

LEGISLATIVE BILL SUMMARIES

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SPOTLIGHT BILLS

- **Affordable Housing:** SB 1730 (Calatayud) – Monitor (see page 44)
- **Building Permits for a Single-family Dwelling:** SB 1128 (Ingoglia) and HB 1035 (Esposito) – Oppose (see page 2)
- **Community Redevelopment Agencies:** HB 991 (Giallombardo) and SB 1242 (McClain) – Oppose (see page 33)
- **Emergencies:** HB 1535 (McFarland) – Oppose (see page 12)
- **Emergency Preparedness and Response:** SB 180 (DeCeglie) – Monitor (see page 16)
- **Housing:** HB 923 (Lopez, V.) and SB 1594 (McClain) – Oppose (see page 47)
- **Land Use and Development Regulations:** HB 1209 (Steele) and SB 1118 (McClain) – Oppose (see page 64)
- **Local Business Taxes:** HB 503 (Botana) and SB 1196 (Truenow) – Oppose (see page 35)
- **Public Safety:** HB 1211 (Abbott) and SB 1554 (Collins) – Oppose (see page 91)
- **Real Property and Land Use and Development:** HB 943 (Lopez, V.) – Oppose (see page 53)
- **Suits Against the Government:** HB 301 (McFarland) and SB 1570 (DiCeglie) – Oppose (see page 100)
- **Utility Services:** SB 1704 (Calatayud) and HB 1523 (Busatta) – Oppose (see page 106)

BUILDING AND DEVELOPMENT**Building and Plumbing Permits for the Use of Onsite Sewage Treatment and Disposal Systems (Monitor)**

HB 287 (Conerly) revises current law relating to the issuance of local government building and plumbing permits for buildings that use onsite sewage treatment and

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disposal systems (OSTDS). Current law prohibits a city or county from issuing a building or plumbing permit for a building that requires an OSTDS unless the owner or builder “has received” a construction permit for the OSTDS from the Department of Environmental Protection (DEP). The bill revises this statement to prohibit the local government from issuing such permits unless the owner or builder has “applied for” the OSTDS permit from DEP. **SB 1120** (Ingoglia) prohibits a city or county from requiring as a condition of issuing a building permit for a single-family dwelling that an applicant first obtain a construction permit from DEP for the OSTDS. SB 1120 also specifies that a construction permit for an OSTDS for a single-family dwelling is valid in perpetuity from the date of issuance, except for work seaward of the coastal construction control line. (O’Hara)

Building Permits for a Single-family Dwelling (Oppose)

CS/SB 1128 (Ingoglia) and **HB 1035** (Esposito) provide that a building permit issued by a local government pursuant to section 553.79, Florida Statutes, for a single-family dwelling may not expire before the effective date of the next edition of the Florida Building Code, which is updated every three years. The bills also specify that a permit application for the construction of a single-family dwelling in a jurisdiction for which a state of emergency was issued within 24 months before the application and which is signed and sealed by a licensed architect or engineer that the plans comply with the Florida Building Code, is deemed approved. The bills require the applicable local government to issue the building permit within two days after such approval. SB 1128 was amended to specify that it does not preclude a local government from reviewing a project for compliance with zoning and land use regulations; to require the architect or engineer to provide proof of good standing with applicable regulatory bodies and proof of professional liability insurance; and that a local government will be indemnified from all claims arising from the plans review specified in the bill. (O’Hara)

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**Volume 51, Issue 6: March 14, 2025****Building Regulation (Monitor)**

HB 707 (Franklin) and **SB 1298** (Simon) revise various statutes relating to building code administrators and inspectors. The bills remove licensed building code administrators and inspectors from being eligible for an exemption from certain continuing education requirements. The bills authorize local building officials to perform services for certain educational authorities pursuant to an interagency service agreement. They revise the definition of “residential inspector” to exclude triplexes and to include certain townhomes of three stories or less. They require the Florida Building Code Administrators and Inspectors Board to establish a certain application with voluntary categories for each category of plans examiners, require the board to amend eligibility criteria for certain inspector certifications, and require the board to create certain internship programs. The bills exempt owners of property acting as their own contractors from certain requirements in Chapter 489, Part II, relating to construction contracting and authorize the owner (excluding a corporate entity) to sign a building permit application and disclosure statement. The bills revise section 489.1195, Florida Statutes, to define the term “change of contractor” and to revise requirements associated with a change in contractor. They revise section 713.135, Florida Statutes, relating to notice of commencement and applicability of lien by requiring an applicant to file a notice of commencement if a direct contract is greater than \$7,500 and revising requirements associated with a notice of commencement. **SB 1298** also includes procedures for a business organization to designate a new qualifying agent and for such agent to apply to the Department of Business and Professional Regulation for a change in contractor, and procedures for the local building official to address the change in contractor to designate a new qualifying agent. **SB 740** (Harrell) does not include any of the foregoing provisions, but it includes a provision that removes licensed building code administrators and inspectors from being eligible for an exemption from certain continuing education requirements. (O’Hara)

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**Volume 51, Issue 6: March 14, 2025****Construction Contracting (Monitor)**

HB 755 (Daley) and **SB 1262** (Burgess) revise various laws relating to construction contracting. Of relevance to municipalities are provisions that direct the Department of Business and Professional Regulation to develop a standardized disciplinary form to be used by local construction regulation boards to uniformly report violations of state law relating to construction contracting. The bills require local construction regulation boards to search the Department's automated system for any recorded disciplinary forms before issuing a license or registration and to report annually to the Department about the implementation of these requirements. (O'Hara)

Fire Prevention (Monitor)

HB 551 (Borrero) and **SB 1078** (McClain) amend current law provisions relating to local government approval of permits for alteration of fire alarm systems and fire sprinkler system projects. The bills define "alteration," which means to add, install, relocate, replace, or remove. They amend the definition of "fire alarm system project" to include the replacement of an existing fire alarm system panel with the same make and model as the existing panel. The bills require a local enforcement agency to issue a permit for such projects within two business days after submission of a completed application and authorize a contractor to commence work immediately after submission of a completed application. Any inspection required by the local enforcement agency must be performed within 24 hours after such inspection is requested. If the local enforcement agency determines it needs additional documentation, the bills require a contractor to provide such documentation within four business days after the inspection. The bill prohibits a local enforcement agency from requiring additional plan reviews or documentation of areas or devices outside the scope of permitted work. If a local government fails to meet any deadline required in the statute, the bills require the local government to reduce the permit fee by 10% for each business day after such failure unless the parties agree otherwise or the delay is caused by the applicant or extraordinary circumstances. The bills require a local enforcement agency to establish a simplified permitting process that

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complies with the statute. In addition, the bills amend the Florida Fire Prevention Code to specify that if a local government fails to adhere to the Code's requirements when adopting a local amendment to the Code, the local amendment is rescinded immediately. If the local government fails to do so, the local fire marshal is subject to disciplinary action under section 633.106, Florida Statutes. (O'Hara)

Florida Building Code (Monitor)

SB 1548 (Leek) and **HB 1477** (Partington) direct a local government that has any excess funds from building code enforcement that it is prohibited from carrying forward to first use such funds for performing necessary services and repairs on its stormwater management system. The bills prohibit state funds from being used for such stormwater improvements if the local government has excess funds from building code enforcement and prohibit the local government from receiving state funds through a local budget request to its legislative delegation unless it has no excess funds for stormwater improvements. If a local government determines its stormwater management system does not require services or repairs, the bills direct that such funds must be used to rebate and reduce fees and for other purposes specified under current law section 553.80(7)(a)2., Florida Statutes. In addition, the bills provide that a local government is not eligible for state funds if the local government has been subject to a legislative committee's audit within one year of the local government's budget request or if such local government does not submit its local funding initiative request to its legislative delegation. (O'Hara)

Florida Building Code (Monitor)

SB 838 (DiCeglie) amends the Florida Building Code to prohibit a local government from adopting a local lookback ordinance for substantial improvements or repairs to a structure that is more stringent than the Florida Building Code. The bill does not define "local lookback ordinance," but the term generally means an ordinance that authorizes a governmental entity to review past building permits or construction

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projects within a specific timeframe to check for compliance with current building codes, even if the project was completed before the new ordinance was enacted. The bill further provides that a local lookback ordinance adopted before July 2025 is void and unenforceable. (O'Hara)

Issuance of Address and Individual Parcel Identification Numbers (Monitor)

CS/HB 381 (Holcomb) and **SB 784** (Ingoglia) require the appropriate governing body, within 14 business days after the recording of a plat, to issue the street and mailing address (along with individual parcel identification numbers) as contained in the plat offered for recording. If the appropriate governing body does not issue the information within this timeframe, the building permit fee shall be reduced by 10% for each day the body fails to issue the information. HB 381 was amended to clarify that if the appropriate governing body does not issue the information within this timeframe: 1) the applicant may engage a private provider to create the required addresses and parcel identification numbers; 2) the applicant may submit the addresses and parcel identification numbers to the governing body for verification; and 3) if the governing body fails to verify the information within five business days, the addresses assigned by the private provider shall be deemed approved. In addition, a governing body may not collect any address fee if it fails to issue the address and parcel identification numbers specified in the bill. (O'Hara)

Panelized Construction (Monitor)

SB 902 (Martin) and **HB 1511** (Greco) define the term "panelized construction" as any building with non-concealed mechanical, electrical, and plumbing components created by the off-site fabrication of structural components or panels, which are then transported to the construction site for assembly. The term includes walls, floors, and roof sections typically made from wood, metal, or concrete. The bills provide that panelized construction is not required to have state approval but must comply with all local requirements of the governmental agency having jurisdiction at the installation site. HB 1511 also authorizes a county or a municipality to use panelized

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construction for immediate and temporary shelter purposes on property designated by a county for camping and sleeping by homeless persons. It specifies that panelized construction that does not have permanent fixtures for plumbing and sanitation and is not affixed to a foundation used for immediate and temporary shelter purposes is not considered a dwelling unit for purposes of the Florida Building Code. Further, such structures that meet the structural wind and load requirements of the local jurisdiction and which are approved by a licensed engineer are subject to review by the local enforcement agency as alternative materials, design, and methods of construction and equipment. (O'Hara)

Preemption of the Regulation of Hoisting Equipment (Support)

HB 6009 (Cross) and **SB 346** (Rouson) remove provisions of current law that preempt the regulation of hoisting equipment to the state. (O'Hara)

Private Provider Building Inspection Services (Oppose)

HB 695 (Gentry) and **SB 1474** (DiCeglie) substantially revise current laws relating to private provider building inspectors to grant additional authority and autonomy to private providers and to remove authority from local building officials. The bills add private providers to the list of persons required to be appointed to the Florida Building Code Administrators and Inspectors Board and the Florida Building Commission. The bills purport to "clarify" that local building officials may only review private provider submissions for "completeness," prohibit local building officials from re-doing or duplicating private provider services, and prohibit local building officials from conducting site visits when the owner or builder is using a private provider. The bills prohibit a local government from charging additional fees (including an administrative fee) for building inspections if the owner or contractor hires a private provider to perform such services. They revise provisions relating to a private provider's notice of required inspections. The bills prohibit local governments from requiring private providers to use electronic portals or submission systems to submit documents. They provide that a local building official is not responsible for the

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regulatory administration or supervision of building code inspection services performed by a private provider and provide that private providers are vested with the authority of, and must serve as, the local building official with respect to certain services, including the issuance of building permits. The bills require that building permits issued by a private provider be available on the private provider association's website, accessible to the public only by payment of a fee. In addition, they provide that a private provider is solely responsible for securing the review and approval of other local, regional, or state entities and utilities. The bills require private providers to use forms provided by the Florida Building Commission rather than forms acceptable to the local building official. The bills create a cause of action for damages and injunctive relief by private providers against local building officials or local governments for violating provisions of laws applicable to private providers, for "disparaging" private providers, or for "interfering" with private providers. (O'Hara)

Private Providers/Alternative Plans Review and Inspections (Monitor)

SB 1134 (Calatayud) and **HB 1071** (Benarroch) revise current law relating to alternative plans review and inspections pursuant to section 553.791, Florida Statutes. The bills revise the definition of "single-trade inspection" and add "single-trade plans review" within the definition to include any inspection or plans review focused on a single construction trade. The bills add "solar energy and energy storage installations or alterations" within this definition. For single-trade plans review, the bills authorize a private provider to use any automated or software-based plans review system. The bills require a local building official to issue a requested permit to a private provider for single-trade plans review for single-family or two-family dwellings no more than five days after receipt of permit application. (O'Hara)

Underground Utility and Excavation Contractors (Monitor)

SB 808 (Yarborough) and **HB 869** (Sapp) revise the current law definition of "underground utility and excavation contractor" in Chapters 489 and 633, Florida

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Statutes, to specify that an underground utility and excavation contractor may install piping that is an integral part of a fire protection system up to a specified distance from a building. The bills make conforming changes to various statutes within both chapter laws to reflect the revised definition. (O'Hara)

Other Bills of Interest

HB 207 (Blanco) and **SB 1788**?– Door Alarms for Multifamily Residential Properties

HB 1251 (Bankson) and **SB 638** (Martin) – Home Inspectors

SB 1108 (McClain) – Fire Detection and Alarm Documents

SB 1452 (Truenow) and **HB 1461** (Yarkosky) – Department of Business and Professional Regulation

CYBERSECURITY**Cybersecurity (Monitor)**

SB 770 (Harrell), **SB 1536** (Collins), and **HB 1293** (Giallombardo) expand and clarify roles for the Florida Digital Service while creating new requirements for the state chief technology officer. The bills tighten incident reporting requirements for local governments, reducing the reporting timeline for cybersecurity incidents from 48 to 12 hours and for ransomware incidents from 12 to 6 hours. (Wagoner)

Cybersecurity Incident Liability (Support)

HB 1183 (Giallombardo) and **SB 1576** (DiCeglie) exempt cities, counties, and political subdivisions of the state from liability in connection with a cybersecurity incident if the local entity has substantially complied with current training and cybersecurity standards required by section 282.3185, Florida Statutes, or if they participate in the Local Government Cybersecurity Grant Program. (Wagoner)

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ECONOMIC DEVELOPMENT

Contracting with Foreign Countries of Concern (Monitor)

HB 977 (Greco) and **SB 1538** (Collins) prohibit governmental entities from entering into a contract to purchase computers, printers, or videoconferencing devices if the foreign country of concern has ownership in the manufacturer or its affiliates. The bills also require governmental entities to require each entity that submits a bid or proposal to provide goods or services to sign an affidavit that testifies that there is no ownership interest by a government of a foreign country of concern in the entity, subsidiary, or parent company of the entity. (Wagoner)

Construction Disruption Assistance (Monitor)

HB 215 (Eskamani) and **SB 324** (Smith, C.) establish the "Construction Disruption Assistance Act" to support small businesses directly impacted by government construction projects. An eligible small business is defined as a business with 50 or fewer employees whose primary access points are obstructed by state or local government construction activities. Grants may be awarded up to \$25,000 per construction phase when there are verifiable reductions in revenue, operation costs, or property damage. The bill also provides access to a low-interest loan of up to \$100,000 for a 3% interest rate to cover operational costs. (Wagoner)

Manufacturing (Monitor)

HB 561 (Cobb) and **CS/SB 600** (Truenow) create the "Statewide Office of Manufacturing" within the Department of Commerce to support manufacturing efforts and identify gaps statewide. The bills require all state and local governmental entities to assist the Chief Manufacturing Officer to the extent the law and budgetary constraints provide. CS/SB 600 was amended in committee to clarify that the program is voluntary and to provide which products and advertising are permitted under the bill. (Wagoner)

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CS/SB 110 (Simon) and **HB 1427** (Griffitts) modernize support for fiscally constrained counties (FCC) by updating definitions and increasing the FCC threshold from \$5 million to \$10 million in property tax revenue. The bills boost FCC funding to at least \$50 million annually by shifting from direct-to-home satellite service tax to sales tax and establish new spending requirements for public safety, infrastructure, and other public purposes.

The bills create the **Office of Rural Prosperity** within the Department of Commerce to assist rural communities with economic development and grant access. They also introduce a **Rural Resource Directory** to help local governments navigate funding opportunities.

To address population declines, counties losing residents over the past decade would receive \$1 million block grants for growth initiatives. A competitive grant program would support local organizations driving economic development, site preparedness, and workforce training.

Other key provisions include:

- Increased infrastructure and business development funding, including \$45 million for the Rural Infrastructure Fund and an expansion of the Rural Revolving Loan Program.
- Broadband expansion efforts through improved coordination and funding for rural connectivity.
- Transportation investments, including \$50 million annually for arterial rural roads and increased funding for small county road assistance.
- Education funding enhancements, such as tripling consortia grants for small school districts and a new Rural Incentive for Professional Educators program offering up to \$15,000 in loan repayment assistance.

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- Healthcare access improvements, including grants for rural hospitals, startup medical practices, and enhanced Medicaid reimbursements.

The bills direct over \$25 million in nonrecurring funds to improve rural healthcare, telemedicine, and emergency response services while expanding Medicaid reimbursements for rural hospitals. CS/SB 110 was amended to clean up provisions and add clarity throughout the bill. (Wagoner)

Other Bills of Interest

HB 1125 (Owen) and **SB 1264** (Collins) – Regional Planning and Economic Development

EMERGENCY MANAGEMENT**Emergencies (Oppose)**

HB 1535 (McFarland) is a comprehensive bill that revises current law relating to emergency management practices and procedures.

The bill places a new restriction on a local government participating in the National Flood Insurance Program by limiting a cumulative substantial improvement (CSI) program to be no longer than one year. A CSI program is a local floodplain management regulation that tracks and aggregates the cost of improvements or repairs made to a structure over time to determine if it meets Federal Emergency Management Agency (FEMA) requirements.

The bill provides that a local government, school district, or special district may not assess an impact fee for the reconstruction or replacement of a previously existing structure if the replacement structure is of the same land use as the original structure. However, utilizing a tiered scale to assess may permit the assessment of

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an impact fee equal to the difference of the impact fee for the original structure minus the impact fee for the replacement structure.

The bill requires counties and municipalities to post certain information related to natural emergencies on their publicly available website. Such information must include:

- A frequently asked questions webpage related to natural emergency response, emergency preparedness, and public relief for residents following an emergency
- Answers to questions concerning resident evacuations; safety tips; generator, food and drinking water, and wastewater and stormwater safety; damage assessment; debris cleanup; accessing assistance through FEMA and the state; building recovery; natural emergency guidance; applicable laws; and what to do before, during, and after an emergency
- A disaster supply list and a list of emergency shelters
- Links to information about flood zones
- A checklist for residents explaining next steps for post-disaster recovery

The bill requires local governments to provide an online option for receiving, reviewing, and accessing substantial damage and improvement letters. The local government must also allow homeowners to provide an email address where they can receive digital copies of such letters.

The bill also requires each local government that has experienced a direct impact from a natural emergency to use its best efforts to open a permitting office, as soon as reasonably possible, where residents can access government services for at least 40 hours per week.

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The bill states that beginning October 1, 2025, county and municipal emergency management personnel and individuals who perform key roles in postdisaster response for a county or municipality must complete specified emergency management training every two years.

The bill also requires the Division of Emergency Management (DEM) to establish, by rule, procedures for setting maximum rates for contracts related to the management of debris caused by natural emergencies. The bill also requires DEM to consult with local governments to establish such procedures. The procedures may establish different rates based on geographic location. DEM must establish maximum rates for contracts by June 1, 2025, update them every two years, and publish the maximum rates on its website. Any contract amended or established after June 1, 2025, may not exceed such rates.

The bill authorizes DEM to adopt emergency rules to establish maximum rates for contracts regarding the management of debris related to natural emergencies. Such rules are effective for six months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

DEM must also coordinate with fiscally constrained counties included in a declared state of emergency for a natural emergency and the Department of Transportation to provide such counties with state resources to remove debris from roadways, including roadways that are publicly accessible but not maintained by the county.

