting or denying the petition: whether statements made in the petition were correct; whether the district boundaries complied with Section 190.1052, Florida Statutes; whether the local government had committed to funding the proposed infrastructure project would

have implemented the project within the next five years and was included in the capital improvements plan; whether an engineering professional hired by the local government had determined the proposed plan would not have adequately solved the problem; whether the district would have primarily served one parcel or owner; whether the projects being proposed were not within the jurisdictional boundary of any local government included as a cooperative partner in the project; whether the proposed improvements would have had a significant negative impact on other property owners outside the district; whether the operation and maintenance of the proposed infrastructure would have created an undue burden on the local government; and whether establishment of the district was inconsistent with the local government's comprehensive plan. If the local government denied the petition and failed to implement the infrastructure improvement within five years, the petition as required to have been reheard and could not have been subsequently denied, and the local government would have been responsible for any increased costs of the project and could not have received a project management fee. If the local government inappropriately denied the petition without working with the petitioner to find an agreeable alternative, the local government will have been responsible for implementing the project, paying all costs and commencing the project within 180 days. If the proposed district overlapped the boundaries of more than one local government, the affected local governments would have been required to enter an interlocal agreement. For condominium unit owner-initiated petitions, the bills would have specified that counties would have been required to develop processes to receive and process petitions by December 2023. The bills would have specified the required contents for petitions for the establishment of a resilience district by condominiums and the duties and responsibilities of county governments upon receiving a petition. The bills would have established Section 190.1052, Florida Statutes, for the purpose of specifying requirements for district boundaries and property to be included in a proposed district. If a proposed district was identical to or shared more than 90% of the geography of any existing special taxing district that primarily served a similar function, the bills specified the existing district was required to be dissolved and reconstituted as a resilience

district and all assets transferred to the resilience district. The bills would have created Section 190.1054 to specify accepted uses of infrastructure resilience districts, which may have included the following: projects that mitigate flood risk and sea-level rise; infrastructure to improve access to property during floods or storm events; septic to sewer conversion; redevelopment of nonresilient housing stock; and debt service. Acceptable uses of a condominium resilience district would have included fully funding condominium reserves and executing mandates of the Florida Building Code, Fire Prevention Code or local building codes. The bills would have created Section 190.1056, Florida Statutes, for the purpose of addressing management and service fees of infrastructure resilience districts and condominium resilience districts, including limitations on management fees paid to local governments and private providers. The bills would have specified board membership and eligibility for infrastructure resilience districts and condominium resilience districts. The bills would have created Section 190.111, Florida Statutes, for the purpose of describing the powers and duties of the district boards. Among these powers included the power to borrow money and issue bonds, levy special assessments, collect fees and charges, contract for professional consulting services, and cooperate and contract with other governmental agencies. The bills would have provided for the reduction, expansion or termination of districts. They would have provided that a local government would have been required to take ownership of all infrastructure built by an infrastructure resilience district upon completion of the project, with the district continuing to service the debt. (O'Hara)

Regulation of Single-Use Plastics (Supported)

SB 336 (Rodriguez) would have required the Department of Environmental Protection to submit updated reports analyzing the need for regulation of auxiliary containers, wrappings or disposable plastic bags to the Legislature. The bill also would have authorized specified coastal communities to establish pilot programs to regulate single-use plastic products. (O'Hara)

Resiliency Energy Environment Florida Programs (Monitored)

CS/CS /HB 669 (Fine) and **CS/CS/SB 950** (Rodriguez) would have amended current law relating to Property Assessed Clean Energy (PACE) programs, whereby local governments, alone or in partnership with a program administrator, could have financed qualified improvements on residential property relating to energy conservation and efficiency or renewable energy. The bills would have expanded the types of projects that are eligible for PACE financing, including septic tank upgrades, repair of lateral sewer lines, septic-to-sewer connections and remediation of certain environmental contaminants. The bills would have added nonresidential real property, which would have included multifamily residential property composed of five or more dwelling units, to PACE program eligibility. The bills would have added several consumer protections to the current PACE program, including capping the total of all non-ad valorem assessments plus any mortgage debt on the property at 100% of a residential property's fair market value, requiring a determination that a property owner meets certain creditworthiness requirements, and allowing property owners to cancel a financing agreement within three days of execution. **CS/CS/HB 669** was amended to expand the qualifying improvements to include wastewater treatment and flood mitigation. (O'Hara)

Safe Waterways Act (Monitored)

