

**Florida League of Cities Legislative Bill Summaries**  
**Volume 50 – Issue 01: October 2023**  
*(bill summaries are in order by subject area)*

**FINANCE & TAXATION**

**Ad Valorem Property Tax Exemption for the Surviving Spouse of Quadriplegics (Monitor)**

**HJR 53** (Tant) proposes an amendment to the constitution to authorize the Legislature to provide for a property tax exemption for the surviving spouse of a quadriplegic who was receiving a property tax exemption on real estate used and owned as a homestead at the time of their death. The constitutional amendment must be approved by at least 60% of electors at the November 2024 general election and will take effect on January 1, 2025. (Chapman)

**Tax Exemptions for Surviving Spouses of Quadriplegics (Monitor)**

**HB 55** (Tant) is the implementing bill for HJR 53 if it is voter-approved and would provide for a property tax exemption for the surviving spouse of a quadriplegic who was receiving a property tax exemption on real estate used and owned as a homestead at the time of their death. (Chapman)

**Other Bills of Interest**

**SB 58** (Stewart) – Sales Tax Holiday for Micromobility Vehicles and Related Personal Safety Equipment

**HB 113** (Maney) and **SB 216** (Hooper) – Tax Collections and Sales

**HB 171** (Daniels) – Homestead Exemptions for Totally and Permanently Disabled First Responders

**SB 172** (Polsky) – Verification of Eligibility for Homestead Exemption

**SB 218** (Wright) – Property Tax Exemption for Surviving Spouses of Veterans

**SB 102** (Jones) – Property Insurance

**HOUSING**

**Other Bills of Interest**

**HB 31** (Edmonds) and **SB 64** (Osgood) – Landlords and Tenants

**LAND USE & COMPREHENSIVE PLANNING**

**Other Bills of Interest**

**HB 119** (Melo) and **SB 188** (Brodeur) – Trespass on Commercial Agricultural Property

**OTHER**

**Price Controls (Support)**

**SB 110** (Jones) would repeal the preemption of city and county ordinances and rules imposing price controls on rent or other lawful business activity. (Chapman)

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

**SB 166** (Polsky) creates the Medical Marijuana Public Employee Protection Act. The bill would prohibit a public employer from taking adverse personnel actions against an employee or job applicant who is a qualified patient for their use of medical marijuana unless that use is impairing the employee's ability to perform their job duties or responsibilities. (Chapman)

**Towing and Storage (Monitor)**

**HB 179** (Bell), **SB 202** (Rodriguez) and **HB 213** (Smith) make changes related to towing-storage operator practices, including allowable fees, payment acceptance, lien requirements, sale of unclaimed vehicles and record retention. Specifically, the bills share the following provisions:

- Reduce the timeframe in which a towing-storage operator must send the notice of lien from seven to four business days, and reduce storage charges that may be charged if a lienor fails to provide this notice.
- Provide that a towing-storage operator may only charge certain fees.
- Require towing-storage operators to accept specified forms of payment.
- Increase the timeframe an unclaimed vehicle or vessel three years of age or newer may be sold by a lienor from 50 days to 65 days from the storage date, and require the notice of lien must not be sent less than 60 days before the sale.
- Increase the timeframe for the public notice requirement related to sale on an unclaimed vehicle by a towing-storage operator from ten days to twenty days before the sale.
- Require a towing-storage operator to make a towed vehicle available for inspection during normal business hours within 30 minutes after arrival at a storage facility.
- Require a towing-storage operator to accept electronic titles as well as paper titles as evidence of a person's interest in a vehicle or vessel.
- Require a towing-storage operator to retain records of all vehicles and vessels recovered, towed or stored; all notice publications and certified mailings; and fees for at least three years.
- Provide that foreclosing a storage lien on a vehicle or vessel must be through the process as opposed to the warehouse lien and landlord and tenant statutes.
- Create notice and bond requirements for foreclosure of storage liens on vehicles or vessels held by self-storage facilities.