The bill creates a new section of law relating to the rebuilding and repairing of structures after hurricanes in impacted local governments. The bill defines “impacted local governments” as a county or municipality located entirely or partially within 100 miles of the track of a storm declared to be a hurricane by the National Hurricane Center. The term only includes such local governments within 100

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miles of the track while the storm was categorized as a hurricane. For two years after a hurricane makes landfall, an impacted local government may not propose or adopt the following:

- A moratorium on construction, reconstruction, or redevelopment of any property
- A more restrictive or burdensome amendment to its comprehensive plan or land development regulations
- A more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, development permit, or development order

The bill clarifies that comprehensive plan amendment, land development regulation amendment, site plan, development permit, or development order approved or adopted by an impacted local government before or after the bill's effective date may be enforced if the associated application is initiated by a private party other than the impacted local government or if the property that is the subject of the application is owned by the initiating private party.

The bill mandates DEM to consult with local governments, the Department of Business and Professional Regulation, the Department of Environmental Protection, and any other appropriate agencies to develop recommendations for changes in law necessary to streamline the permitting process for repairing and rebuilding structures damaged during natural emergencies and provide a report containing such recommendations to the President of the Senate and the Speaker of the House of Representatives by July 1, 2026.

The bill allows any person to file suit against any impacted local government for declaratory and injunctive relief to enforce this law. In such case, a county or municipality may request a determination by a court of competent jurisdiction as to

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whether such action violates the law. Upon such request, the county or municipality may not enforce the action until the court has issued a preliminary or final judgment. Before a plaintiff may file suit, the plaintiff must notify the impacted local government by stating the facts upon which the complaint or petition is based and the reasons the impacted local government's action violates the law. Upon receipt of the notice, the impacted local government has 14 days to withdraw the action or declare it void. If the impacted local government does not withdraw or revoke the action at issue within the time prescribed, the plaintiff may file suit and is entitled to entry of a preliminary injunction to prevent the local government from implementing the challenged action during the pendency of the litigation. The prevailing plaintiff is entitled to reasonable attorney's fees and costs.

The bill provides that each state or local government contract for goods or services related to emergency response for a natural emergency entered into, renewed, or amended on or after July 1, 2025, must include a provision that requires a vendor or service provider that breaches such contract during an emergency recovery period (a one-year period that begins on the date the Governor declared a state of emergency for a natural emergency) to pay actual and consequential damages in addition to a \$5,000 penalty.

The bill provides for the regulation of hoisting equipment used in construction, demolition, or excavation work during a hurricane, which includes securing hoisting equipment no later than 24 hours before the impacts of a hurricane are expected to begin. (Singer)

Emergency Preparedness and Response (Monitor)

SB 180 (DiCeglie) is a comprehensive bill revising Florida's emergency preparedness and response infrastructure. Of note to municipalities, the bill:

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- Authorizes the Department of Environmental Protection (DEP) to waive or reduce local government match requirements until July 2026 for beach erosion projects impacted by Hurricanes Debby, Helene, or Milton
- Specifies the Legislature's intent for other departments and agencies of the state, county and municipal governments and school boards, and private agencies that have a role in emergency management to coordinate to the greatest extent possible in the provision of emergency management efforts through the division
- Requires the Florida Division of Emergency Management (DEM) to include in its bi-annual state comprehensive emergency management plan an update on the status of the emergency management capabilities of the state and its political subdivisions
- Directs DEM to assist political subdivisions by developing a template for comprehensive emergency management plans and guiding the development of mutual aid agreements when requested
- The bill requires all political subdivisions to designate a person as their emergency contact, a person to serve as their alternate, and to notify DEM of these designations by May 1 of each year
- Mandates a continuous training program and authorizes DEM to specify requirements setting a minimum number of training hours that must be completed biennially by municipal administrators, managers, emergency management directors, public works directors, or other officials responsible for the construction and maintenance of public infrastructure
- The bill requires DEM to conduct an annual hurricane readiness session by April 1 of each year in each region designated by DEM to facilitate coordination between all emergency management stakeholders. The session must include but is not limited to:
 - Guidance on timelines for preparation and response

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- Information on state and federal postdisaster resources and assistance
- Guidance to promote efficient and expedited rebuilding of the community after a hurricane
- Best practices for coordination and communication among entities engaged in postdisaster response and recovery
- Discussion of any outstanding county or municipal preparedness or readiness needs
- If the duration of a declared state emergency issued by the Governor exceeds 90 days, regardless of an extension of the same declaration, the bill requires the Executive Office of the Governor or appropriate agency to submit a contract executed with moneys authorized for expenditure to support emergency response to the Legislature within 72 hours after executing. Contracts executed during the first 90 days must be submitted within 120 days of the declared state of emergency. All contracts executed before or during a declared state of emergency to secure resources or services must be posted on the secured contract tracking system.
- The bill mandates the Auditor General to update their audit of an emergency exceeding one year, prescribes several requirements to be included, and requires the Auditor General to post it on the appropriate website, in addition to reporting to the Legislative leaders and specified committee chairs annually by January 15.
- The bill also requires the head of specified state agencies or their designated senior manager to serve on a natural hazards risks and mitigation interagency coordinating group. The bill prescribes composition, responsibilities, and meeting requirements for the expanded interagency coordinating group.
- The bill charges DEM to administer the Federal Emergency Management Agency's Hazard Mitigation Grant Program [within the state] and allows them to adopt rules to implement this section.

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- The bill clarifies that DEM may not retain more than 25% of funds received for use by the state, and must distribute a minimum of 75% for use by the subrecipients in the counties specified in the Presidential Disaster Declaration unless a subrecipient elects to share some or all of its allocation with DEM to be used for projects benefiting the region where the subrecipient is located. It also provides guidelines on prioritizing the projects applying to receive funds.
- The bill permits a fiscally constrained county to request the division administer the grant for such county and may request additional assistance from the division in preparing applications for grants and developing a structure for implementing, monitoring the execution of, and closing out projects.
- The bill directs DEM to submit a report annually by October 15 to the Governor and Legislative leaders that includes a list of facilities recommended to be retrofitted using state funds in counties with hurricane evacuation shelter deficits.
- The bill instructs DEM to prioritize the list of facilities owned by the state, municipalities, and county-owned public buildings (other than schools) for retrofitting using state funds.
- The bill directs municipalities to develop a post-storm permitting plan to expedite recovery and rebuilding by providing for special building permit and inspection procedures following a hurricane or tropical storm. It requires the plan be updated no later than May 1 annually and must, at a minimum:
 - Ensure sufficient personnel are prepared and available to expeditiously manage post-disaster building inspection, permitting, and enforcement tasks
 - Anticipate conditions that would necessitate supplemental personnel for such tasks and address methods for fulfilling such personnel needs, including through mutual aid agreements, arrangements with private sector contractors, or supplemental state or federal funding

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- Include training requirements and protocols for supplemental personnel to ensure compliance with local floodplain management requirements that apply within the county or municipality
- Account for multiple or alternate locations where building permit services may be offered in person to the public during regular business hours
- Specify a protocol to expedite the permitting procedures and, if practicable, for to waive or reduce applicable fees
- Identify the types of permits frequently requested following a hurricane or tropical storm and methods to expedite the processing of such permits
- Specify procedures and resources necessary to promote expeditious debris removal
- The bill requires that each county and municipality publish on its website annually by May 1 a hurricane and tropical storm recovery permitting guide for residential and commercial property owners that must describe:
 - The types of post-storm repairs that require a permit and applicable fees
 - The types of post-storm repairs that do not require a permit
 - The post-storm permit application process and specific modifications the local government commonly makes to expedite the process, including physical locations where permitting services will be offered
 - Local requirements for rebuilding specific to the county or municipality, including elevation requirements following substantial damage and substantial improvement pursuant to the National Flood Insurance Program (NFIP) and any local amendments to the building code
 - As soon as practicable following a hurricane or tropical storm, a county or municipality within an area declared to be in a state of emergency must publish updates on its website the information required above specific to such storm, including any permitting fee waivers or reductions

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For 180 days after a state of emergency is declared in an area, the county or municipality may not increase building permit or inspection fees and must have employees and supplemental personnel available during normal business hours to process permits.

The bill revises the storm-generated debris management statute:

- To authorize and encourage local governments to add an addendum to existing contracts or franchise agreements to collect storm-generated debris
- To allow each county and municipality to apply to DEP for authorization of at least one debris management site, and shall annually seek preauthorization for any previously approved sites, as allowed by DEP
- A municipality may jointly apply for authorization of a debris management site with a county or at least one adjacent municipality, if the parties develop and annually approve a memorandum of understanding (MOU) clearly outlining the capacity and location of the site relative to each party

The bill states that each county listed in the federal disaster declaration for Hurricanes Debby, Helen, or Milton (and each municipality within) shall not:

- Propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes
- Propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations
- Propose or adopt more restrictive or burdensome procedures concerning review approval or issuance of a site plan, development permit, or development order before October 1, 2027
- The bill does provide an exception to approve or adopt those applications if initiated by a private party other than the local government, or if the property that

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is the subject of the application is owned by the initiating private party. This exemption would take effect upon becoming law and expires June 30, 2028.

- Any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio.
- This provision would apply retroactively to August 1, 2024. (Singer)

Emergencies (Monitor)

HB 1337 (Giallombardo) and **SB 1566** (Simon) are comprehensive bills revising provisions related to emergency management and services in Florida. Of note to municipalities, the bills revise the powers of the Division of Emergency Management (DEM) by:

- Expanding coordination responsibility between the federal government and Florida's political subdivisions to command and control the state's departments, cabinet agencies, and municipal governments
- Expanding existing role in monitoring mutual aid agreements to also coordinate them
- Addressing the need for coordinated and expeditious deployment of state resources by facilitating annual training initiatives supporting the education of emergency management officials, elected and appointed officials, and stakeholders
- Requiring DEM to include in its state comprehensive emergency management plan an update on the status of the emergency management capabilities of the state and its political subdivisions

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- Directing DEM to develop a template for comprehensive emergency management plans, including natural disasters and cyberattacks
- Subject to available funding, requiring DEM to implement annual training programs AND facilitate coordination between all emergency management stakeholders
- Requiring DEM to standardize and streamline the FEMA Public Assistance Program application process to expedite and maximize the amount of federal assistance available, which includes assisting applicants in identifying risks in their organizations and developing an action plan to abate those risks
- During a natural disaster declared by the Governor or POTUS, DEM must authorize new debris management sites in accordance with section 403.7071, Florida Statutes (counties).

The bills revise the storm-generated debris management statute by:

- Removing the exemption that a contract or franchise agreement between a local government and a private solid waste or debris management service provider does not require the provider to collect storm-generated yard trash to only during the first 90 days after an emergency order is issued.
- Authorizing and encouraging local governments to add an addendum to existing contracts or franchise agreements to perform the collection of storm-generated debris
- Requiring a county, municipality, community development district (CDD), and political subdivision to authorize at least one debris management site and annually complete preauthorization for previously approved sites through the department

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- The bills allow a municipality, CDD, or political subdivision with a population less than 5,000 to jointly preauthorize at least one debris management site with at least one adjacent municipality if the parties develop and annually approve a memorandum of understanding (MOU) clearly outlining the capacity and location of the site relative to each party.

The bills revise the postdisaster duties of political subdivisions by imposing the requirements below following the declaration of a state of emergency issued by the Governor for a natural emergency:

- Within five days after the declaration, political subdivisions must publish on a publicly available website all applicable local, state, and federal laws related to building and housing codes, including all limitations, definitions, guidelines, and statutory emergency management expectations – which must remain available for at least three years after such declaration, unless recovery is completed earlier.
- Counties that experienced a direct impact from a natural disaster must provide their legislative delegation with emergency office space, information on the county's emergency response, and a direct point of contact trained in disaster recovery to be available to answer residents' questions and listen to concerns.

The bills also add individuals with functional limitations to the special needs shelter plan and mandate that a person with special needs or functional limitations be allowed to bring their service animal into a special needs and functional limitations shelter.

The bills also revise DEM's role in transporting or distributing essentials in commerce to ensure availability of emergency supplies by allowing them to provide for pre- or post-emergency transportation of essentials. The bills clarify that the authorized person may bypass any curfew, restriction, roadblock, quarantine, or other limitation

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on access to an area and that local law enforcement shall cooperate with DEM to ensure the availability of essentials under this section. The bills specify that this does not prohibit a law enforcement officer from specifying the permissible route of ingress or egress and that all state roadways are determined by the Florida Highway Patrol in coordination with the Department of Transportation. (Singer)

ENERGY

Utility Service Restrictions (Oppose)

SB 1002 (Truenow) and **HB 1137** (Shoaf) clarify the existing preemption on restricting the types of fuel sources of energy production utilized by utilities or gas companies to include all local government entities and their subsidiaries. The bills also expand the nullification of any local regulation that was in place before July 1, 2021. (Singer)

ETHICS AND ELECTIONS

Elections (Monitor)

SB 394 (Garcia) revises requirements relating to security measures for electronic and electromechanical voting and other election systems. Among other things, the bill prohibits governing bodies from purchasing elections systems that are not certified by the Florida Department of State and provides criminal penalties for members of governing bodies who purchase or sell election systems in violation of state requirements. The bill broadly defines “election systems” and includes technology used for voter data, mail sorters, and election night reporting, as well as “future technologies integrated into the election process.” It directs the Department of State to adopt rules to establish minimum standards for voting and election system security measures, including a prohibition on system technology that uses wireless data communications. (O’Hara)

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**Volume 51, Issue 6: March 14, 2025****Elections Affected by Disasters (Monitor)**

HB 1317 (Cross) and **SB 1486** (Polsky) revise section 101.733, Florida Statutes, relating to Election Emergency, and section 101.62, Florida Statutes, relating to Request for Vote-by-Mail Ballots. The bills require notice of a rescheduled election due to an emergency to be posted on an affected municipality's website (current law requires only posting on the affected county's website). The bills also revise criteria and procedures the Secretary of State must consider in assessing the impacts of a declared emergency on jurisdictions and the ability of all voters to participate in elections. The bills direct counties and municipalities affected by an emergency for which the Secretary of State has revised or rescheduled voting dates, procedures, or locations to prominently display such information on their respective websites. The bills revise vote-by-mail requirements by specifying that the use of the uniform statewide ballot application may not be required for vote-by-mail ballot requests from a county affected by an emergency. (O'Hara)

Employee Protections (Monitor)

SB 352 (Gaetz) and **HB 495** (Benarroch) prohibit public employers or independent contractors from taking retaliatory personnel action against an employee who reports to the Florida Commission on Ethics a violation of the state ethics code or violation of Article II, section 8(f) of the Florida Constitution (prohibiting lobbying for compensation by current public officers and former public officers for six years following service in a public position). In addition, the bills prohibit public employers and independent contractors from taking retaliatory personal action against any employee who discloses information to the Florida Commission on Ethics relating to an alleged breach of the public trust or alleged violation of Article II, section 8(f). The bills define and describe the prohibited adverse personnel actions and specify the types of information disclosed by employees subject to the bills' protections. The bills specify procedures, timeframes, and available remedies for employees subject to prohibited adverse personnel actions. Local government employees may file a complaint with the appropriate local government authority if the authority has

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established, by ordinance, an administrative procedure for handling such complaints and if the local procedure provides for such complaints to be heard by a panel of impartial persons that makes a recommendation to the governing body for final action. If the local government does not have an administrative procedure that satisfies the minimum requirements of the bills, an employee may bring a civil action. The bills authorize the filing of a civil action in circuit court following exhaustion of any administrative remedies and specifies that available remedies in such an action must include the following: reinstatement to position or its equivalent, or front pay; reinstatement of fringe benefits and seniority rights; compensation for lost wages, benefits, or other lost remuneration; payment of costs and attorney fees to a prevailing employee or prevailing employer (for frivolous actions); and injunctive relief. The bills allow employers to assert an affirmative defense that the personnel action would have been taken absent the employee's exercise of his or her rights under the bill. (O'Hara)

Ethics (Monitor)

SB 348 (Gaetz) and **HB 399** (Maney) prohibit a candidate, public officer, or public employee from knowingly misrepresenting, for material gain, that he or she is a service member or veteran of the U.S. Armed Forces or that he or she received an honor, title, or occupational qualification relating to military service. In addition, the bills authorize the Florida Attorney General to notify the Chief Financial Officer (CFO) or appropriate governing body of a local government of any delinquent civil penalty or restitution imposed pursuant to the state ethics law owed by a public officer or employee. The bills require the CFO or appropriate governing body to withhold a specified percentage of an official's or employee's salary to repay delinquent civil penalties and restitution and recover the governing body's administrative costs associated with compliance. Finally, the bills authorize the Attorney General to refer unpaid civil penalties and restitution to the appropriate collection agency. (O'Hara)

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Political Activities on School Grounds (Monitor)

SB 1250 (Martin) and **HB 1233** (Gossett-Seidman) authorize specified political activities and prohibit other political activities on the grounds of a K-12 school. Authorized activities include: candidate forums and debates, use of facilities, and political activities on the same terms and conditions required of other users and advertisers; student newspaper editorials or endorsements, voter registration, and education that does not involve a campaign or political party; and invitations to a candidate to speak in his or her individual capacity and not as a candidate. A candidate is authorized to speak on school property as a candidate if other candidates are invited to speak at the same or similar events, and the introduction of a candidate must include a disclaimer that the school does not endorse the candidate. The following political activities are prohibited on school grounds: posting campaign signs, distributing campaign literature, campaigning for or with candidates, activities that give the impression of support or endorsement of a candidate, collecting campaign donations or contributions, and voter registration that involves a candidate or a political party. In addition, the bills prohibit the faculty or staff member of a K-12 public school or institution of higher learning from using email, offices, or time during working hours on political activities. (O'Hara)

Other Bills of Interest

SB 216 (Polsky) – Campaign Finance

SB 280 (Arrington) and **HB 201** (Tant) – Candidate Qualification

SB 390 (Garcia) – Ballot Boxes

SB 588 (Leek) and **HB 1271** (Berfield) – Campaign Communications

SB 802 (Ingoglia) and **HB 679** (Salzman) – Term Limits for County Commissioners and School Board Members

HB 831 (Jacques) and **SB 1330** (Garcia) – Elections and State-Issued Identification

SB 860 (Smith) – Political Advertisements by Government Officials

HB 727 (Rayner) – Use of State Resources to Influence Statewide Ballot Initiatives

SB 926 (Smith) – Public Service Announcements by State Agencies

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**Volume 51, Issue 6: March 14, 2025****SB 1170** (Yarborough) – Conduct in Polling Places**SB 1456** (Collins) and **HB 1265** (Alvarez, D.) – Elections of County Comm’rs, District Sch. Bd. Members, and District Sch. Superintendents**SB 1454** (Collins) and **HB 1263** (Alvarez, D.) – Election of County Comm’rs and Superintendent of Schools**SB 588** (Leek) and **HB 1271** (Berfield) – Campaign Communications**HB 1203** (Barnaby) and **SB 396** (Garcia) – Elections**HB 1249** (Black) and **SB 1098** (Martin) – Elections**SB 1556** (Davis) – Special Elections**HB 1409** (Bracy Davis) and **SB 1582** (Davis) – Elections**HB 1381** (Persons-Mulicka) – Elections

FINANCE AND TAXATION

Ad Valorem Property Tax Exemption for Surviving Spouses of Quadriplegics (Monitor)

HJR 163 (Tant) and **SJR 748** (Simon) propose an amendment to Section 6, Article VII of the Florida Constitution to permit the homestead property tax exemption of a deceased quadriplegic to pass on to the quadriplegic’s surviving spouse. The joint resolutions specify that the proposal will appear on the ballot at the next general election or an earlier special election. The tax exemption would apply only to those surviving spouses who owned the property in question as a homestead at the time of death of the quadriplegic spouse. (Chapman)