HB 177 (Gossett-Seidman) and **SB 172** (Berman) would have required the Department of Health to adopt and enforce certain rules and issue health advisories for beach waters and public bathing places if the results of bacteriological water sampling at the site failed to meet health standards. The bills also would have expanded the current law preemption of the issuance of health advisories related to bacteriological sampling of beach waters to include public bathing places. The bills would have specified that beach waters and public bathing places must close if closure is necessary to protect health and safety and must remain closed until the water quality is restored in accordance with the Department's standards. The bills would have required the Department to adopt by rule specifications for signage that would have been required to have been used when it issued a health advisory against swimming in affected beach

waters or public bathing places due to elevated levels of specified bacteria and required such signage to be placed at beach access points and access points to public bathing places until the health advisory was removed. The bills would have specified that municipalities and counties were responsible for posting and maintaining the signage around beaches and public bathing places they own. Finally, the bills would have required the Department to develop an interagency database for reporting fecal indicator bacteria data and specify that fecal indicator bacteria relating to sampled beach waters and public bathing places must be published in the database within five business days after receipt of the data. (O'Hara)

Saltwater Intrusion Vulnerability Assessments (Supported)

SB 734 (Polsky) and **HB 1079** (Cross) would have authorized the Department of Environmental Protection to provide grants to coastal counties for saltwater intrusion vulnerability assessments that would have analyzed the effects of saltwater intrusion on a county's water supply, water utility infrastructure, wellfield protection and freshwater supply management. The bills would have required the Department to update its comprehensive statewide flood vulnerability and sea level rise data set to include information received from the county saltwater intrusion vulnerability assessments. The bills would have directed the Department to provide 50% cost-share funding to counties, up to \$250,000 for each grant, and exempt counties with a population of 50,000 or less from the cost-share requirement. (O'Hara)

Sanitary Sewer Lateral Inspection Programs (Monitored)

HB 661 (Truenow) and **SB 1420** (Rodriguez) would have authorized counties and municipalities to access sanitary sewer laterals within their jurisdiction to investigate, repair or replace the lateral. A sanitary sewer lateral is a privately owned pipeline connecting a property to the main sewer line. The bills would have required municipalities and counties to notify private property owners within a specified timeframe if the government intended to access the owner's sanitary sewer lateral and an anticipated timeframe for the work. The bills would have specified that local governments who establish sanitary sewer lateral

programs are legally and financially responsible for all work that is performed and authorizes such programs to use specified state or local funds to evaluate and rehabilitate impaired laterals. (O'Hara)

Solid Waste Management (Opposed)

SB 798 (Ingoglia) and **CS/HB 975** (Holcomb) would have provided that a city or county could not have prohibited or "unreasonably restrain[ed]" a private entity from providing recycling or solid waste services to commercial, industrial or multifamily residential properties. In addition, the bills would have authorized a local government to require such private entities to obtain a permit, license or non-exclusive franchise but specified the local government's fee may not exceed the local government's administrative cost and that the fee must be commensurate with fees for other industries. The bills would have prohibited the use of exclusive franchise agreements and restricted a local government from providing its own solid waste or recycling services. Current contracts and franchises in place as of January 2023 would have been permitted to continue to their date of expiration, but the bills would have specified that a local government may not recognize an "evergreen" contract or additional renewal or extension of a contract or agreement. **CS/HB 975** was amended to provide that the bill would not have applied to a local government that was the sole provider of solid waste collection services in its jurisdiction performed by employees of a municipality or county using municipal or county-owned equipment. (O'Hara)

State Renewable Energy Goals (Monitored)

SB 970 (Berman) and **HB 957** (Eskamani) would have amended multiple provisions of law relating to renewable energy. The bills would have prohibited the drilling, exploration for or production of oil, gas or other petroleum products on the lands and waters of the state. The bills would have provided that by 2050, 100% of the electricity used in the state would have been required to have been generated from 100% renewable energy and that by 2051, the state will have net zero carbon emissions. The bills would have directed the Office of Energy within the Department of Agriculture and Consumer Services to coordinate with state, regional and local entities to develop a unified statewide renewable energy plan. (O'Hara)

Wastewater Grant Program (Supported)

CS/SB 458 (Rodriguez) and **HB 827** (Basabe) would have authorized the Department of Environmental Protection to provide wastewater grant program grants to projects directed at or focused on a water body that was included in the Department's verified list of impaired waters. (O'Hara)
(Taggart)

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LEGISLATIVE GLOSSARY

ACT

A bill that has passed both houses of the Legislature.

ADJOURNMENT SINE DIE

Motion to adjourn sine die concludes a legislative session.

ADOPTION

Refers to favorable action by a chamber on an amendment, motion, resolution or memorial.

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 indicates 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 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. It is also the form of legislation used for redistricting a state legislative seat.

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 to consider whether or not to introduce it in the name of the committee.

PROVISO

Language used in a general appropriations bill to qualify or restrict how a specific appropriation is to be expended.

REFERENDUM

A vote by the citizens upon a measure that has been presented to them for 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 second Tuesday after the first Monday in January 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 to consider 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 Chair 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 consideration of a measure.

VETO

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



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