**HB 179** differs from **SB 202**, where it prohibits the Florida Highway Patrol from excluding a wrecker operator from its wrecker operator system based solely on a prior felony conviction, unless such conviction is for a specified felony offense.

**SB 202** and **HB 213** differ from **HB 179**, where it preempts any county or municipal charter, ordinance, resolution, regulation or rule that imposes a requirement upon a towing-storage operator more stringent than those within this legislation. (Chapman)

### **Other Bills of Interest**

**HB 15** (Rudman) – Contracts for Live Entertainment

**SB 40** (Stewart) – Review of Employment Contracts

**HB 175** (Benjamin) – Judgement Liens

**HB 109** (Andrade) – Conversion Charter Schools

**HB 35** (Rudman) and **SB 106** (Jones) – Acceptance of Cash Payments by Businesses

**HB 141** (Abbott) and **SB 196** (Simon) – Regional Rural Development Grants Program

**HB 173** (Daniels) – Not-for-profit Corporations that Operate Residential Homeowners' Associations

**HB 177** (Andrade) and **SB 204** (Brodeur) – Competition for the Sale of Event Tickets

**HB 189** (Salzman) – Gambling

### **PERSONNEL**

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

**HB 151** (Busatta Cabrera) creates an unfunded mandate for government entities that provide retirement benefits through the Florida Retirement System (FRS). Beginning on July 1, 2024, the cost-of-living benefit of each retiree and annuitant shall be adjusted without a requirement for the Legislature enacting sufficient funding. (Chapman)

#### **Mental Health Crisis Intervention Training for Law Enforcement Officers (Monitor)**

**HB 195** (Chambliss) requires the Criminal Justice Standards and Training Commission to consult with a national organization with expertise in mental health crisis intervention to establish minimum standards for basic skills and continued education training for law enforcement officers by July 1, 2025. (Cruz)

### **PUBLIC RECORDS & PUBLIC MEETINGS**

#### **Governing Body Meetings (Support)**

**HB 157** (Caruso) would allow local governments to meet and conduct official business via teleconferencing or other technological means, no more than two times per calendar year, as long as the meetings meet all of the requirements for public notice, public access and public participation. The bill does specify that meetings that include formal action on ordinances or are quasi-judicial hearings may not be conducted via teleconferencing or other technological means. (Cruz)

#### **Public Records/Current and Former County and City Attorneys (Support)**

**HB 103** (Arrington) creates a public records exemption for the personal identifying and location information of current county and city attorneys and assistant/deputy county and city attorneys, as well as information regarding the spouses and children of those attorneys. (Cruz)

### **Other Bills of Interest**

**HB 191** (Brackett) – Town of Orchid, Indian River County

## **PUBLIC SAFETY**

### **Employment and Curfew of Minors (Monitor)**

**HB 49** (Chaney) makes changes to the employment restrictions for minors. Under the bill, minors 16 and 17 years of age will now be permitted to work the same number of hours as a person 18 years of age or older. The bill would also prohibit local governments from adopting or enforcing curfews on minors that are more stringent than those listed within the bill. (Cruz)

### **Impeding, Provoking or Harassing First Responders (Support)**

**HB 75** (Rizo) and **SB 184** (Avila) would make it unlawful for any person, after receiving a warning from a first responder not to approach, to violate such warning and approach or remain within 20 feet of a first responder who is engaged in the lawful performance of any legal or emergent duty, with the intent to: 1. Interrupt, disrupt, hinder, impede or interfere with the first responder's ability to perform such duty; 2. Provoke a physical response from the first responder; or 3. Directly or indirectly harass the first responder or make so much noise that a first responder is prevented from performing their official duties or providing medical aid. **SB 184** specifies that peaceful recording or observation is not harassment. (Chapman)

### **Possession or Use of a Firearm in a Sensitive Location (Support)**

**SB 130** (Berman) and **HB 209** (Rayner) would prohibit the possession or use of a firearm in "sensitive locations." The bills define a sensitive location as numerous public facilities including but not limited to buildings or facilities owned, leased or operated by government entities, including public transportation. (Cruz)