Ad Valorem Tax (Monitor)

SB 1308 (Ingoglia) allows counties and municipalities to establish an ad valorem tax rebate program for property owners by ordinance. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Ad Valorem Taxation (Monitor)**

HB 227 (Caruso) and **SB 378** (Harrell) seek to allow a property owner who has applied for a homestead exemption to rescind their application between August 1 and September 15 of the same taxable year if they meet certain criteria. The bills authorize the Department of Revenue to adopt emergency rules to implement these changes. The bills also change the definition of an exempt organization to include the property used for charitable, religious, scientific, or literary activities. The bills provide further clarification as to what is meant by “religious activities.” (Chapman)

Ad Valorem Tax Exemption (Monitor)

HJR 1215 (Alvarez, D.) and **SJR 318** (Truenow) propose a constitutional amendment to authorize tax exemptions for certain tangible personal property. If it passes with 60% voter approval, tangible personal property on agricultural land used in the production of agricultural products and/or owned by the landowner or leaseholder of the agricultural land will be exempt from ad valorem taxes. (Chapman)

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

SB 298 (Wright) and **HB 321** (Smith) amend Florida’s ad valorem tax exemption requirements for nonprofit homes for the aged. The bills clarify the qualifications for the tax exemption, requiring an organization to be a not-for-profit organization under Chapter 617, Florida Statutes or an entity not licensed under Chapter 429, Florida Statutes, and wholly owned by a corporation not-for-profit formed under Chapter 617, Florida Statutes. (Chapman)

Affordable Property Ad Valorem Tax Exemption for Leased Land (Monitor)

HB 411 (Chaney) and **SB 488** (DiCeglie) are identical in proposing an amendment to existing property tax exemption statutes to allow land leased from a Housing Finance Authority under specific conditions to qualify for ad valorem tax exemptions. The land must be leased for a minimum of 99 years and predominantly used for qualifying housing purposes. (Chapman)

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Assessments Levied on Recreational Vehicle Parks (Monitor)

SB 530 (Burgess) would amend existing statutes to change how non-ad valorem special assessments are levied on recreation vehicle parks. RV Parks are to be treated in the same manner as commercial entities like hotels or motels, not residential units. Further, the bill prohibits levying special assessments on portions of RV parking spaces or campsites exceeding certain maximum square footage standards. Lastly, the bill requires local government to consider occupancy rates of RV parks to ensure assessments are fairly apportioned. (Chapman)

Assessment of Homestead Property (Monitor)

HB 1041 (Berfield) and **SB 176** (DiCeglie) are the implementing bills for **HJR 1039** (Berfield) and **SJR 174** (DiCeglie), respectively. The bills provide for various definitions relating to elevation or elevated improvement to properties consistent with the National Flood Insurance Program or local building codes. The bills mandate that changes or improvements made through elevating a property be assessed for property tax purposes using the pre-elevation assessed value, considering certain limitations for square footage exceeding 110% of the original size of the property.

SB 1192 (Ingoglia) is the implementing bill for **SJR 1190** (Ingoglia). SB 1192 provides definitions for elevation and elevated improvement to properties consistent with the National Flood Insurance Program or Florida Building Code. The bills mandate that changes or improvements made through elevating a property be assessed for property tax purposes using the pre-elevation assessed value, considering certain limitations for square footage exceeding 130% the original size of the property. The bills set forth specific timeframes and conditions for when this methodology is applicable. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Assessment of Property Used for Residential Purposes (Monitor)**

HB 1339 (Overdorf) and **SB 1176** (Leek) seek to prohibit the assessment of improvements to residential properties for enhancing wind resistance from being included in the property's annual taxable value assessment. (Chapman)

Child Care and Early Learning Providers (Monitor)

CS/HB 47 (McFarland) and **CS/SB 738** (Burton) seek to exempt public and private preschools from certain special assessments by municipalities. The bill also includes elementary and middle schools affiliated with religious institutions in the exemption criteria. CS/HB 47 was amended to include additional criteria related to licensing, including provisions and requirements for county licensing boards. CS/SB 738 was amended to address provisions related to childcare facility operations and personnel training requirements. (Chapman)

Communication Services Tax (Monitor)

SB 1352 (Trumbull) prohibits increasing local Communication Service Tax (CST) rates until January 1, 2031. The bill includes specific exemptions for CST if the equipment is being used in recovery efforts following a disaster or to provide services in unserved areas of the state. The bill establishes the Communication Services Tax Working Group in the Florida Department of Revenue (FDOR), consisting of nine members (four communications industry representatives, two county government representatives, two municipal government representatives, and the Executive Director of FDOR or their designee). The working group is to review national trends and best practices and compare them to Florida's model. A report identifying areas for improvement is to be provided to the Governor, Senate President, and Speaker of the House by December 1, 2025. The working group is set to be repealed by October 1, 2028. (Chapman)

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Community Redevelopment Agencies (Oppose)

CS/HB 991 (Giallombardo) and **SB 1242** (McClain) require all community redevelopment agencies (CRAs) in existence as of July 1, 2025, to terminate by the earliest charter expiration date or by September 30, 2045. The bills prohibit CRAs from initiating new projects or issuing new debt after October 1, 2025. Additionally, the bills prohibit the creation of any new CRAs after July 1, 2025. CS/HB 991 was amended to clarify what constitutes a “new project” under the prohibition on project initiation after October 1, 2025. The amendment defines “new projects” as any project that is not currently budgeted for in the CRA’s FY 2024-2025 budget. (Cruz)

Deferred and Unpaid Taxes (Monitor)

HB 761 (Casello) modifies the Florida tax codes by adjusting the procedures and qualifications for homestead tax deferral and the sale of tax certificates. Tax deferral eligibility on homestead property is limited to a just value of \$1 million or less. The minimum value of a tax certificate is increased from \$250 to \$500. **SB 882** (Berman) is similar to HB 761. The major difference is SB 882 requires a person who has waived their homestead tax exemption (but is still eligible) to furnish a certificate of eligibility prepared by the county property appraiser to qualify for the provisions of this bill. (Chapman)

Exemption from Ad Valorem Taxes of Child Care Facilities (Monitor)

SB 1306 (Calatayud) provides an ad valorem tax exemption for any portion of a property used as a Gold Seal Quality childcare facility, regardless of whether the facility is owned or leased. The bill also clarifies that a lessee childcare facility operator responsible for ad valorem taxes under their lease is eligible for the exemption upon demonstrating compliance with the requirements. (Chapman)

Homestead Assessment Limitation (Monitor)

HB 1027 (Borrero) and **SB 1178** (Rodriguez) are implementing bills for **HJR 1025** (Borrero) and **SJR 326** (Rodriguez), which seek to modify homestead exemptions for

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certain low-income seniors. The bills would freeze a home's assessed value at the amount recorded when the homeowner turns 65. (Chapman)

Homestead Exemptions (Oppose)

SB 1018 (Ingoglia) is the implementing bill for **SJR 1016** (Ingoglia), which proposes to delete the school district property tax levy homestead exemption and increase the non-school property tax levy exemption from \$25,000 to \$75,000. (Chapman)

Homestead Property (Monitor)

SJR 326 (Rodriguez) and **HJR 1025** (Borrero) propose a constitutional amendment to modify homestead exemptions for certain low-income seniors. The bills would freeze a home's assessed value at the amount recorded when the homeowner turns 65. (Chapman)

Homestead Property Assessed Value Determination (Monitor)

HJR 1039 (Berfield) and **SJR 174** (DiCeglie) propose a constitutional amendment to exclude flood mitigation improvements from the assessment of homestead properties for ad valorem taxes. (Chapman)

Homestead Property Assessment Limitation (Monitor)

SB 1190 (Ingoglia) proposes to amend the state constitution to exclude improvements made on homestead properties to mitigate flooding from the assessment value of the property for ad valorem taxes. (Chapman)

Improvement to Structures on Agricultural Lands (Monitor)

HB 589 (Brackett) and **SB 786** (Truenow) provide an exemption from property tax valuation assessments for any improvements for agricultural purposes on lands classified as agricultural. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Increased Homestead Property Exemptions (Oppose)**

SJR 1016 (Ingoglia) is a proposed constitutional amendment increasing the non-school property tax exemption for homestead properties from \$25,000 to \$75,000. The proposal is inclusive of current law, which established an annual adjustment to this exemption by the Consumer Price Index. Additionally, the homestead exemption for school district levies is deleted. (Chapman)

Legal Tender (Monitor)

SB 132 (Rodriguez) and **HB 999** (Bankson) seek to establish legal tender status for different forms of currency. SB 132 identifies the status of specie and electronic currency. Specie is money in the form of coins rather than notes. HB 999 identifies gold and silver specie as legal tender. Both bills provide that specie may not be characterized as personal property for taxation or regulatory purposes and provide exemptions from tax liability. The bills authorize the recognition of specie legal tender for the payment of private debts, taxes, and state or local government fees. (Chapman)

Local Business Taxes (Oppose)

HB 503 (Botana) and **SB 1196** (Truenow) propose to include the collection of local business taxes in the audit review process of the State Auditor General. The bills set a base Local Business Tax revenue year for Fiscal Year 2024. There is a requirement for the reduction of fees and refunds to be issued to businesses if local government revenues exceed the revenue base year annually. The local government must provide an affidavit stating compliance with these provisions in each annual audit. The bills provide an exemption for fiscally constrained counties and the municipalities within them. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Local Government Assessments (Monitor)**

HB 771 (Steele) would amend the current law to stop counties from using special assessments to fund certain municipal services and facilities through municipal service taxing units and municipal service benefit units. (Chapman)

Local Option Taxes (Oppose)

HB 1221 (Miller) and **SB 1664** (Trumbull) propose significant changes to the process for adopting and renewing local option taxes and surtaxes, requiring voter approval via referendum rather than adoption by ordinance, with limited exceptions for previously authorized bond indebtedness.

Key provisions include:

- Tourism Development Taxes in effect as of June 30, 2025, must be renewed by referendum-approved ordinance by January 1, 2033, to remain in effect for another eight years. Future renewals would also require voter approval in eight-year increments.
- Local Option Food and Beverage Taxes would expire eight years after enactment and could only be renewed in eight-year increments by referendum.
- Discretionary Sales Surtaxes in effect as of June 30, 2025, must be renewed by referendum-approved ordinance by January 1, 2033, to remain in effect for another eight years, with future renewals also requiring voter approval in eight-year increments.

These changes would limit local government flexibility in implementing and maintaining revenue sources essential for community services and infrastructure. (Chapman)

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Property Tax Benefits for Certain Residential Properties Subject to a Long-term Lease (Oppose)

HJR 1257 (Busatta) and **SJR 1510** (Avila) propose a constitutional amendment to extend homestead exemption benefits and assessment limitations to additional properties owned by homestead property owners that are leased for terms of six months or more to other persons. This change would allow leased properties to receive similar tax benefits as owner-occupied homestead properties, effectively reducing their taxable value. If approved by the voters, this proposal will further erode a primary local government revenue source.

HB 1259 (Busatta) and **SB 1512** (Avila) implement HJR 1257 and SJR 1510, extending homestead tax benefits to certain leased residential properties. These bills cap annual property assessment increases at the lower of 3% or the Consumer Price Index (CPI). They also outline conditions for adjusting assessed values due to property improvements, physical changes, or damage from calamities. (Chapman).

Property Tax Exemptions (Oppose)

HJR 357 (Chamberlin) is a proposed constitutional amendment to establish a new \$100,000 property tax exemption applicable to all properties in Florida, including those currently not eligible for homestead exemptions. This new exemption would be in addition to the existing homestead property exemptions (\$50,000) on homestead properties. If HJR 357 is passed through the Legislature, it will be presented on the November 2026 ballot. To pass, the measure must be approved by 60% or more of the voters. (Chapman)

Property Tax Exemptions (Oppose)

HB 359 (Chamberlin) is the implementing bill for **HJR 357**, establishing a new \$100,000 exemption on all property tax levies effective January 1, 2027. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Property Tax Exemption for Surviving Spouses of Veterans (Monitor)**

HB 217 (Mayfield) and **SB 290** (Wright) authorize the surviving spouses of veterans who die before the issuance of a disability letter from the U.S. Government or Department of Veterans Affairs to produce this letter to the property appraiser as evidence for entitlement to the tax exemption for surviving spouses of veterans. (Chapman)

Refund of Taxes for Residential Improvements Rendered Uninhabitable by a Catastrophic Event (Monitor)

SB 1598 (Polsky) changes the date for when a refund may be reviewed and applicable from April 1 of a year following a catastrophic event to June 1. (Chapman)

Revenue Administration (Monitor)

SB 192 (Gruters) and **HB 1303** (Mooney) seek to amend multiple Florida Statutes addressing specific tax terms and assessment procedures by repealing redundant sections and updating terminology. The bills replace the term “tax assessor” with “property appraiser,” grant revised powers to county legislative bodies regarding tax levies and municipal service assessments, and include a special assessment exemption for agriculture property. The bills also adjust the definitions related to property valuation and classifications. (Chapman)

Revising How Homestead Property is Assessed (Opposed)

HJR 773 (Steele) proposes an amendment to the Florida Constitution that would change how homestead property is assessed for property tax purposes. The amendment would eliminate the annual assessment based on the property's current just value and instead assess properties at their most recent purchase price or, for new construction, the construction cost. This change, set to take effect on January 1, 2027, could lead to much lower property tax assessments for homeowners, particularly those who have owned their homes for a long time.

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HB 775 (Steele) and **SB 1092** (Martin) serve as the implementing bills for HJR 773. Definitions are included relating to changes, additions, or improvements to be assessed at documented costs rather than just value. Provisions in these bills adjust the assessment process for property owners replacing damaged or destroyed features on properties impacted by calamity, including specific assessments based on the extent of reconstruction. The bills provide authority for the Florida Department of Revenue to establish a grant program for local governments experiencing shortfalls in revenue due to the new assessment criteria and procedures. (Chapman)

Revenues from Ad Valorem Taxes (Oppose)

HB 787 (Chamberlin) and **SB 996** (Collins) change the calculation of the rolled-back rate to include new construction property values and set limits on how much the millage may exceed the rolled-back rate. If a local jurisdiction desires to set a millage rate above the rolled-back rate, it may only exceed the rolled-back rate by 102%. Local governments are not allowed to exceed the 102% cap. Any revenues collected above the amount set by the 102% cap must be returned to the taxpayers on a pro-rated basis or used to pay down local government debt. (Chapman)

Sales Tax Exemption for Disabled Veterans (Monitor)

HB 111 (Daniels) and **SB 990** (Truenow) establish a sales tax exemption for disabled veterans with a 100% service-connected disability rating. The bills require eligible veterans to apply and submit documentation required by the Department of Revenue. (Chapman)

Study on the Elimination of Property Taxes (Opposed)

SB 852 (Martin) is a proposal to require the Office of Economic and Demographic Research to study the elimination and replacement of property taxes. The study must include an analysis of how the elimination of property taxes would affect public services such as education, infrastructure, and public safety. The study must also

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include an assessment of the potential influence the elimination of property taxes will have on the housing market. The study must consider the attractiveness of a move to consumption-based (sales) tax for businesses related to other states. The study must determine the overall economic stability, consumer behavior, and long-term economic growth of Florida. The report is required to be submitted by October 1, 2025, if the bill is passed. (Chapman)

Tax Exemption for Disabled Ex-servicemembers (Monitor)

HB 39 (Daley) and **SB 218** (Arrington) seek to increase the property tax exemption for certain disabled ex-servicemembers in Florida from \$5,000 to \$10,000. The dollar amount of the exemption is the only change proposed to this existing homestead property tax exemption. (Chapman)

Tax Exemption for Surviving Spouses of Quadriplegics (Monitor)

HB 165 (Tant) is the implementing bill of **HJR 163** (Tant) and **SB 750** (Simon) is the implementing bill for **SJR 748** (Simon), should they be approved by Florida voters with 60% approval. The bills allow for the surviving spouse of a deceased quadriplegic to inherit the tax exemption benefits, provided the surviving spouse is still residing in the same homestead property. The bills permit the transfer of a tax discount to a new homestead property unless the surviving spouse remarries, sells, or otherwise disposes of the original homestead property. HB 165 gives the Department of Revenue emergency rulemaking authority to administer the bill's provisions. (Chapman)

Taxes on the Rental of Real Property (Monitor)

HB 817 (Partington) seeks to repeal the transaction taxes on the rental of commercial properties. The bill also provides for exemptions on tangible personal property for educational institutions performing qualified production (motion picture) services. (Chapman)

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Tourist Development Tax (Support)

SB 1116 (Smith, C.) amends the use of Tourist Development Tax allowing these funds to be spent on public safety improvement, affordable and workforce housing development, and construction if those improvements are needed to increase tourism-related activities in the county or special district. (Chapman)

Tourist Development Taxes (Support)

HB 6031 (Eskamani) and **SB 1114** (Smith, C.) limit the use of Tourist Development Tax (TDT) funds for advertising and promotional purposes, ensuring more funds can be allocated for local infrastructure improvements supporting tourism. HB 6031 removes the current requirement that at least 40% of TDT funds must be spent on tourism advertising and promotion. SB 1114 retains the 40% requirement but caps spending on advertising and promotion at \$50 million. Both bills maintain existing provisions allowing funds to be used for tourism-related infrastructure improvements. These measures promote greater flexibility in the use of TDT funds, allowing for investments in local infrastructure that support sustainable tourism growth. (Chapman)

Other Bills of Interest

SB 134 (Rodriguez) and **HB 6021** (Bankson) – Sales Tax Exemption of Bullion

SB 266 (Harrell) and **HB 199** (Porras) – Tax Exemption of Vertical Takeoff and Landing Aircraft

HB 6019 (Conerly) – State Estate Tax

HB 745 (Porras) and **SB 1350** (Rodriguez) – Tax Exemption on Sales of Indigenous Arts and Crafts

SB 698 (Osgood) and **HB 939** (Dunkley) – Timely Filing of Tax Returns

HB 825 (Steele) and **SB 1720** (Burgess) – Exemption of Assets

HB 1037 (Benarroch) and **SB 708** (DiCeglie) – Disclosure of Estimated Ad Valorem Taxes)

HB 851 (LaMarca) and **SB 1466** (DiCeglie) – Trust Funds/My Safe Florida Home Trust Fund/Department of Financial Services

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HB 853 (LaMarca) and **SB 1468** (DiCeglie) – Taxation of Home Hardening
SB 432 (McClain) – Power of County Commissioners to Levy Special Assessments
HB 1485 (Basabe) – Tax on Aviation Fuel
SB 988 (Truenow) – Securities
HB 1549 (Maggard) and **SB 1612** (Grall) – Financial Institutions

HOUSING

Adaptive Reuse of Land (Oppose)

HB 409 (Caruso) and **SB 1572** (Collins) create a statewide advisory body, the Adaptive Reuse Public-Private Partnership Council (Council), to review and approve adaptive reuse projects. The bills do not define “adaptive reuse,” but the term is generally understood to refer to the process of repurposing existing buildings or sites in commercial, industrial, or mixed-use areas to create new housing. Once a project is approved by the Council, a municipality or county is mandated to authorize multifamily or mixed-use residential development in any area zoned for commercial, industrial, or mixed-use. In addition, the bills require counties and municipalities to authorize hotels or motels to operate unencumbered as a transitional housing use.

Preemptions and Mandates for Adaptive Reuse Projects

The bills prohibit a municipality or county from requiring an adaptive reuse project to have a land use change, a deviation from standard zoning, or a comprehensive plan amendment. The local government is required to streamline the building permit and development order processes for adaptive reuse projects. The bills *require* a local government to reduce minimum parking requirements for adaptive reuse projects in the manner specified in the bills (the required reduction depends on the nature of the existing site). The bills *permit* a local government to exempt from ad valorem taxation any affordable housing components of such projects, requires a local government to reduce impact fees by 1/3 for affordable housing components of such projects, and require a local government to exempt such projects from the levy

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of sales tax, tourism tax, or discretionary sales surtax. The bills specify that an adaptive reuse project must comply with all applicable state and local laws and regulations.

Ordinances for Transitional Housing Projects

The bills authorize municipalities and counties to adopt ordinances for transitional housing to increase the supply of affordable housing. The bills do not define “transitional housing,” but the term appears to mean the conversion of hotel or motel rooms for use as rental housing. The bills specify the eligibility requirements for transitional housing projects, including minimum size (50 rooms or more), physical characteristics, and required facilities and amenities for residents. The local government ordinance must: 1) designate the process for receiving and reviewing applications for transitional housing, including notices of determination of eligibility; 2) require the local government to verify eligibility and to notify applicants; 3) provide notice of deadlines to submit applications for transitional housing projects; and 4) require publication on the local government’s website a list of properties receiving the transitional housing designation.

Adaptive Reuse Public-Private Partnership Council

The bills create the Council as a statewide advisory body to review, approve, and oversee the development of adaptive reuse projects. The 12-member Council shall be comprised of four members appointed by the state land planning agency, four members appointed from private sector industries, and four members appointed by “the local planning agency” (the bill does not specify which of Florida’s approximately 478 local planning agencies is designated to appoint the four members). The bills outline procedures for the Council at least biannually to review and approve adaptive reuse project proposals. The Council must issue a report assessing the viability of a proposal and hold a public meeting in the community where the project is proposed. The Council is directed to monitor each project it has approved to ensure compliance with the project’s approved plans, the Florida

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Building Code, and the Florida Fire Prevention Code and to perform project evaluations on a regular basis. Service on the Council is uncompensated, although the bills authorize Council members to be compensated for per diem and travel expenses by their respective appointing entities. (O'Hara)

Affordable Housing (Monitor)

SB 1730 (Calatayud) revises the land use policy provisions within the Live Local Act, subsections 125.01055(7) and 166.04151(7), Florida Statutes.

The bill includes "any flexibly-zoned area" permitted for commercial, industrial, or mixed-use (such as a planned unit development) in the list of zoning categories in which a Live Local Act project must be approved as a permitted use. The bill specifies that a local government may not require a Live Local Act project to obtain a density transfer, amendment to a development of regional impact, amendment to a development agreement, or amendment to a restrictive covenant. In addition, it prohibits a local government from requiring more than 10% of the total square footage of mixed-use residential projects to be used for non-residential purposes. It clarifies that a local government may not restrict the height of a proposed Live Local Act project below the highest currently allowed or allowed on July 1, 2023, for a building located within one mile of the project.

The bill specifies that Live Local Act projects are subject to administrative approval by a local government, without further action required by the governing body or any quasi-judicial or administrative board or reviewing body, if the development satisfies the local government's land development regulations for multifamily uses and is consistent with the comprehensive plan. If requested by an applicant, the local government must reduce parking requirements by at least 20% if the project is within ¼ of a transit stop, within ½ mile of a major transit hub, and parking is available within 600 feet of the project.

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The bill directs courts to give priority to civil actions filed against a local government for violation of subsections 125.01055(7) or 166.04151(7) and specifies that fees and costs must be awarded to a prevailing plaintiff in such action, not to exceed \$100,000. It defines the terms “commercial use,” “industrial use,” and “mixed use.”

The bill prohibits a municipality or county from imposing a building moratorium that has the effect of delaying the permitting or construction of a Live Local Act project, except as specified. It authorizes a local government to impose such a moratorium by ordinance for no more than 90 days in any two-year period. Before adopting such a moratorium, the local government must prepare an assessment of the governmental entity’s need for affordable housing. The assessment must be posted on the local government’s website and included in the local government’s business impact estimate for the moratorium ordinance. It requires a court to award attorney fees and costs to a prevailing plaintiff, not to exceed \$100,000, in an action brought for a violation of the bill’s moratorium requirements.

The bill amends the Fair Housing Act, section 760.26, Florida Statutes, to prohibit discrimination in land use decisions and permitting of development based on the nature of a development as affordable housing. (O’Hara)

Affordable Housing (Monitor)

CS/CS/SB 184 (Gaetz) and **CS/HB 247** (Conerly) require local governments to allow accessory dwelling units by-right in any area zoned for single-family residential use, except for areas designated as planned unit developments or master planned communities. The bills do not change current law requirements that a building permit application for an accessory dwelling unit must include an attestation from the applicant that the unit will be rented at an affordable rate to low- or moderate-income persons. The bills prohibit a local government from requiring any increase in parking requirements for accessory dwelling units. The bills also authorize local governments to provide density bonus incentives to any landowner who voluntarily

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donates real property to the local government for the purpose of providing housing that is affordable for military families receiving the basic allowance for housing. SB 184 was amended to prohibit local governments from requiring that the owner of a parcel with an ADU reside on the property, to prohibit the rental of an ADU for less than one month, and to require the ADU to be assessed separately for ad valorem tax purposes if the primary residence is homesteaded property. Both bills were amended to include certain manufactured housing within the statutory definition of ADU. (O'Hara)

Affordable Housing and Supportive Services for Persons with Developmental Disabilities (Monitor)

SB 1004 (Rodriguez) and **HB 1131** (Weinberger) establish various tax exemptions, tax credits, and other incentives and programs relating to housing and services for persons with developmental disabilities. The bills exempt from property taxes the portions of a property that provide housing to persons with developmental disabilities, and they require local governments to waive non-school impact fees associated with units that provide housing for such persons. The bills create a process for obtaining refunds from taxes imposed pursuant to Chapter 112 for building materials used in residential units for such persons and they provide tax credits for eligible businesses that employ such persons. The bills direct the Florida Housing Finance Corporation (FHFC) to prioritize funding under the State Apartment Incentive Loan Program for the development of rental housing for such persons and direct FHFC to establish loan guarantees for qualified developers that construct housing for such persons. The bills direct the Department of Children and Families, the Agency for Persons with Disabilities, the Department of Education, and the Department of Transportation to provide funding and support services to such persons. (O'Hara)

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Conversion of Hotels into Residential Housing (Monitor)

HB 685 (Alvarez, J.) and **SB 1036** (Rodriguez) create section 220.1851, Florida Statutes, to establish a program to provide corporate tax credits to be awarded by the Florida Housing Finance Corporation to eligible projects that convert hotels into residential housing. (O'Hara)

Housing (Oppose)

HB 923 (Lopez, V.) and **SB 1594** (McClain) revise current laws relating to the various ad valorem tax exemptions for projects providing affordable housing. The bills substantially revise sections 196.1978 and 196.1979, Florida Statutes, which establish five property tax exemptions available to certain affordable housing developments.

Revisions to s. 196.1978, Florida Statutes:

The bills create definitions for "financial beneficiary" and "multifamily project" such that a "multifamily project" consisting of different parcels may be included in a single ad valorem exemption application. Revisions to specific exemptions within this section are as follows:

Property Tax Exemption for Non-Profit Entities (s. 196.1978(1)):

- The bills expand eligibility for this exemption to "property owned entirely by a governmental entity." They also provide that all improvements used to provide qualifying housing on exempt property owned by a nonprofit or a governmental entity are also exempt from taxation.

Multifamily Project Property Tax Exemption for Recorded Agreement with Florida Housing Finance Corp. (FHFC) (s. 196.1978(2)):

- The bills amend the current law multifamily project property tax exemption for owners with a recorded agreement with FHFC. They remove the requirement that qualifying multifamily projects must contain more than 70 affordable

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units. Instead, the bills require only that such projects must contain at least one affordable unit, or, for an adaptive reuse project (conversion of non-residential property into residential), at least 20% of the project's residential units must be affordable. The exemption is applied to those portions of the property that are dedicated to providing affordable housing.

Newly Constructed Multifamily Project Property Tax Exemption (s. 196.1978(3)):

- The bills revise the current law definitions of "improvement to real property" and "newly constructed" and add a new definition for "substantial rehabilitation" and "substantially completed." They maintain the requirement that the exemption is to be applied to the affordable housing components of the property. They remove the requirement that an eligible multifamily project contain more than 70% of affordable units. Instead, they require that an eligible multifamily project contain at least one affordable unit, or, for an adaptive reuse project, at least 20% of the project's residential units must be affordable.
- Current law provides two tiers of property tax exemptions in this subsection: 1) a 75% exemption for affordable units that serve households between 80-120% AMI; and 2) a 100% exemption for affordable units that serve households below 80% AMI. The bills add a third tier: a 75% exemption for all affordable units within a qualified development approved pursuant to the Live Local Act administrative approval processes established in ss. 125.01055 and 166.04151, Florida Statutes.
- The bills further provide that a unit remains eligible for the exemption under specified conditions relating to a change in tenant income. They include requirements for property appraisers when calculating the value of the

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exemption, including the inclusion of the proportionate share of the residential common areas attributable to each unit. It revises requirements for property owners to receive a certification notice to obtain the exemption from the FHFC. They allow a property owner that receives an exemption to add units or remove units from the list or to increase or decrease the number of units for which an exemption is sought in any subsequent taxable year, so long as the project continues to meet the minimum number of units dedicated to affordable housing. The bills direct the property appraiser to issue a verification letter that a property qualifies for the exemption and provide that a verification letter is prima facie evidence the property is eligible for the exemption. An owner who obtains a verification letter from the property appraiser is exempt from a subsequently enacted "opt-out" ordinance.

County and Municipal "Opt Out" (s. 196.1978(3)(o)):

- The bills revise provisions of current law that authorize a county or municipal taxing authority to opt out of this property tax exemption. They provide the opt-out may be exercised by ordinance only if the three previous years of annual housing reports published by the Shimberg Center for Housing Studies demonstrate the number of affordable and available units in the area or region is greater than the number of renter households in the area or region for the category entitled "0-120 percent AMI."
- A project administratively approved under sections 125.01055(7)(e) and 166.04151(7)(e) of the Live Local Act before the adoption or renewal of an opt-out ordinance remains eligible to receive the exemption for each year it applies for and is granted the exemption.

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- The bills require a local government, prior to adopting an opt-out ordinance, to assess the jurisdiction's current and 5-year projected need for affordable housing.
- The bills require local governments to notify the FHFC when they adopt or renew an opt-out ordinance. They direct the FHFC to report the status of local opt-out ordinances annually to the Governor and Legislature. The bills create a cause of action for the owner of a multifamily project who would otherwise qualify for the ad valorem exemption and who is adversely affected by an opt-out ordinance adopted in violation of applicable statutory requirements. They authorize a prevailing plaintiff to recover fees and costs not to exceed \$100,000.

99-Year Affordability Property Tax Exemption for FHFC-Funded Properties (s. 196.1978(4)):

- Current law provides a 100% exemption from ad valorem taxes for multifamily properties that contain more than 70 units affordable to households below 80% AMI, where the property is subject to a recorded agreement with the FHFC as a condition of receiving FHFC funding to keep the property affordable to households below 120% AMI for 99 years. The bills remove the requirement that an eligible property contain more than 70 affordable units. Instead, they require that an eligible property contain at least one affordable unit, or, for an adaptive reuse project, at least 20% of the project's residential units must be affordable.

County and Municipal Affordable Housing Property Tax Exemption (s. 196.1979):

- The bills include adaptive reuse projects within the scope of this optional county and municipal affordable housing property tax exemption.

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- In addition, the bills specify that developments approved pursuant to sections 125.01055 and 166.04151 of the Live Local Act may abate up to 20% of the development's ad valorem property tax for a period of 10 years by paying an amount equal to 20% of the total amount of the ad valorem taxes to be abated at the time a building permit is issued for the development. They direct the FHFC to adopt rules establishing standards for monitoring and compliance of a property owner that receives an ad valorem tax exemption and prohibits local governments from imposing any compliance monitoring requirements more stringent than the standards adopted by the corporation.

Local Government Infrastructure Surtax:

The bills include within the definition of "infrastructure" any expenditure to construct or rehabilitate housing that is affordable for a period of 30 years.

Florida Housing Revitalization Act:

The bills create section 220.197, Florida Statutes, establishing the Florida Housing Revitalization Act to award tax credits for the rehabilitation and restoration of a certified historic structure that has been approved by the National Park Service to receive the federal historic rehabilitation tax credit, and which will be used exclusively to provide affordable or workforce housing for at least five years.

Mobile Homes and Manufactured Homes:

The bills amend section 420.50871, Florida Statutes, relating to allocation of funds for the FHFC. Current law directs FHFC to allocate 70% of certain funds to finance projects that address urban infill. The bills include the development or redevelopment of certain mobile home parks and manufactured home communities within the meaning of the term "urban infill." (O'Hara)

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**Volume 51, Issue 6: March 14, 2025****Housing for Legally Verified Agricultural Workers (Monitor)**

SB 84 (Collins) prohibits governmental entities from adopting or enforcing any legislation that inhibits the construction of housing for legally verified agricultural workers on land operated as a bona fide farm. The bill defines the terms “housing site” and “legally verified agricultural worker.” It provides that housing unit for legally verified agricultural workers must meet specified criteria, including separation, maximum square footage, setback, and screening requirements. The bill also specifies provisions for removal of housing that fails to satisfy minimum criteria and grandfathers housing sites constructed before July 2025 unless the housing site is modified. (O’Hara)

Local Housing Assistance Plans (Monitor)

HB 701 (Stark) and **SB 1714** (Burton) expand the list of persons eligible to receive assistance under a local housing assistance plan to include persons who own mobile homes in mobile home parks and authorize local housing assistance plans to allocate funds for rental assistance to such persons. The bills direct counties and SHIP-eligible municipalities to include in their local housing assistance plans the provision of funds for lot rental assistance to persons who own mobile homes in mobile home parks and revise the criteria for awards made to eligible sponsors or persons to include mobile home lot rental assistance and the construction, rehabilitation, or repair of mobile homes. The bills prohibit counties and SHIP-eligible cities from discriminating between types of housing when awarding funds from the local housing distribution pursuant to section 420.9075, Florida Statutes. (O’Hara)

Mental Health Support Residences (Monitor)

SB 610 (Gruters) amends current law relating to group homes for persons with mental health issues and certified recovery residences. It provides that a single and two-family dwelling does not have a change of occupancy as defined in the Florida Building Code and may not be reclassified for purposes of enforcing the Florida Fire Prevention Code solely due to the dwelling’s use as or conversion to a certified

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recovery residence or a residence owned by a charitable organization and used for housing no more than six adults suffering from mental health issues. (O'Hara)

Ownership of Single-family Residential Property by Business Entities (Monitor)

HB 1593 (Joseph) and **SB 1810** (Smith, C.) provide that a business entity that has an interest in more than 100 single-family residential properties in this state may not purchase, acquire, or otherwise obtain an ownership interest in another single-family residential property and subsequently lease or rent such property. (O'Hara)

Real Property and Land Use and Development (Oppose)

HB 943 (Lopez, V.) substantially revises current law relating to the Live Local Act and to local government comprehensive plans and land development regulations.

Live Local Act Modifications to Section 166.04151, Florida Statutes

Affordable Housing Projects on Land Owned by Religious Institutions:

The bill adds a new paragraph (b) to subsection 166.04151(6) that *requires* a municipality to approve the development of affordable housing if 1) the property is owned by a religious institution; 2) 40% of the units in the development will be affordable for at least 30 years; and 3) the property is not within 500 feet of a military installation or an airport. The municipality may not otherwise apply comprehensive plan provisions, land use or zoning regulations to the property.

Impact Fees:

The bill requires local governments to exempt or waive 20% of the impact fees associated with the portion of a Live Local Act project that is affordable housing.

Modifications to Section 166.04151(7) – Qualifying Live Local Act Developments:

- The bill defines "Allowable Use," "Commercial Use," "Industrial Use," and "Planned Unit Development" for purposes of this subsection.

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- It specifies that a municipality must authorize multifamily and mixed-use residential as allowable uses on or in:
 - 1) Any site owned by the municipality, a school district, or a religious institution,
 - 2) Any area zoned for commercial, industrial, mixed-use, or planned unit development,
 - 3) Any zoning district not zoned solely for use as single-family or duplex use;

if at least 40% of the units will be affordable for 30 years. In addition, a municipality must allow the inclusion of any adjacent parcel of land as part of the multifamily development, regardless of the land use designation of the adjacent parcel.

- The bill specifies a municipality may not require the development to obtain an amendment to a development of regional impact, a development order, or a restrictive covenant.
- It defines an “area zoned for mixed-use” as any area that includes both residential and non-residential uses, regardless of whether such uses are permitted as principal, conditional, ancillary, special, unusual, accessory, planned unit development, or planned development. This has the effect of allows a Live Local Act project to be located in ANY zoning category that authorizes even an ancillary or conditional minor commercial and residential use – which will include residential preservation, conservation, institutional/government, and agricultural districts.

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- Units that have received any inclusionary zoning or linkage fee incentives qualify as Live Local Act projects under this subsection if the units satisfy the requirements of section 420.0004 and local regulations.
- The bill prohibits a municipality from taking action that directly or has the effect of:
 - Restricting the density of a Live Local Act project below the highest density allowed on or after July 2023;
 - Restricting the maximum lot size of a Live Local Act project below the highest maximum lot size allowed on or after July 2023;
 - Restricting the maximum lot coverage of a Live Local Act project below 70%;
 - Restricting the floor-area ratio of a Live Local Act project below 150% of the highest floor-area ratio allowed on or after July 2023;
 - restricting the height below the highest height allowed on or after July 2023.
- It revises processes for administrative approval of Live Local projects to prohibit any public hearings or reviews of such projects by quasi-judicial bodies. It requires administrative approval of the removal or demolition of any existing structures on the development site.
- It prohibits municipalities from imposing moratoria or zoning-in-progress on a proposed Live Local Act project for which the municipality has approved a preliminary site plan.
- It requires municipalities to post on their websites the zoning map and regulations in place as of July 2023.
- The bill removes current law provisions that direct municipalities to consider waiving parking requirements for projects located within $\frac{1}{4}$ of a transit stop.

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Instead, the bill directs municipalities to reduce parking requirements by 20% for Live Local Act projects and by 100% for projects less than 20,000 square feet, regardless of the project's local or its proximity to a transit stop.

- It deletes the current law requirement that a Live Local Act project must comply with applicable state and local laws and regulations.
- It requires municipalities to approve building permit plan review for Live Local Act projects within 60 days and to prioritize the review of these projects over other development projects.
- The bill authorizes the prevailing party to a challenge under subsection 166.04151(7) to recover attorney fees and costs.
- It preempts any decision or action taken by a municipality after July 2023 that either directly or indirectly:
 - Limits height, floor-area ratio, or density of a Live Local Act project;
 - Unreasonably delays the development or construction of a Live Local Act project;
 - Restricts the manner in which affordable units are accessed or developed, or which regulates the types of units in a project; or
 - Restricts or limits a Live Local Act project in any other way.
- It expressly preempts the regulation of affordable housing to the state and supersedes any local ordinance or regulation on matters covered under subsection 166.04151(7).
 - If an action is filed against the local government on grounds of violating this express preemption, courts are directed to render a decision expeditiously.

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- The review or approval of a Live Local Act project may not be conditioned on the waiver or abandonment of any development right authorized by section 166.04151.
- Beginning June 2026, the bill requires local governments to report annually to the Department of Economic Opportunity (DEO):
 - All litigation under the Live Local Act
 - Actions the local government has taken on any proposed Live Local Act projects
 - Actions the local government has taken to deny or not accept a Live Local Act project

DEO must provide an annual report of the aggregated information submitted by local governments to the Governor and Legislature.

- The bill prohibits municipalities from imposing a moratorium that would have the effect of delaying a project that would otherwise qualify for:
 - Any affordable housing ad valorem tax exemption
 - Any grant or other incentive for affordable housing under Chapter 420
 - Any abatement of development restrictions under section 166.04151(7).

It creates a cause of action for project owners adversely affected by a moratorium and authorizes the award of injunctive relief, attorney fees and costs, and damages to a prevailing plaintiff.

- It provides that an owner of an administratively approved proposed development who has acted in reliance on such approval has a vested right to proceed with development.

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**Volume 51, Issue 6: March 14, 2025***Revisions to Chapter 163, Part II, Community Planning:*

- The bill requires all urban infill development to be administratively approved, with no comprehensive plan amendment, rezoning, or variance required.
- It amends the definition of “compatibility” to state that all residential land use categories are compatible with each other.
- It redefines “urban service area” to include areas to which public services and facilities may be expanded by the local government or the private sector, as evidenced by an executed agreement with the local government, to provide urban services within the local government’s 20-year planning period.
- It provides that optional comprehensive plan elements may not contain policies that restrict the densities or intensities in the Future Land Use Element.
- It eliminates local government authority to use alternative data and analysis to support a comprehensive plan amendment.
- It requires approval of an increase in height or floor-area ratio in the land development regulations, to be accomplished through ordinance adoption with a simple majority vote.

Accessory Dwelling Units:

- The bill requires local governments to adopt ordinances allowing accessory dwelling units (ADUs) in any area zoned for single-family residential use.
- It provides that a local government may not directly or indirectly increase the cost to build an ADU, including by:
 - Imposing restrictions on rental terms that do not apply to other housing uses within the same district

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- Imposing parking requirements or design restrictions that do not apply to other housing uses within the same district
 - Requiring discretionary approvals or other standards that do not generally apply to other housing uses in the same district
- It removes current law requirements that an ADU must be rented at an affordable rate.
- It requires local governments to submit an annual report to DEO, beginning October 2025, with information about the number of ADU applications and ADUs within the jurisdiction.
- It provides that a property owner may not be denied a homestead exemption solely because the property contains an ADU and allows the property assessment for the ADU to be separated from the homesteaded property.

Other:

- The bill amends section 760.26, Florida Statutes, relating to prohibited discrimination in land use decisions and permitting of development, to prohibit discrimination based on a development being affordable housing. It waives sovereign immunity for purposes of this section and provides that the amendments are remedial in nature and apply retroactively.
- It requires local government to make certain findings supported by competent substantial evidence before approving a resolution that designates a privately owned property as a historic landmark without the consent of the property owner.
- It amends the optional property tax exemption in section 196.1979 to authorize the local government to define the minimum number of residential units an

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eligible project must have to qualify for the exemption and allows ADUs to qualify.

- It revises section 333.03, Florida Statutes, relating to development near airports.
- It amends section 420.50871, Florida Statutes, relating to authorized purposes for which funds provided to the State Housing Trust Fund may be spent. It expands funding eligibility to projects providing housing near Veterans Administration medical centers, outpatient clinics, and regional housing projects pursuant to a public-private partnership agreement with major employers.
- It creates section 702.13, Florida Statutes, to establish a process for expedited foreclosure proceedings for abandoned properties.
- It amends subsection 1001.43(12), Florida Statutes, relating to the use of surplus school board property for affordable housing. (O'Hara)

Resale-restricted Affordable Housing (Monitor)

SB 556 (Wright) and **HB 1425** (Gerwig) create section 193.0181 relating to "resale-restricted affordable housing for home ownership." The bills define "resale-restricted" as a legally enforceable deed restriction lasting 15 years or longer, which limits the property's resale to an income-eligible buyer. Such property may include housing purchased with government assistance and housing purchased from a not-for-profit housing organization. The bills require that resale-restricted affordable housing be assessed under section 193.011, Florida Statutes. They specify that resale-restricted affordable housing is a land development regulation and a limitation on the highest and best use of the property. The bills also amend section 193.011, which specifies the factors property appraisers must consider in deriving a just valuation. They require owners of resale-restricted affordable housing, as defined in the bills, to submit an application to the property appraiser that specifies the legal limitation on the

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property and includes an affidavit affirming the owner's obligation to abide by the resale restriction. (O'Hara)

Residential Land Use Development Regulations (Monitor)

HB 401 (Jacques) and **SB 634** (Martin) authorize municipalities and counties to zone or designate parcels for single-family residential use or "single-family hybrid housing use" (also known as "build-to-rent" subdivisions). The bills also authorize municipalities and counties to allow the use of land for single-family residential use while prohibiting the use of land for single-family hybrid housing use. The bills exempt a builder or developer from any land development regulations governing single-family residential use if the builder or developer owns the unoccupied home under permitting and construction. (O'Hara)

Other Bills of Interest

HB 43 (Edmonds) and **SB 362** (Osgood) – Reusable Tenant Screening Reports

SB 382 (Bernard) and **HB 365** (Tendrich) – Rent of Affordable Housing Dwelling Units

SB 1592 (Davis) and **HB 1471** (Harris) – Housing

INSURANCE**Benefits for Firefighters Injured During Training Exercises (Monitor)**

HB 749 (Sapp) and **SB 1202** (McClain) expand health insurance benefits for firefighters and their families if they are injured during training exercises. The bills require employers to fully cover health insurance premiums for disabled firefighters, their spouses, and dependent children. Coverage for spouses continues until remarriage, while dependent children remain covered until age 25. The bills also establish penalties for fraudulent claims, including the forfeiture of benefits and reimbursement of paid benefits. Additionally, the bills clarify that existing health insurance benefits remain in place unless otherwise specified. Finally, the bills ensure

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that death benefits remain valid for injuries sustained before July 1993 if the resulting death occurred after that date. (Cruz)

Law Enforcement Benefits (Monitor)

HB 751 (Sapp) and **SB 1160** (Leek) enhance insurance benefits for law enforcement and correctional officers injured in the line of duty or during official training exercises. The bills require employers to fully cover health insurance premiums for injured officers, including coverage for their spouses and dependent children. Coverage for spouses continues until remarriage, while coverage for children extends under certain conditions. The bills also clarify how insurance benefits are reduced when other sources provide coverage. Additionally, the bills establish penalties for fraudulent claims, including forfeiture of benefits and reimbursement requirements. Lastly, the bills expand eligibility to include injuries sustained during official training exercises, ensuring broader protection for officers. (Cruz)

Other Bills of Interest

HB 4003 (Skidmore) – Federal Catastrophe Risk Pool

HB 451 (Andrade) and **SB 554** (Gaetz) – Court Judgment Interest Rates and Insurance Reports and Practices

LAND USE AND COMPREHENSIVE PLANNING**Adoption of Comprehensive Plan Amendments (Monitor)**

HB 1561 (Sapp) modifies the expedited state review process for comprehensive plan amendments. The bill mandates that local governments transmit adopted amendments, along with supporting data and analyses, to reviewing agencies within 10 working days after adoption. Additionally, local governments must hold a second public hearing within 180 days of receiving agency comments. If an amendment is not transmitted within 10 working days after the final adoption hearing, it will be considered withdrawn unless an extension is agreed upon. (Cruz)

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**Volume 51, Issue 6: March 14, 2025****Annexing State-owned Lands (Monitor)**

HB 275 (Albert) and **CS/SB 384** (Burton) require municipalities to notify the county's legislative delegation when proposing to annex state-owned land. The notification must be sent when the municipality first publishes the advertisement for the annexation ordinance's public hearing. CS/SB 384 was amended to require the notification to be sent in writing or by email to every member of the delegation. (Cruz)

Development Permits and Orders (Oppose)

HB 579 (Overdorf) and **SB 1080** (McClain) revise timeframes in sections 125.022 and 166.033, Florida Statutes, for counties and municipalities to process applications for approvals of development permits or development orders and require the local governments to issue certain refunds for failure to meet the timeframes. The bills require counties and municipalities to specify in writing the information that must be submitted in an application for zoning approval, rezoning approval, subdivision approval, certification, special exception, or variance. The bills require counties and municipalities to confirm receipt of an application for a development permit or order within five days. The bills do not otherwise change current law timeframes for review and action on a development permit or development order. The bills require the statutory timeframes to restart if an applicant makes a substantive change to an application, which is defined as a change of 15% or more in the proposed density, intensity, or square footage of a parcel. The bills prohibit a local government from limiting the number of quasi-judicial hearings or public hearings held each month if such limitation causes any delay considering an application for approval of a development permit or development order. The bills require counties and municipalities to issue refunds ranging from 10 to 100% of the application fee for failure to meet the existing statutory timeframes, for determining whether an application is complete or requires additional information, and for taking final action on an application. (O'Hara)

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**Volume 51, Issue 6: March 14, 2025****Education (Oppose)**

HB 443 (Snyder) and **SB 822** (Rodriguez) make several changes to education policy, including provisions affecting municipalities. They authorize charter schools to increase enrollment capacity, provided it does not exceed the facility's maximum limit under certain conditions. The bills also require school districts to give priority to charter schools when disposing of surplus real property. Current law preempts local governments from restricting the conversion of certain facilities into charter schools, regardless of zoning prohibitions, and without requiring a special exception, rezoning, or land use change. These bills expand that preemption to include land owned by these specified facilities, not just existing buildings, further limiting local zoning authority over charter school sites. (Cruz)

Food Insecure Areas (Support)

HB 89 (Rayner, McFarland) addresses food insecurity by allowing local governments to modify land use regulations to support small-footprint grocery stores in designated areas. The bill enables local governments to alter land development regulations to permit the establishment of small-footprint grocery stores in food-insecure areas. The legislation grants local governments the authority to require mandatory reporting from these stores on specified matters. (Cruz)

Historic Cemeteries Program (Monitor)

SB 310 (Sharief) requires that if a historic African-American cemetery with excess vacant land sells or contracts to sell such land, the local government where the cemetery is located must approve a rezoning for the land. The rezoning must align with the most permissive land use category and zoning district permitted for land adjacent to the cemetery. (Cruz)

Land Use and Development Regulations (Oppose)

SB 1118 (McClain) and **HB 1209** (Steele) are broad growth management bills that reduce local government authority over land use and development regulations,

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favoring developers. A key concern for municipalities is the requirement for administrative approval of certain developments within agricultural enclaves, overriding any local prohibitions in the future land use map or comprehensive plan. This eliminates public meetings for approving these developments, which must be treated as conforming uses without further local approval.

The bills prohibit optional elements of local comprehensive plans from restricting development density or intensity. They also require a supermajority vote for any comprehensive plan amendment that increases development restrictions. Additionally, they allow property owners to sue if a local government fails to adopt a requested comprehensive plan amendment within 180 days, requiring courts to determine compliance with state law without deferring to local government interpretation.

The bills further limit local authority over impact fees by narrowing the definition of "extraordinary circumstances." They strictly define such circumstances as events beyond local control that prevent the intended use of impact fee funds, making it harder for cities to justify fee increases beyond statutory limits.

By January 1, 2026, local governments must establish minimum lot sizes allowing single-family, two-family, and townhome zoning at the maximum density permitted under the comprehensive plan. The bills also mandate administrative approval for residential infill development matching the average density of adjacent properties, bypassing rezoning, variances, and public hearings to gain approval. (Cruz)

Local Government Impact Fees (Oppose)

SB 482 (DiCeglie) and **HB 665** (Steele) prohibit local governments from requiring the installation of art or including art-related costs as a condition for processing or issuing development permits. Under current law, local governments cannot increase impact fees by more than 50% over a four-year period without conducting an

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"extraordinary circumstances" study to justify the higher rate. This bills define "extraordinary circumstances" and limits its application to situations where a certain population growth threshold is met. This definition will prohibit local governments from relying on other extraordinary circumstances, such as the unexpected rises in construction costs due to inflation. The bills require local governments exceeding phase-in limits for impact fee increases to conduct a demonstrated-need study outlining the benefiting projects and how they will benefit. (Cruz)

School Facilities (Oppose)

CS/HB 569 (Kendall) and **SB 1188** (McClain) grant local governments the authority to issue special variances for charter schools, ensuring they are treated the same as traditional public schools. If a local government imposes an education impact fee, the bills require developers to offset their fees on a dollar-for-dollar basis through improvements or contributions to charter schools or school districts within three miles of their developments. Additionally, the bills preempt local governments from enforcing vehicular stacking regulations that limit traffic during school drop-off and pick-up times if such enforcement would restrict a school's enrollment capacity. The bills prohibit local governments from enforcing local building codes that are more stringent than the Florida Building Code and the Florida Fire Prevention Code if such regulation limits the student capacity of a conversion charter school. Finally, the bills prohibit local governments from requiring proposed charter schools to obtain a special exemption or conditional use approval for land use, ensuring they are automatically considered an allowable use under local zoning laws. CS/HB 569 was amended to clarify that charter schools are considered public facilities for concurrency purposes. The amendment also removed a provision that prohibits local governments from adopting, imposing, or enforcing any local building requirements addressed by and more stringent than the Florida Fire Prevention Code. (Cruz)

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Transportation Concurrency (Monitor)

HB 203 (Grow), **SB 1074** (McClain) and **SB 1738** (Ingoglia) modify requirements for local government comprehensive plans in Florida, including transportation concurrency. Under current law, the capital improvements element of these plans must identify the facilities needed to achieve adopted levels of service within a five-year period. The bills add the phrase “or to maintain current levels of service” to this requirement. As a result, comprehensive plans will now need to identify the facilities necessary to meet adopted levels of service within five years or maintain existing service levels. (Cruz)

NATURAL RESOURCES AND PUBLIC LAND**Farm Products (Monitor)**

HB 211 (Cobb) and **SB 374** (Truenow) redefine “farm product” in Florida’s agricultural lands and practices statute to include both edible and nonedible plants and plant products, as well as any animals useful to humans and their derived products. Of interest to municipalities, the bills expand the existing preemption on bona fide farm operations classified as agricultural land to include the collection, storage, processing, and distribution of farm products, which governmental entities cannot limit if such activity is regulated through certain best management practices or specific statewide or federal regulatory bodies. (Singer)

Nature-based Methods for Improving Coastal Resilience (Monitor)

CS/HB 371 (Mooney) and **CS/SB 50** (Garcia) direct the Florida Department of Environmental Protection (DEP) to adopt rules governing nature-based methods to improve coastal resilience. The bills require DEP to include provisions in the rules encouraging local governments to develop or participate in coastal resilience and ecosystem restoration projects. DEP will also be required to identify vulnerable properties along the coastline and encourage partnerships with local governments to create protection and restoration zone programs, including eligible opportunities

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through the Resilient Florida Grant Program. CS/SB 50 was amended to appropriate \$250,000 in non-recurring funds from the Resilient Florida Trust Fund to DEP for the fiscal year 2025-2026 and specify that the funds must be used to conduct the feasibility study for coastal flood risk reduction. CS/HB 371 was amended to require DEP to post on its website, rather than establish by rule, guidelines governing nature-based methods for improving coastal resilience by July 1, 2027.

CS/HB 371 was also amended to add additional requirements for the Florida Flood Hub for Applied Research and Innovation that include:

- Identifying areas of significant erosion
- Identifying strategies and methods to minimize impacts to mangroves and other native species
- Submitting a report summarizing the design guidelines and standards and the modeled effects of conceptual designs to the Governor, President of the Senate, and Speaker of the House of Representatives by July 1, 2026. (Singer)

Recreational Customary Use of Beaches (Support)

SB 284 (Rouson), **SB 1622** (Trumbull), and **HB 6043** (Andrade) repeal Florida Statute 163.035, which limits the ability of local governments establishing "customary use" ordinances to allow public access to private beaches. Customary use is a legal doctrine that can be used by local governments to create a public right to access beaches above the mean high-water line, even if such beach area is privately owned. A 2018 law prohibits local governments from enacting ordinances or rules that grant public access to private beach property above the mean high-water line unless a court has made a judicial declaration affirming such use. The bills repeal this preemption, effectively eliminating the requirement for a judicial declaration before public access can be granted to private beach areas when local governments use the customary use doctrine. (Singer)

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**Volume 51, Issue 6: March 14, 2025****State Land Management (Support)**

CS/HB 209 (Snyder) and **CS/SB 80** (Harrell) establish the State Park Preservation Act, addressing concerns raised by the controversial and now withdrawn Great Outdoors Initiative, which had proposed adding golf courses, hotels, and other recreational infrastructure to various state parks. The bills require the Florida Department of Environmental Protection (DEP) to hold public hearings when developing or updating land management plans. The bills also require DEP to publish notice and electronic copies of proposed plans within a specific timeframe before public hearings. Relevant to local governments, the bills mandate that any large parcels or projects within more than one county must receive input at a public hearing from an advisory group formed of several individuals, including a local elected official. Both bills were amended to specifically prohibit the installation of a lodging establishment at any state park. CS/HB 209 was amended further to provide that lands managed by the division must be managed in a manner that will provide the greatest benefits to the public and to the land's natural resources, and managed for conservation-based recreational uses, such as public access, which includes roads, parking areas, walkways, and visitor centers, and scientific research. The bill was also amended to specify that sporting facilities may not be constructed in state parks. (Singer)

Brownfields (Support)

HB 733 (Anderson) and **SB 736** (Truenow) make several revisions to Florida statutes related to brownfield rehabilitation. Of note to municipalities, the bills eliminate the requirement for property owners to provide information about institutional controls for mapping by local governments and remove such mapping responsibilities for local governments. The bills expand the eligibility for brownfield program participation, introduce specific provisions for brownfield areas proposed by specified persons, and detail criteria for local government designation responsibilities. The bills allow Superfund sites to enter the Florida Brownfields program prior to meeting certain conditions. The bills also address certain barriers to

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obtaining "No Further Action" status for brownfield sites, aiming to facilitate the rehabilitation of portions within larger contaminated areas. (Singer)

Other Bills of Interest**HB 1175** (Duggan) – Mitigation Banks**SB 492** (McClain) – Mitigation Banking**SB 56** (Garcia) – Geoengineering and Weather Modification Activities**HB 477** (Steele) – Weather Modification Activities**HB 481** (V. Lopez) and **SB 866** (Martin) – Anchoring Limitation Areas**HB 995** (Mooney) and **SB 1326** (Rodriguez) – Areas of Critical State Concern**OTHER****Availability of Marijuana for Adult Use (Monitor)**

SB 1390 (Smith) and **HB 1501** (Nixon) update the regulations on marijuana sales and use, highlighting the role of medical marijuana treatment centers and expanding adult access for medical and recreational use. The bills preempt all matters regarding permitting, regulation, and location of cultivation and processing facilities to the state. (Wagoner)

Construction Regulations (Oppose)

CS/HB 683 (Griffitts) and **SB 712** (Grall) prohibit local governments from regulating synthetic turf installed in single-family residential areas one acre or less in size or enforcing any rules that prevent property owners from installing synthetic turf.

The bills also make several changes to the procurement of construction services. The bills require action after receiving a price quote for a change order issued by the local government. The bills mandate that a local government has 30 days to approve or deny a price quote and send written notice of the decision. The bills state that any denial notice must specify the alleged deficiencies and the actions

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necessary to remedy them. The bills declare that failure to provide such information will result in the local government being held liable to the contractor for all overhead associated with the change order. The bills also state that a contract between a local governmental entity and a contractor may not alter the local government's duties under the section. The bills also prohibit a local government, when contracting for public works, from penalizing a bidder for performing a larger volume or rewarding a bidder for performing a smaller volume of construction work. The bills also prohibit a local enforcing agency for building-related activities from requiring any ancillary documentation between a permit applicant and its client as a requirement for the submission of an application or for the issuance of a building permit. CS/HB 683 was amended to clarify that a local government may not require a contract between a builder and an owner, any copies of such contract, or any associated documents, including, but not limited to, letters of intent, material cost lists, labor costs, or overhead profit statements, for the issuance of a building permit or as a requirement for the submission of a building permit application. (Singer)

County Price Controls for the Removal and Storage of Electric Vehicles (Monitor)

CS/SB 872 (Ingoglia) and **HB 577** (Nix) address the regulation of costs associated with the removal and storage of electric vehicles. The bill specifically sets requirements for maximum rates for removal and storage to be no more than three times the rate of what a wrecker charges for accident clean-up and towing. (Wagoner)

Department of Agriculture and Consumer Services (Oppose)

HB 651 (Tuck) and **CS/SB 700** (Truenow) are comprehensive legislation for several priorities of the Florida Department of Agriculture and Consumer Services (FDACS). Of note to municipalities, the bills mandate electric utilities to submit to the county commission 10-year site plans for proposed power plants on agricultural lands at any time during the previous five years.

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Additionally, the bills require local governments to issue permits for electric vehicle charging stations based solely upon the standards established by Department rule, which include the time period for approving or denying applications.

The bills also expand the mosquito control statute to include municipal programs enabling enhanced administration, funding, and coordination between FDACS and local governments.

The bills also define a “water quality additive” and prohibit its use in a public water system primarily for health-related purposes.

The bills also restrict the assessment of civil fines when a municipality that impinged upon the state’s exclusive occupation of the field of regulation of firearms and ammunition resulted in a person or organization whose membership is adversely affected by local regulation. Civil fines can only be assessed in this situation if it is found the entity receives notice of their local regulation being alleged to be illegal 30 days before a suit was filed and does not remediate the issue within that time. The bills also adjust the statute language to permit a court to award the prevailing party and not exclusively the plaintiff.

The bills also create a new section in statute for educational facilities used for agricultural education. This contains a restriction on local governments adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit any activities of public educational facilities and auxiliary facilities constructed by a board for agricultural education, for Future Farmers of America or 4-H activities, or the storage of any animals or equipment therein. The bills also specify the lands used for agricultural education or the aforementioned organizations shall be considered agricultural land.

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CS/SB 700 was amended to add a new section to the bill relating to housing for legally verified agricultural workers. The amendment defines “housing site” and “legally verified agricultural worker” and provides that a governmental entity may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land which is operated as a bona fide farm. The amendment specifies the criteria that must be met for such construction or installation.

The amendment further provides that any local ordinance adopted pursuant to this section must comply with state and federal regulations for migrant farmworker housing. A governmental entity may adopt local government land use regulations that are less restrictive than those provided by this section but must still meet regulations established by the Department of Health and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. Furthermore, such an ordinance may not conflict with the definition and requirements of a legally verified agricultural worker.

The amendment states that beginning July 1, 2025, a property owner must maintain records of all approved permits for migrant labor camps or residential migrant housing for at least three years and make the records available for inspection within 14 days after receipt of a request for records by a governmental entity. The amendment provides for several circumstances in which a housing site may not continue to be used and may be required to be removed.

The amendment provides that a housing site that was constructed and in use before July 1, 2024, may continue to be used, and the property owner may not be required by a governmental entity to make changes to meet the requirements of this section, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated. The property owner of such housing site must provide regular maintenance and repair,

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including compliance with health and safety regulations and maintenance standards.

The amendment requires DACS to adopt rules that provide a method for government entities to submit reports of property owners who have a housing site for legally verified agricultural workers on lands classified as agricultural land and a method for persons to submit complaints for review and investigation by the department. Government entities must provide this information on a quarterly basis to the department in a format and timeframe prescribed by the department.

The amendment also provides that DACS enforce the requirements relating to housing for legally verified agricultural workers and specifies that enforcement includes completing routine inspections (based on a random sample of data collected by government entities and submitted to the department), the investigation and review of complaints, and the enforcement of violations. DACS must submit the information collected to the State Board of Immigration Enforcement on a quarterly basis.

The amendment provides DACS with the ability to surplus lands which are determined to be suitable for bona fide agricultural production and provides an exception by deeming lands designated as state forests, state parks, or wildlife management areas ineligible for surplus.

The amendment removes the portion of the bill that restricts the assessment of civil fines when a municipality that impinged upon the state's exclusive occupation of the field of regulation of firearms and ammunition resulted in a person or organization whose membership is adversely affected by local regulation. (Singer)

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**Volume 51, Issue 6: March 14, 2025****Department of Financial Services (Monitor)**

SB 1522 (McClain) and **HB 1281** (Berfield) propose a comprehensive legislative package for the Department of Financial Services. Relevant to cities, the bills mandate that city and county deferred compensation plans allow contributions on either a pre-tax basis or an after-tax Roth basis. Roth contributions must not be included in the calculation of federal or state tax withholdings for the employee. Additionally, the bills establish a state-funded firefighter recruitment and retention bonus program, providing one-time bonus payments of up to \$5,000 to newly employed firefighters in Florida. (Cruz)

Display of Flags by Governmental Entities (Monitor)

HB 75 (Borrero) and **SB 100** (Fine) prohibit governmental entities from erecting or displaying flags representing political viewpoints or ideologies. The bills clarify that they do not limit the ability of private individuals to express private speech or exercise their First Amendment rights, nor the ability of governmental entities to display or erect flags that are authorized by general law. The bills further require that when a governmental entity is displaying the United States flag, the flag must be in a prominent position superior to other flags that are displayed. The bills permit active or retired members of the National Guard or armed forces to use reasonable force at any time to prevent the desecration, destruction, or removal of the United States flag or to replace the United States flag in a position of prominence unless ordered not to by law enforcement acting within the scope of their duties. (Wagoner)

Election Dates for Municipal Office (Oppose)

SB 1416 (DiCeglie) preempts to the state the authority to establish the dates of elections for municipal office. The bill requires elections for municipal office to be held on the same date as the November general election. If a municipality requires a runoff election, it must hold its initial election on the same date as the primary election on the Tuesday 11 weeks before the general election. The runoff then must be held on the same date as the general election. It authorizes municipalities to provide

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by ordinance for the orderly transition of office resulting from election date changes. It preempts to the state the authority to establish election dates for municipal elections and requires that municipal recall elections be held concurrently with municipal elections under certain conditions. It repeals section 101.75, Florida Statutes, relating to a change in dates for cause in municipal elections. The bill extends the term of incumbent elected municipal officers until the next municipal election held in accordance with the new election dates required by the bill. (Wagoner)

First Responders (Monitor)

SB 1682 (Grall) and **HB 483** (Weinberger) expand the definition of "first responder" within the statutes that address the state emergency communications plan. The bills redefine a first responder to include full-time or part-time paid employees and unpaid volunteers serving in various roles, including correctional officers, federal law enforcement officers, firefighters, law enforcement officers, paramedics, emergency medical technicians, and 911 public safety telecommunicators. This revision broadens the current definition, which is limited to firefighters, law enforcement, ambulance personnel, medical professionals, and other emergency services. (Cruz)

Gambling (Monitor)

HB 953 (Barnaby), **HB 1467** (Snyder), and **SB 1404** (Simon) are comprehensive bills dealing with gaming. Of concern to cities, the bills preempt local governments from enacting or enforcing ordinances or local rules relating to gaming, gambling, lotteries, or any other skill-based amusement game. (Wagoner)

Government Efficiency (Monitor)

SB 1756 (Fine) and **HB 1325** (Sirois) propose a constitutional amendment to restructure state government by eliminating the Office of Lieutenant Governor and creating a new elected Commissioner of Government Efficiency as a Cabinet officer.

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Relevant to cities, the Commissioner of Government Efficiency would have the authority to audit, investigate, and report on fraud, waste, and abuse within the executive branch of state government, counties, municipalities, and special districts. (Cruz)

Homelessness (Monitor)

SB 1040 (Smith) and **HB 951** (Rosenwald) establish legal protections for individuals experiencing homelessness, ensuring they have equal access to public services, drinking water, electricity, and spaces without discrimination. The bills prohibit any local ordinances restricting access to certain public spaces as applied to homeless individuals. The bills create a cause of action exposing cities to possible litigation and attorney fees. (Wagoner)

Licensing and Regulating Locksmith Services Businesses (Monitor)

HB 1311 (Yeager) is a comprehensive bill establishing regulations and licensing requirements for locksmith services in Florida. The oversight for these new requirements will be assigned to the Department of Agriculture and Consumer Services. The bill preempts any local law, rule, regulation, or ordinance related to locksmith services or similar businesses to the state. Lastly, the bill prohibits a local government from issuing or renewing a business tax receipt for a locksmith business unless the business can exhibit a valid license issued by the Department of Agriculture and Consumer Services. (Wagoner)

Local Government Code Enforcement (Support)

HB 281 (Partington) and **SB 1104** (Rodriguez) propose several changes to Chapter 162, Florida Statutes, the Local Government Code Enforcement Act. The bills authorize cities and counties to designate a special magistrate to impose fines and penalties relating to state laws or local ordinances, land development regulations, or other technical codes adopted by a county or city. The bills define "Special Magistrate" as a member of the Florida Bar in good standing with a minimum of five years of

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experience as an attorney, appointed by a local government to oversee quasi-judicial proceedings. The bills update the enforcement procedures requiring a code inspector to schedule a hearing and issue a notice of violation which states the violation, provides correction instructions, and includes the date and time of the hearing. The bills update the subpoena powers of an enforcement board to allow designated persons to serve subpoenas provided the subpoena is hand-delivered with an affidavit of service that includes the date and time of service and the name of the person served. Additionally, the bills create a new statute allowing code inspectors to use body cameras and providing guidelines for their use and data storage. Lastly, the bill increases the criminal penalties for assault and battery on code inspectors. (Wagoner)

Municipal Job Engine Charter Schools (Monitor)

CS/HB 123 (Andrade) and **SB 140** (Gaetz) are comprehensive bills aimed at making significant changes related to charter schools and school district property management. Of interest to municipalities, the bills will allow municipalities in school districts that have received below an "A" grade for five consecutive years to apply to establish a "job engine charter school." Municipal job engine charter schools will aim to attract job-producing businesses by offering specialized educational programs aligned with local economic needs. Municipalities granted a job engine charter must provide annual reports detailing investments to attract and maintain private-sector industries, ensuring the use of secure facilities, and accepting financial responsibility for the charter school's debts. The bills require school districts experiencing declining enrollment over a five-year period to dispose of surplus properties identified by the State Board of Education. This surplus property must be prioritized for affordable housing for teachers, first responders, and military personnel, for use as charter school facilities, which could include municipal-run charters, or for local government projects, such as recreational facilities. CS/HB 123 was amended to provide that a public school-within-a-school designated as a school by the municipality seeking to attract job-producing entities may also apply to convert to charter status. The

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amendment also removed several requirements for municipalities that are granted a job engine charter, including the provision of ensuring the use of secure facilities and accepting financial responsibility for the charter school's debts. The bill was further amended to specify that for an existing public school converting to charter status, a district school board may not charge rental or leasing fees for the existing facility or for the property normally inventoried to the conversion school to the parents or municipality organizing the charter school. (Cruz)

Official Actions of Local Governments (Monitor)

SB 420 (Yarborough) and **HB 1571** (Black) prohibit counties and municipalities from taking any official actions related to diversity, equity, and inclusion (DEI). The bills define DEI as classifying individuals based on race, color, sex, national origin, gender identity, or sexual orientation and promoting preferential treatment based on these classifications. The legislation establishes penalties for violations, including holding local elected officials accountable for misfeasance or malfeasance in office if they engage in prohibited DEI-related actions. Additionally, the bills create a cause of action allowing residents to file lawsuits in circuit court against counties or municipalities for violations. Available remedies include declaratory and injunctive relief, damages, and costs. Notably, the legislation prohibits municipalities and counties from recovering attorney fees even if they prevail in such lawsuits. (Cruz)

Protection of Historic Monuments and Memorials (Monitor)

HB 1599 (Black) and **SB 1816** (McClain) void any local government ordinances, rules, regulations, or executive actions that have been enacted regarding the removal, damage, or destruction of historic Florida monuments or memorials. The bills provide a definition for "historic Florida monuments or memorials," specifying that such monuments or memorials must have been displayed for at least 25 years. The bills aim to provide statewide uniformity through the Division of Historical Resources within the Department of State to protect, preserve, and ensure that historic Florida monuments and memorials are not removed, damaged, or destroyed. The bills

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create a cause of action against local government officials, elected or appointed, who enact or enforce any ordinance that impacts or affects the regulation of historical monuments. If a local government official is found to be in violation of this law, the court shall assess a civil fine of up to \$1,000 for those who knowingly and willingly violate the law. Lastly, the bill provides a person the right to recover reasonable attorney fees and costs associated with filing suit for a violation of the new law. (Wagoner)

Regulation of Presidential Libraries (Monitor)

CS/HB 69 (Andrade) and **SB 118** (Brodeur) preempt all regulation, maintenance, operations, and activities of presidential libraries to the state. The bills define a “presidential library” as an institution designated under the Presidential Libraries Act. CS/HB 69 was amended to narrow the legislative findings for the bill. (Wagoner)

Residential Utility Disconnections (Oppose)

HB 419 (Tendrich) and **SB 330** (Berman) prohibit an electric utility, a public utility, or a water utility from disconnecting service to residential customers for nonpayment of bills or fees if the forecasted heat index is at or above 90 degrees or at or below 32 degrees within 48 hours after the scheduled disconnection or a state of emergency is declared for an extreme weather event or public health emergency 24 hours before or after the scheduled disconnection, until 24 hours after the state of emergency is lifted. The bills require such utilities to waive reconnection fees and late fees for customers attempting to reestablish service if disconnected for nonpayment if the heat index is at or above 90 degrees or at or below 32 degrees on the day of disconnection. The bills prohibit a utility from disconnecting service to any residential customer for nonpayment of bills or fees on a Friday, Saturday, Sunday, state holiday, or any day immediately preceding a state holiday. In addition, the bills prohibit utilities from recovering from customers any fee or expense incurred in complying with the bills’ requirements. The bills require utilities to provide residential customers with a copy of the utility’s disconnection policy when a new account is established or

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when any disconnection for nonpayment is scheduled and to publish a copy of the policy on the utility's website. Utilities are required to publish alerts informing residential customers of the suspension of disconnection services due to a forecasted heat index above 90 degrees, below 32 degrees, or an extreme weather event. The bills specify that notices must be in English, Spanish, and any other language spoken by more than 2% of the utility's customers and require the notices to contain information about payment plans and government energy assistance programs. The bills require utilities to deliver notice of nonpayment of bills or fees to residential customers after each missed payment and 10 days. The bills specify the contents of the notice of nonpayment and prohibit disconnection until an account is at least 60 days past due. The bills impose liability for actual and consequential damages, attorney fees, and court costs on a utility for violations of its requirements. (Singer)

School Buses (Monitor)

SB 52 (Garcia) expands the definition of "school bus" to include transportation of students to and from charter and private schools throughout statute. (Wagoner)

Service Lateral Assessment and Rehabilitation (Oppose)

HB 1187 (Nix) and **SB 1208** (Truenow) impose significant and costly obligations on municipal utilities, requiring them to inspect, document, and repair sewer laterals. The bills require all utility systems to establish and maintain a comprehensive condition assessment program for sanitary sewer lateral lines under their jurisdiction. The purpose of the program is to mitigate the potential for inflow and infiltration that cause sanitary sewer overflows. The bills require every service lateral within the utility system to be inspected using CCTV lateral launch camera systems every seven years. The bills require each utility system to establish and maintain a lateral monolithic repair program. After inspection, each lateral line must be given a pipeline severity score. Lines exceeding a specified score must be flagged for immediate consideration under the repair program. The utility must execute timely

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rehabilitation of flagged lines using technologies specified in the bills. Rehabilitation of flagged lines must be completed within 12 months from the date issues are discovered. Utilities that fail to comply with these requirements are subject to enforcement and penalties from the Department of Environmental Protection. The bills provide no source of funding for utilities to implement the requirements, but they authorize the state to establish incentives, grants, or matching funds and authorize any funds allocated for environmental preservation or protection of water quality to be applied to the lateral line assessment and rehabilitation programs. (Singer)

Smoking in Public Places (Support)

SB 226 (Gruters) creates a state prohibition on smoking or vaping in “public places”. “Public place” is defined as a place where the public has access, including but not limited to streets, sidewalks, public parks, beaches, and government buildings. The bill expands the definition of “smoking” to include marijuana products. However, the prohibition would not apply to smoking cigars in public places. (Wagoner)

Unlawful Demolition of Historical Buildings and Structures (Support)

HB 717 (Greco) and **SB 582** (Leek) authorize municipalities to impose an enhanced fine for the unauthorized demolition of a structure listed on the National Register of Historic Places or designated as a local historic landmark if the code enforcement board or special magistrate makes specific findings. Fines imposed may not exceed an amount that is 20% of the property appraiser’s evaluation of the fair market value. Under current law, the maximum fine for irreparable or irreversible damage to a historic structure is \$5,000 for cities with a population below 50,000, and for larger cities, it is capped at \$15,000. (Cruz)

Other Bills of Interest

HB 1267 (Busatta) and **SB 1708** (Calatayud) – Education

SB 864 (Smith) – Elector Votes Required to Approve an Amendment to or a Revision of the State Constitution

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HB 1115 (Valdes) and **SB 1702** (Burgess) Charter Schools Access to Local Government Infrastructure Surtaxes

HB 303 (Fabricio) – Property Damage Caused by Limestone Mining Operations

SB 486 (Ávila) – Limestone Mining Operations

SB 108 (Grall) and **HB 305** (Esposito) – Administrative Procedures

SB 448 (Burgess) – Administrative Procedure

HB 433 (Overdorf) – Administrative Procedures

SB 354 (Gaetz) – Public Service Commission

HB 297 (Eskamani) and **SB 404** (Berman) – Ticket Sales and Resales

HB 505 (Botana) and **SB 722** (Truenow) – Location of Equipment Owned by Amusement Business Owner

HB 535 (Johnson) and **SB 606** (Leek) – Public Lodging and Public Food Service Establishments

SB 1276 (Collins) and **HB 1153** (McFarland) – Procurement Compliance

SB 1278 (Collins) and **HB 1155** (McFarland) – Public Records/Department of Management Services Vendor Information

HB 1481 (Weinberger) and **SB 1830** (Martin) – Dog Breeding

HB 1583 (Porrás) and **SB 1832** (Martin) – Fees/Dog Breeders

HB 1585 (Porrás) and **SB 1834** (Martin) – Dog Breeding Trust Fund

PERSONNEL AND COLLECTIVE BARGAINING

County Officers (Monitor)

SB 732 (Martin) proposes an update to the compensation methods and amounts for the following County Constitutional Officers: County Tax Collectors, Property Appraisers, Supervisors of Elections, Clerks of the Courts, and County Comptrollers. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Deferred Compensation Plans for Public Employees (Support)**

HB 985 (Porras) and **SB 1068** (Rodriguez) authorize automatic enrollment for public employees in employer-sponsored deferred compensation plans, making it easier for employees to save for retirement. (Chapman)

Employee Wages and Salary (Monitor)

HB 1619 (Joseph) creates the Wage Fairness Act and imposes new wage and salary transparency requirements on public and private employers with 10 or more employees. It prohibits salary history inquiries, mandates salary range disclosures in job postings, and requires employers to provide wage range information to current employees upon hiring, promotion, transfer, and annually thereafter. Employers must retain wage records for two years and may face civil actions and penalties for non-compliance. (Chapman)

Firefighter Benefits (Monitor)

SB 66 (Garcia) and **HB 87** (Casello) seek to expand the Florida firefighters' cancer treatment benefits by adding Acute Myeloid Leukemia to the list of "cancers" presumed to have been incurred in the line of duty. The adjustment to the definition is the only change being proposed to Section 112.1816, Florida Statutes, in this bill. Additionally, language is being added to the bill to state the Legislature determines and declares that this act fulfills an important state interest. (Chapman)

Heat Illness Prevention (Monitor)

HB 35 (Gottlieb) and **SB 510** (Rouson) implement mandatory outdoor heat exposure safety programs for employers defined in Section 121.021(10), Florida Statutes, which identifies municipalities as subject to this bill. The safety programs apply to employers with outdoor workers in industries like agriculture, construction, and landscaping, but exempt employees working outdoors for less than 15 minutes per hour through the workday. The bill also mandates the development and administration of training programs, drinking water, and shade provisions. Further,

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the Department of Agriculture and Consumer Services and the Department of Health are directed to adopt rules to implement the program, including training and certification compliance. (Chapman)

Identification Cards for Public Works Employees (Monitor)

HB 341 (Woodson) seeks to have the Office of Program Policy Analysis study the feasibility of implementing a state-issued identification card for public works employees that would identify them as first responders. (Chapman)

Labor Negotiations (Support)

HB 997 (Temple) and **SB 1066** (Ingoglia) prohibit individuals who participate in closed labor negotiation meetings from knowingly and intentionally disclosing confidential information discussed in such meetings unless specifically authorized by the chief executive officer or legislative body of the public employer. The bills would also bar the unauthorized disclosure of confidential work products related to labor negotiations. Individuals who receive such improperly disclosed information must report the violation to the Commission on Ethics. (Chapman)

Labor Regulations (Monitor)

HB 1177 (Gottlieb) makes several changes to labor regulations, beginning with requirements for automatic deductions of union dues from employee salaries and the thresholds for re-certification of a union. The bill establishes heat illness prevention measures for outdoor workers in industries like agriculture, construction, and landscaping. The bill mandates employers to implement heat safety programs, provide cooling breaks, water access, and shade, and conduct annual training on heat-related illnesses. The bill requires qualified benefit providers to manage health insurance, paid time off, and retirement benefits for independent contractors facilitated by contracting agents. The bill also repeals Florida's noncompete statute, section 542.335, Florida Statutes. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Local Government Official Salaries (Monitor)**

SB 272 (Burgess) and **HB 639** (Rizo) revise the base salary for certain county constitutional officers based on county population sizes for County Clerk of the Courts and Comptrollers, Supervisors of Elections, and Property Appraisers. (Chapman)

Local Government Salaries and Benefits (Oppose)

HB 1581 (Buchanan) and **SB 1762** (Gruters) establish new requirements for salary increases for local government officials. The bills modify the salary formulas for county commissioners in non-charter counties. Of concern to cities, the bills require a voter-approved referendum before increasing the salary, retirement benefits, or other compensation for county commissioners, elected municipal officials, and special district governing board members. The referendum must occur during a general election in a presidential election year, with election costs covered by the respective local government entity. (Chapman)

Peer Support for First Responders (Monitor)

CS/SB 86 (Burgess) and **CS/HB 421** (Maggard) would expand the definition of “first responder” for the purpose of qualifying for peer support benefits. Currently, Florida law provides a confidential peer support program offering emotional, physical, or moral support to first responders, including firefighters, police officers, emergency medical service workers, and 911 telecommunicators. CS/SB 86 would extend eligibility for this program to include all non-officer employees of law enforcement agencies. Both bills were amended to clarify and include certain “support personnel” in the definition of first responders for the purpose of qualifying for peer support benefits. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Prohibition of Guaranteed Income Programs (Monitor)**

HB 1193 (Borrero) and **SB 1772** (Martin) seek to prohibit local governments in Florida from establishing guaranteed income programs and empower the Attorney General to issue cease and desist orders for existing programs. (Chapman)

Protections for Public Employees Who Use Medical Marijuana as Qualified Patients (Monitor)

HB 83 (Rosenwald) and **SB 142** (Polsky) seek to establish protections for public employees who use medical marijuana (and are qualified patients) from adverse personnel action. This bill also requires accommodations be made unless it presents an undue hardship to the employer. An employee who tests positive for marijuana use must be notified in writing by the employer and may explain or contest the positive result within five business days of the notice being given. Adverse personnel action includes discriminatory employment actions such as refusal to hire, suspension of current position, or demotion due to the patient's status for medical marijuana use. This bill allows public employers to take adverse personnel action if an employee's job performance is impaired by medical marijuana and provides exceptions. (Chapman)

Public Employee Collective Bargaining (Support)

HB 1217 (Black) and **SB 1328** (Fine) revise and clarify multiple collective bargaining rights and procedures. The bills provide definitions related to bargaining units and detail actors' roles within public employment structures. The bills establish the processes for certification, recertification, and decertification of collective bargaining units. Additionally, the bills introduce a provision for public employees to participate in union activities, including paid time off, compensation, and use of public resources. Exceptions are made for law enforcement and emergency services collective personnel from certain general provisions. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Other Bills of Interest****SB 76** (Berman) – Paid Parental Leave**HB 307** (Mayfield) – Bonuses for Employees of Property Appraisers**SB 674** (Wright) – Bonuses for Employees of Tax Collectors and Property Appraisers**HB 541** (Chamberlin) and **SB 676** (Martin) – Minimum Wage Standards**HB 955** (Jacques) – Employment Eligibility**SB 1218** (DiCeglie) – County Administrators**HB 1157** (Abbott) and **SB 1238** (Rodriguez) – Fraud in the Reemployment Assistance Program**HB 6033** (Abbott) and **SB 1672** (Truenow) – Labor Pool Act**SB 1552** (Smith, C.) and **HB 1497** (Nixon) – Division of Labor Standards**SB 440** (McLain) and **HB 1495** (Plakon) – Gender Identity Employment Practices**HB 1011** (LaMarca) – Duties of the Department of State**SB 1110** (Smith, C.) – Large-scale County Destination Marketing Organizations**SB 1760** (Grall) and **HB 1445** (Mayfield) – Public Officers and Employees**PUBLIC RECORDS****Public Records (Oppose)**

SB 1434 (Rouson) updates public records access rules, covering fees, response times, and penalties for noncompliance. It expands "actual cost of duplication" to include clerical, supervisory, and IT costs, excluding overhead. The bill requires agencies to promptly acknowledge requests and respond within three business days with records, a timeline, or a denial citing legal exemptions. It prohibits fees if agencies fail to act within three days and bans charges for requests taking under 30 minutes or for redacted record inspections. The bill requires written explanations for delays over 15 days or exemption claims. The bill also establishes fines and misdemeanor penalties for violations, including out-of-state offenses. Lastly, SB 1434 allows courts to impose fees on non-compliant agencies and reimburse attorney costs in some cases. (Wagoner)

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Public Records/Body Camera Recordings (Support)

SB 1106 (Rodriguez) and **HB 1475** (Partington) create a public records exemption for body camera recordings worn by code enforcement officers. (Wagoner)

Public Records/County and City Administrators and Managers (Support)

HB 623 (Gerwig) and **SB 842** (Arrington) create a public records exemption of the personal information of current county and city administrative officials, and their spouses and children. (Wagoner)

Public Records/Municipal Clerks and Staff (Support)

HB 517 (Cassello) and **SB 840** (Rodriguez) create a public records exemption of the personal information of municipal clerks and staff, and their spouses and children. (Wagoner)

Other Bills of Interest

HB 671 (Campbell) and **SB 798** (Rouson) – Electronic Payment of Public Records Fees
SB 7006 (Regulated Industries) – Public Records and Meetings/NG911 Systems

PUBLIC SAFETY**Cold Case Murders (Monitor)**

SB 694 (Osgood) addresses cold case murders by establishing a process for reviewing and reinvestigating such cases. The bill mandates that law enforcement agencies review cold cases upon receiving a written application from a designated person and outlines the criteria for conducting a full reinvestigation. The bill requires law enforcement agencies to develop a written application for cold case reviews and mandate training for employees on the procedures and requirements outlined in the bill. The bill also requires law enforcement agencies to report quarterly all relevant data to the Global Forensic and Justice Center at Florida International

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University. The bill directs the Center to establish a case tracking system and a searchable public website. (Wagoner)

False Reporting (Support)

SB 726 (Ingoglia) strengthens accountability for the misuse of 911 and false reports to law enforcement by imposing financial liability for investigation and prosecution costs on individuals who misuse the emergency communication system. The bill mandates individuals who file false reports to pay restitution if the false reports cause injury or property damage. (Wagoner)

Firefighter Health and Safety (Monitor)

HB 929 (Booth) and **SB 1212** (DiCeglie) aim to improve firefighter health and safety by requiring the Division of State Fire Marshal to adopt rules reducing occupational illnesses, injuries, and fatalities. The bills mandate that firefighter employers (including cities) provide protective gear free of chemical hazards when available, limit scheduled shifts to 42 hours per week and implement cancer prevention and mental health best practices. Employers with high rates of firefighter injuries, illnesses, or suicides will be subject to inspections and required to develop corrective safety plans. Cities may face increased costs for new firefighting gear, additional firefighter hires due to work schedule limits and expanded health and safety programs. Cities could face fines of up to \$50,000 for noncompliance with the provisions of these bills. (Wagoner)

Public Nuisances (Support)

CS/SB 1022 (Wright) allows counties or municipalities to adopt ordinances supplementing state laws on public nuisances. The bill provides that when certain activities are declared to be a public nuisance, a county, or city may impose a fine exceeding \$15,000. The bill was amended in its first stop to add language providing that if a nuisance is not abated within one year, fines would increase to \$500 a day

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from \$250 a day. The amendment also added language specific to permitting the award of attorney's fees and costs if requested by the local government. (Wagoner)

Public Safety (Oppose)

HB 1211 (Abbott) and **SB 1554** (Collins) are bills requiring a consolidated 911 call center integrated under the sheriff in every county in the state by July 1, 2029. The bills prohibit cities from opting out of the unified call center consolidation. The bill further mandates that all county-level first responders and other jurisdictions must participate in the unified call center in their service area. Although a sheriff may opt out of these requirements, a county would then be required to establish the unified call center and cities would be required to pay for the use and service of the unified call center on a pro rata basis based on population. The bills provide that when a 911 call is placed, the unit that is closest shall respond regardless of jurisdiction. (Wagoner)

Recovery Residences (Oppose)

HB 1163 (Owen) and **SB 954** (Gruters) update requirements for recovery residences and their administration. Specifically, the bills require counties and cities to allow the establishment of a recovery residence in all districts zoned for multi-family use, without any additional requirements. The bills provide that a Level IV recovery residence may be denied if the proposed location of the recovery residence is adjacent to a single-family residential development with at least 25 homes. Lastly, the bill requires cities and counties to reduce any local parking requirements by 50% for any recovery residence located within a quarter of a mile of a transit stop accessible from the residence. (Wagoner)

Services to Noncitizens (Monitor)

HB 1279 (Michael) and **SB 1498** (Ingolia) are bills restricting financial and employment services for unauthorized aliens, including penalties and verification requirements. The bills prohibit governmental entities from providing any form of

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down payment assistance for the purchase of residential property to a person who is not lawfully present in the United States. If a noncitizen is discovered to have received down payment assistance, the governmental entity shall initiate foreclosure proceedings if the noncitizen does not repay the down payment assistance. (Wagoner)

Victims of Domestic Violence and Dating Violence (Oppose)

HB 19 (Hinson) and **SB 240** (Berman) create the “Helping Abuse Victims Escape Now (HAVEN) Act,” providing a coordinating council created under the Department of Law Enforcement, which will oversee the development of a dynamic website for domestic and dating violence victims. Of concern to cities, the bills include a provision that preempts local governments from enacting or enforcing regulations that conflict with the creation and implementation of the HAVEN Act. The bills specify that any local laws, rules, or regulations related to matters covered by the HAVEN Act, such as the operation of the dynamic website and related victim services, are superseded by this state law. (Wagoner)

Violation of State Immigration Law (Monitor)

HB 1491 (Jacques) requires the Florida Department of Law Enforcement to impose a \$10,000 fine against local governments and law enforcement agencies that fail to comply with state immigration enforcement requirements. The funds collected from the fines will compensate victims of crimes committed by unauthorized aliens. The bill creates a cause of action for a wrongful death caused by an unauthorized alien if the local government entity or law enforcement agency’s sanctuary policy in violation of state law contributed to the death. Lastly, the bill waives all sovereign immunity for tort cases brought under the new law. (Wagoner)

Other Bills of Interest

HB 65 (Hunschofsky) and **SB 252** (Polsky) – Sale, Transfer, and Storage of Firearms
SB 88 (Wright) and **HB 221** (Gentry) – Utility Terrain Vehicles

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CS/HB 113 (Chamberlin) and **SB 468** (Collins) – Fleeing or Attempting to Elude a Law Enforcement Officer

CS/SB 164 (Rodriguez) and **HB 1149** (Basabe) – Vessel Accountability

HB 175 (Baker) and **SB 234** (Leek) – Criminal Offenses Against Law Enforcement Officers and Other Personnel

SB 188 (Berman) – Possession or Use of a Firearm at a Sensitive Location

SB 210 (Harrell) – Animal Cremation

SB 214 (Polsky) and **HB 259** (Gerwig) – Special Observances

SB 245 (Baker) – Immigration Enforcement Assistance Agreements

SB 268 (Jones) and **SB 789** (Valdes) – Public Records/Public Officers

HB 317 (Fabricio) and **SB 516** (Collins) – Complaints Against Law Enforcement and Correctional Officers

HB 413 (Gossett-Seidman) and **SB 568** (Rodriguez) – Swimming Safety

HB 491 (Miller) and **SB 562** (Ingoglia) – Use of Artificial Intelligence to Detect Firearms

SB 500 (Avila) and **HB 711** (Borrero) – Spectrum Alert

SB 568 (Rodriguez) and **HB 413** (Gossett-Seidman) – Swimming Safety

HB 598 (Collins) and **HB 917** (Yarkosky) – Enhanced Firearms Training Facilities

SB 692 (Osgood) – The Swimming Lesson Voucher Program

HB 857 (Kincart Jackson) and **SB 1386** (Yarborough) – Assault and Battery on a Utility Worker

SB 1042 (Martin) – Interfering with an Officer's Means of Protection or Communication

HB 1371 (Nix) and **HB 1444** (Collins) – Criminal Justice

HB 1487 (Basabe) and **SB 1644** (Rodriguez) – Emergency Services

SB 1824 (Martin) and **HB 779** (Bankson) – Fleeing or Attempting to Elude a Law Enforcement Officer

RESILIENCY

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Resilience Districts (Monitor)

SB 1316 (Grall) creates a process for establishing infrastructure and condominium resilience districts in Florida to support local governments' efforts to mitigate the risk of sea-level rise and increased flooding. The bill defines several relevant terms to support the formation of these citizen-initiated financing districts that are intended to address infrastructure and resilience problems. The bill sets boundaries for resilience districts, defines their acceptable uses, and includes provisions for project management fees. While the bill creates a framework for a condominium resilience district to be established, it requires counties to develop a process to receive their petition and provides counties the sole authority to approve or deny such petitions.

If a local government acts as project manager for an infrastructure resilience district, the bill authorizes the local government to receive a project management fee of up to 5% of the total cost of design and construction. The bill establishes conditions for local government review and approval of a resilience district. The bill imposes additional obligations on local governments that deny a petition to establish a district based on specific factors that require the local government to work with the petitioner to remedy and fail to do so. Additional obligations include but are not limited to a requirement that the local government fund and implement a proposed resiliency project instead of the district. If a proposed district is identical to or shares more than 90% of the geography of any existing special taxing district that serves a similar function, the bill requires dissolution of the special taxing district and reconstitution as a resilience district, with all existing funds serving the special taxing district transferred to the resilience district. Additionally, the bill prescribes the composition and responsibilities of district boards and establishes financial transparency measures. (Singer)

Other Bills of Interest

HB 143 (Barnaby) and **CS/SB 62** (Rodriguez) – Resilient Buildings

HB 1345 (LaMarca) – Infrastructure and Resiliency

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SB 1580 (Rodriguez) – Resilience Planning

RETIREMENT/PENSIONS ISSUES

Cost-of-living Adjustment of Retirement Benefits (Monitor)

HB 945 (Blanco) and **SB 1126** (Rodriguez) propose to adjust the calculation of cost-of-living adjustments (COLA) for retirees in the Florida Retirement System (FRS). The bills provide for persons to receive a 2% minimum COLA if they retire on or before July 1, 2025. A new methodology is also included for persons who have never received a COLA, as well as those retirees who previously have received a COLA. (Chapman)

Other Bills of Interest

HB 965 (Holcomb) and **SB 684** (Avila) – Credit for Military Service

REVENUES AND BUDGETING

Red Light Camera Fines – First Responders (Monitor)

HB 1591 (Daley) and **SB 1750** (Arrington) increase red light camera violation fines from \$158 to \$168 and redirect a larger portion of the revenue to the renamed First Responders Emergency Medical Services Trust Fund to support first responder mental health programs. Local government revenue from each red light camera ticket is reduced from \$75 to \$45. The First Responders Emergency Medical Services Trust Fund receives \$20 per ticket, doubling the current allocation of \$10. State General Revenue receives \$100 per ticket, an increase from \$70. (Chapman)

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**Volume 51, Issue 6: March 14, 2025****Unrated Bonds (Monitor)**

CS/HB 669 (Gossett-Seidman) and **SB 1674** (Fine) amends local government investment policies not to prohibit a minimum bond rating for bonds when considering financing options. CS/HB 669 was amended to clarify that the bill only applies to unrated bonds explicitly authorized by law. (Chapman)

Other Bills of Interest

HB 173 (Brackett) – Interest on Trust Accounts Program Interest Rates

SB 388 (Rodriguez) – Trust Funds for Wildlife Management

SB 590 (Leek) and **HB 529** (Anderson) – State Board of Administration

SB 550 (Gruters) and **HB 487** (Barnaby) – Investments of Public Funds in Bitcoin

HB 959 (Nixon) – Trust Fund/Creation/Emergency Residential Property Insurance Assistance Trust Funds/DFS

SB 1158 (Jones) and **HB 1331** (Aristide) – Working Floridian Tax Rebate Program

SB 1244 (Calatayud) and **HB 1377** (Spencer) – Research and Development Tax Credit

SB 1260 (Yarborough) – County Constitutional Officer Budget Processes

SB 1320 (Rodriguez) – Resilient Florida Trust Fund/Department of Environmental Protection

IAS1 (Intergovernmental Affairs Sub-Committee) – County Constitutional Officer Budget Processes

SOLID WASTE**Auxiliary Containers, Wrappings, and Disposable Plastic Bags (Support)**

HB 6023 (Bartleman) and **SB 836** (Smith, C.) repeal the state preemption on local regulation of auxiliary containers, wrapping, or disposable plastic bags. (Singer)

Comprehensive Waste Reduction and Recycling Plan (Support)

HB 295 (Casello) and **SB 200** (Berman) mandate the Department of Environmental Protection (DEP) to develop a comprehensive waste reduction and recycling plan by

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July 1, 2026. Of interest to municipalities, the bills require the Department to include a three-year plan to implement strategies providing recycling assistance to local governments. (Singer)

Municipal Solid Waste-to-Energy Program (Monitor)

SB 962 (Davis) makes several changes to the Municipal Solid Waste-to-Energy Program including transferring oversight of the program from the Florida Department of Agriculture and Consumer Services to the Florida Department of Environmental Protection (DEP). Beginning on July 1, 2025, the bill mandates that DEP perform air quality and particulate matter measurements before providing financial assistance grant funding. Beginning on July 1, 2026, the bill mandates that DEP conduct an environmental justice evaluation process before providing incentive grant funding. (Singer)

Regulation of Auxiliary Containers (Oppose)

HB 565 (Blanco) and **SB 1822** (Martin) expand the existing preemption to expressly preempt the regulation of auxiliary containers (reusable or single-use bags, cans, cups, bottles, or other packaging) and delete a current law provision that requires the Department of Environmental Protection to review and update its 2010 report on retail bags and auxiliary containers. (Singer)

Storage and Disposal of Prescription Drugs and Sharps (Monitor)

HB 283 (Grow) and **SB 668** (Burgess) mandate that the Department of Health and Department of Environmental Protection partner to study the safe collection and proper disposal of sharps used for self-administering prescription drugs at home. Of interest to municipalities, the bills authorize the departments to work or contract with local governments that wish to participate in the study. (Singer)

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**Volume 51, Issue 6: March 14, 2025****Waste Facilities (Monitor)**

SB 946 (Rodriguez) and **HB 1199** (Gentry) prohibit local governments from permitting the following facility types to be located within two miles of the Everglades Protection Area, Everglades Construction Project, or specific water storage/conveyance structures: solid waste, municipal solid waste-to-energy, pyrolysis, solid waste disposal, and solid waste management facilities, as well as any incinerator. The bills preempt the permitting of such to the state, expressly superseding any local government regulation on these matters. (Singer)

Waste Incineration (Monitor)

SB 1008 (Avila) and **HB 1609** (Weinberger) prohibit local governments from issuing a construction permit for a new waste-to-energy facility or a solid waste disposal facility using an ash-producing incinerator if the proposed location is sited within a one-half-mile radius of any residential property, commercial property, or school. (Singer)

Other Bills of Interest

HB 1269 (Mayfield) and **SB 1630** (Harrell) – Electric Vehicle Battery Management

SPECIAL DISTRICTS**Other Bills of Interest**

SB 7002 (Senate Environment and Natural Resources) and **HB 1169** (Conerly) – Water Management Districts

HB 973 (Overdorf) and **SB 986** (Truenow) – Special Districts

HB 1369 (Johnson) – Agency Agreements Providing Financial Assistance to Special Districts

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STORMWATER

Sanitary and Storm Water System Standards (Oppose)

HB 739 (Grow) and **SB 1436** (McClain) require all sanitation and stormwater systems, including infrastructure like lateral and sewer pipes, to adhere to the state Department of Transportation's Standard Specifications for Road and Bridge Construction, specifically the sections on "Pipe Culverts" and "Pipe Liner." The bills also mandate that final inspections for such infrastructure be conducted by a licensed engineer, a general contractor, or an independent third party. The bills clarify that the standards prescribed superseded all existing and local standards in municipalities. (Singer)

Stormwater Management Systems (Oppose)

SB 810 (Burgess) mandates annual inspection of known stormwater works under normal and customary control of the municipality by June 1 of each year, beginning in 2026. The bill directs the Division of Emergency Management (DEM) to create a standardized form that a local official who completes such inspection must complete and sign before submitting to DEM. (Singer)

TELECOMMUNICATIONS

Other Bills of Interest

SB 344 (Rodriguez) and **HB 435** (Tant) – Telecommunications Access System Act of 1991

TORT LIABILITY

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Suits Against the Government (Oppose)

HB 301 (McFarland) and **SB 1570** (DiCeglie) increase 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. The bills raise these limits to \$1 million per person and \$3 million per incident for claims accruing between October 1, 2025, and October 1, 2030. After October 1, 2030, these limits will increase to \$1.1 million and \$3.2 million, respectively. The bills prohibit an insurance policy from conditioning the payout of a claim on the passage of a claims bill. The legislation allows a subdivision of the state to settle a claim above the statutory limits without the need for a claims bill, even if the payout exceeds insurance policy limits. The bills narrow the statute of limitation on negligence claims against government entities from four years to two years and the required pre-suit notice from three years to 18 months. (Cruz)

Other Bills of Interest

SB 48 (Garcia) and **HB 1375** (Basabe) – Judicial Sales Procedures

HB 213 (Gossett-Seidman) and **SB 322** (Rodriguez) – Unlawful Actions Concerning Real Property

SB 734 (Yarborough) and **HB 6017** (Trabulsy) – Actions for Recovery of Damages for Wrongful Death

SB 1534 (Collins) – Litigation Financing

HB 1387 (Persons-Mulicka) and **SB 1766** (Ingoglia) – Public Employees Relations Commission

SB 1776 (McClain) and **HB 1601** (Johnson) – Employee Rights and Labor Regulations

TRANSPORTATION**Utility Relocation (Monitor)**

HB 703 (W. Robinson) and **SB 818** (McClain) revise a utility owner's responsibilities after receiving written notice that the authority has found a utility placed upon,

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under, over, or within the rights-of-way limits of any public road or publicly owned rail corridor to be unreasonably interfering with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion of such public road or publicly owned rail corridor.

The bills require a utility owner to provide a relocation schedule within 30 days of receiving such notice and to initiate the work necessary within 60 days. The bills will also require rather than allow utility owners to perform relocation work necessitated by a federally funded highway or rail project and will require the State to fund it. The bills make other currently allowable funding mechanisms to be required if a utility was installed solely to serve the authority and relocated to enhance vehicular, bicycle, or pedestrian safety, then the authority must pay for its relocation. (Singer)

Department of Transportation (Monitor)

HB 567 (McFarland) and **SB 462** (DiCeglie) are comprehensive bills addressing the Florida Department of Transportation (FDOT). Notably for municipalities, the bills establish a new monthly distribution of six cents per kWh of electricity used at public electric vehicle charging stations to the State Transportation Trust Fund. This provision will be initially implemented in October 2025 and is set to end in June 2030. This section of the bill is supported by the Florida League of Cities as part of our 2025 Legislative Platform.

The bills also update the process for utility facility relocation within a right-of-way. They mandate that underground utilities placed, replaced, or relocated must be electronically detectable using FDOT-approved techniques. Additionally, utility owners will be financially responsible for:

- Failing to remove or refusing to remove or relocate a utility in a timely manner
- Any damage caused to existing infrastructure
- Roadway failures resulting from their utility facilities

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The bills require permits for new placements to be conditioned on the payment of these costs.

The bills define “as-built plans” to include all modifications made during construction and require them to document an agreed-upon depth. Utility owners must submit as-built plans with specific details within 20 business days after project completion. Reimbursement for any costs will be contingent upon submission.

The bills address facility relocation for federal interstate projects, requiring FDOT to determine whether reimbursement is in the public’s best interest and necessary to expedite construction. The bills allow reimbursement of up to 50% of relocation costs for municipally-owned utility facilities and 100% for those in a Rural Area of Opportunity after deducting any increase in facility value and salvage value.

The bills also set procedures for coordinating FDOT-funded projects that cannot be completed within 10 years. Utility owners must submit existing and proposed plans within 30 to 120 days of receiving preliminary FDOT plans. Failure to comply may result in penalties, including withholding payments, permit denials, or exclusion from relocation work. However, extensions are available for emergencies or uncontrollable delays. If the utility owner fails to initiate work after a final 10-day notice, FDOT may seek injunctive relief. The bills also establish mediation boards to resolve disputes and outline repayment timelines for damages owed to FDOT. (Singer)

Operating Motor Vehicles at Slow Speeds (Support)

HB 241 (Cross) and **CS/SB 350** (DiCeglie) create an exception to state law, allowing local ordinances to require drivers to reduce their speed on flooded or inundated streets to minimize wakes and waves that could further damage nearby homes. The exception also includes those operating a boat or any other conveyance. (Singer)

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**Volume 51, Issue 6: March 14, 2025****Traffic Infraction Enforcement (Support)**

HB 1275 (Michael) and **SB 812** (Calatayud) define a "railroad traffic infraction detector" as a system that detects vehicle movements at railroad crossings using radar or LiDAR to capture photographic or video evidence. The bills allow counties and municipalities to install these detectors with proper signage on roadways adjacent to at-grade railroad crossings with the owner's permission after enacting an ordinance authorizing its placement after considering safety risk assessments. The bills also allow the Florida Department of Transportation to install these when authorized by the local government having jurisdiction over or maintenance responsibility for the state road, street, or highway.

The bills provide procedures for issuing, disputing, and dismissing traffic citations related to detected infractions, including the provision of evidence to vehicle owners and the process for submitting an affidavit to contest citations.

The bills specify the penalty amounts to be assessed for violations and the distribution formula for collected funds. Distributions must be made weekly and are as follows: 60% shall be remitted to the Department of Revenue (DOR) for deposit into the General Revenue Fund, 30% shall be remitted to DOR for deposit into the Department of Transportation for Florida Operation Lifesaver, and 10% shall be distributed to the municipality in which the violation occurred. (Singer)

Transportation (Monitor)

HB 1397 (Abbott) and **SB 1662** (Collins) are comprehensive bills addressing transportation policy. Of note to municipalities, the bills direct the Department of Transportation (DOT) to begin on July 1, 2025, and each month thereafter, distributing \$6.25 million of sales tax to the State Transportation Trust Fund (STTF) to account for a portion of the impact of electric and hybrid vehicles on the state highway system. This section of the bill is supported by the Florida League of Cities as part of our 2025 Legislative Platform.

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The bills make several changes to statutes regulating airports. The bills require each airport to submit to DOT a comprehensive maintenance program report with several specific provisions that must be included. The bills also require an airport to retain all records of materials and equipment used for their maintenance and repair work. The bills provide DOT the authority to determine whether an airport failed to perform routine maintenance and to withhold state funds for any of the airport's capital expansion projects until such deficiencies are corrected. The bills redefine commercial airports to include those large, medium, small, and non-hub airports as classified by the Federal Aviation Administration. The bills adjust the existing statutory requirements that a commercial service airport post operating information on its website to extend that requirement for at least five years or for as long as the information is actively in use by the entity and revise the information that must be posted. The bills introduce a new requirement that commercial service airports must notify DOT within 48 hours of a federal directive or communication regarding public health testing or the transfer of unauthorized aliens. They also require notifying DOT as soon as reasonably possible but no later than 48 hours after incidents related to the safety of the public, potential breaches or security risks associated with cybersecurity, or other issues of statewide concern as defined by DOT.

The bills also define "air ambulance operation," requiring the DOT to develop policies for Advanced Air Mobility and to integrate it into statewide aviation planning. This includes designating a subject matter expert within the department to serve as a resource for local jurisdictions navigating advances in aviation technology.

The bills also include a requirement during a state of emergency for airports to provide DOT the opportunity to use any property that is not within the air navigation facility for the staging of equipment and personnel to support emergency preparedness and response operations at no cost.

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The bills revise the DOT's Small County Outreach Program statute to fund it annually to at least \$50 million from the STTF and to clarify the definition of "small county" for the purposes of the program to include:

- A municipality within a rural area of opportunity, which may compete for the additional project funding at up to 100% percent of project costs, excluding capacity improvement projects
- A local government within the Everglades Agricultural Area, Peace River Basin, or Suwannee River Basin, which may compete for the additional project funding at up to 100% percent of project costs on state or county roads used primarily as farm-to-market connections between agricultural areas and market distribution centers, excluding capacity improvement projects

The bills also prohibit DOT from expending any state funds to a public transit provider, regional transportation authority, expressway and bridge authority, Jacksonville transportation authority, public-use airport or port that supports a project or program that adopts or promotes energy policy goals inconsistent with state energy policy, or any intended or actual measures, obligations, targets, or timeframes related to the reduction in carbon dioxide emissions.

The bills revise the purpose and responsibilities of the Florida Seaport Transportation and Economic Development Council. The bills also revise the structure and responsibilities of the Jacksonville Transportation Authority. (Singer)

Personal Mobility Device Battery Safety Standards (Monitor)

HB 291 (Blanco) and **SB 410** (Rodriguez) establish mandatory battery safety standards for personal mobility devices. Of interest to municipalities, the bills instruct the Florida Department of Highway Safety and Motor Vehicles to coordinate with local governments to ensure compliance, including imposing fines and seizing non-compliant personal mobility devices. (Singer)

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**Volume 51, Issue 6: March 14, 2025****Other Bills of Interest**

HB 339 (Abbott) and **SB 320** (Gaetz) – Licensure Requirements for Surveyors and Mappers

SB 830 (Rodriguez) – Lost or Abandoned Property

HB 1285 (Mooney) – Disposition of Migrant Vessels

UTILITIES**Municipal Water and Sewer Utility Rates (Monitor)**

HB 11 (Robinson, F.) and **SB 202** (Jones) require a municipality that operates a water or sewer utility providing 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 imposes on customers within its own municipal boundaries. (O'Hara)

Utility Services (Oppose)

SB 1704 (Calatayud) and **HB 1523** (Busatta) cap municipal utility enterprise fund transfers and eliminate authority to impose a 25% surcharge for extraterritorial water and wastewater service.

Enterprise Fund Transfer Capped at 10%

A municipality that provides extraterritorial electric, gas, water, or wastewater utility services may not use more than 10% of the gross revenues generated from such services for general government functions. If any utility revenues generated from extraterritorial service remain after payment of the utility's costs to provide the services, these excess revenues must be either reinvested in the utility or returned to the extraterritorial customers.

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**Volume 51, Issue 6: March 14, 2025***Elimination of 25% Surcharge on Extraterritorial Water & Wastewater Service*

The bills eliminate current law authorization for a municipal water or wastewater utility to impose a surcharge of up to 25% on extraterritorial service. The bills retain current law authority for a municipal water or wastewater utility to charge the *same* rates, fees, and charges for extraterritorial services as consumers inside the municipal boundaries. The bills retain current law authority for such utilities to charge extraterritorial rates, fees, and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees, and charges for consumers inside the municipal boundaries, so long as such rates, fees, and charges do not exceed 25% of the total amount the municipality charges consumers served within the municipality for corresponding service.

If the municipal water or wastewater utility provides extraterritorial service to a separate municipality through use of a treatment plant located within the boundaries of that separate municipality, the rates, fees, and charges for consumers in the separate municipality cannot exceed the rates, fees, and charges imposed on consumers within its own municipal boundaries.

Additional Public Meetings and Reports Required

The bills require a new agreement, renewal, or material amendment of an existing agreement between a municipal utility (gas, electric, water, sewer) and another government for the provision of extraterritorial service by utility to be written. In addition, such agreement shall not become effective until an appointed representative of the utility, in conjunction with the governing body of each municipality and unincorporated areas served or to be served by the utility, has participated in a public meeting within each municipality and unincorporated area served or to be served. The purpose of the meeting is to provide information and solicit input on the utility's rates, fees, and charges, the services provided, and the extent to which revenue generated from the utility's services will be used to fund or finance nonutility government services or functions.

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The bills require a municipal utility representative and the governing body of a municipality or unincorporated area receiving service from the municipal utility to conduct an annual public customer meeting within each municipality and unincorporated area served for the purpose of soliciting public input on utility-related matters.

A municipal utility that provides extraterritorial service must provide an annual report to the Florida Public Service Commission that identifies the number and percentage of extraterritorial customers, the volume and percentage of sales to such customers and the gross revenues generated from such sales, and the difference between rates, fees, and charges for extraterritorial customers versus customers within the municipality's corporate limits. The bills direct the Commission to aggregate the information provided by the municipal utilities into an annual report to the Governor and Legislature.

Finally, the bills expand a current law preemption over the regulation of the types or fuel sources of energy production to include a preemption over any other board, agency, commission, authority, or political subdivision. (O'Hara)

WATER QUALITY/WASTEWATER

Advanced Wastewater Treatment (Support)

HB 861 (Cross) and **SB 978** (Berman) direct the Department of Environmental Protection (DEP) to collaborate with water management districts and wastewater facilities to submit a comprehensive report to the Legislature and Governor by December 31, 2025, detailing the condition, capacity, treatment levels, pollutant discharge, and environmental impact of sewage disposal facilities with a permitted capacity exceeding 1 million gallons per day. The report must include details on facility

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age, wastewater volume, pollutant concentrations, disposal methods, flood risk, and past spills to help prioritize upgrades and mitigation efforts.

The bills also direct DEP to submit a second report by December 31, 2026, establishing a priority ranking system for upgrading all sewage disposal facilities to advanced waste treatment by 2036. The report must evaluate projects based on environmental benefits, including water quality, algal blooms, fish and wildlife impacts, and spill risks. It must also assess potential pollutant reductions, necessary additional projects, cost-effectiveness, funding availability, and project readiness.

The bills also require DEP to submit a progress report by June 30, 2027, detailing the status of sewage facility upgrades identified in the priority ranking report. The report must list facilities required to upgrade to advanced wastewater treatment, provide preliminary cost estimates, outline projected timelines for construction and completion, and specify the expected start date for upgraded facility operations. (Singer)

Safe Waterways Act (Monitor)

HB 73 (Gossett-Seidman) and **SB 156** (Rodriguez) establish the Safe Waterways Act, requiring municipalities and counties to "immediately notify" the Department of Environmental Protection (DEP) of any incidents affecting the quality of beach waters or public bathing places. Public boat docks, marinas, and piers will also be required to immediately notify the jurisdictional municipality or county of any such incidents that may affect the quality of beach waters. The bills also require DEP to "immediately notify" the municipality or county where the affected beach waters or public bathing places are located upon issuing a health advisory. The bills specify that municipalities and counties will be responsible for posting and maintaining signage around the beaches and public bathing places they own, in accordance with DEP specifications, which must be placed at access points during health advisories until water quality

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standards are restored. The bills further expand a current preemption, giving the state exclusive authority over health advisories related to bacteriological sampling of beach waters and public bathing places. The bills also transfer responsibilities for bacteriological sampling of beach waters and public bathing places from the Department of Health to the DEP. DEP must adopt and enforce rules and issue health advisories for beach waters and public bathing places when bacteriological water sampling results fail to meet health standards. (Singer)

Sewer Collection Systems (Support)

HB 1123 (Cassel) and **SB 1784** (Pizzo) authorize municipalities to allocate revenue generated from their central sewage systems to fund the expansion of these systems. (Singer)

Springs Restoration (Support)

HB 691 (Connerly) and **SB 1228** (McClain) amend Florida statutes regulating the reuse of reclaimed water to allow wastewater facilities with approved plans to request incorporation of reclaimed water projects into their strategies for Outstanding Florida Springs recovery or prevention. The bills require the Department of Environmental Protection to approve the request if certain conditions are met. (Singer)

Other Bills of Interest

HB 1575 (Driskell) and **SB 1646** (Berman) – Water Quality Improvements

WATER SUPPLY/POLICY**One-Water Approach Toward the State's Water Supply (Support)**

HB 661 (Albert) and **SB 1846** (Truenow) are resolutions expressing the State of Florida's support of a One-Water approach toward this state's water supply. This concept is supported by the Florida League of Cities' 2025 Legislative Platform. One-Water is an emerging initiative seeking to manage all water, whether from the tap, a

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stream, a storm, an aquifer, or a sewer, in a collaborative, integrated, inclusive, and holistic manner to support the future growth of this state's water supply and avoid any projected shortages. (Singer)

WORKERS' COMPENSATION

Disability Presumptions for First Responders (Oppose)

SB 366 (Rodriguez) and **HB 269** (Black) seek to expand workers' compensation benefits for first responders. Under current law, law enforcement officers, correctional officers, correctional probation officers, and firefighters who become disabled due to tuberculosis, heart disease, or hypertension are presumed to have contracted the condition in the line of duty, making them eligible for workers' compensation. A recent ruling by the First District Court of Appeal determined that a thoracic aortic aneurysm does not qualify as "heart disease" under this presumption. In response, these bills expand the definition of "heart disease" to include most heart abnormalities, explicitly covering aneurysms. Additionally, the bills broaden the definition of "law enforcement officer" to include part-time and auxiliary officers, extending these presumption benefits to a larger group of first responders. (Cruz)

Other Bills of Interest

HB 1069 (Fabricio) and **SB 1426** (DiCeglie) – Occupational Injury Benefit Plans