### **Other Bills of Interest**

**HB 27** (Benjamin) – Citizen's Arrest

**SB 96** (Jones) – Use of Threatened Use of Force

**SB 98** (Jones) – Community Violence Task Force

**SB 100** (Jones) – Pregnant Woman in Custody

**HB 145** (Daley) and **SB 180** (Polsky) – Sales of Ammunition

**HB 155** (Daley) and **SB 182** (Polsky) – Pub Rec./Sales of Ammunition

**SB 176** (Polsky) – Sale, Transfer, and Storage of Firearms

**HB 123** (Chambliss) – Child Water Safety Requirements

## **TORT LIABILITY**

### **Other Bills of Interest**

**SB 170** (Polsky) – Legal Representation Contracts

## **TRANSPORTATION**

### **Electric and Hybrid Vehicle License Fees (Support)**

**HB 107** (Esposito) and **SB 28** (Hooper) increase the annual fees required for electric and hybrid vehicles. Beginning January 1, 2029, the annual fee for electric vehicles would increase from \$200 to \$250, and the annual fee for hybrid vehicles would increase from \$50 to \$100. The bills specify that 64% of the proceeds be deposited into the State Transportation Trust Fund, and 36% must be allocated to the county where the vehicle is registered. Local governments can use these funds for transportation expenditures. The bills are set to Sunset on June 30, 2034. (Branch)

## **UTILITIES & NATURAL RESOURCES**

### **Comprehensive Waste Reduction and Recycling Plan (Support)**

**SB 36** (Stewart) requires the Department of Environmental Protection to develop a comprehensive waste reduction and recycling plan by July 2025, based on recommendations from the Department's 2020 75% Recycling Goal Final Report. The bill also requires the Department to convene a technical assistance group to help develop the plan. The plan must include the following: recycling goals based on sustainable materials management and waste diversion; a 30-year plan to implement strategies relating to recycling education and outreach; local government recycling assistance; and recycling materials market development. The bill requires the Department to submit a report and recommendations to the Legislature following completion of the plan. (O'Hara)

### **Construction Materials Mining Activities (Monitor)**

**SB 198** (Avila) specifies a ground vibration limit for construction materials mining activities within 1 mile of residentially zoned areas, which may not exceed .15 inches per second. It authorizes the State Fire Marshal to modify the standards, limits and regulations for the use of explosives in connection with construction materials mining activities within 1 mile of residentially zoned areas, which may include the temporary cessation of blasting. (O'Hara)

### **Dredging and Beach Restoration Projects (Monitor)**

**HB 163** (Gossett-Seidman) directs the Department of Environmental Protection to require, as a condition of a permit issued for the maintenance dredging of deepwater ports and for beach restoration projects, that any adverse impact analysis conducted for the activity be conducted by an independent contractor selected by the local government and in a manner prescribed by the Department. The bill specifies the independent contractor may not be associated with certain projects for one year prior and for one year after commencing the impact analysis. The bill also requires a local government to provide notice of its intent to conduct an analysis to adjacent local governments that may be affected by the activity. The bill's requirements do not apply to any port dredging currently permitted or maintained by the U.S. Army Corps of Engineers. The bill specifies fines for violations of its requirements. (O'Hara)

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

**HB 47** (Robinson, F.) and **SB 104** (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)

### **Safe Waterways Act (Monitor)**

**HB 165** (Gossett-Seidman) requires the Department of Health to adopt and enforce certain rules and issue health advisories for beach waters and public bathing places if the results of bacteriological water sampling at the site fail to meet health standards. The bill also expands the current law preemption of the issuance of health advisories related to bacteriological sampling of beach waters to include public bathing places. The bill specifies that beach waters and public bathing places must close if closure is necessary to protect health and safety and must remain closed until the water quality is restored in accordance with the Department's standards. The bill requires the Department to adopt by rule specifications for signage that must be used when it issues a health advisory against swimming in affected beach waters or public bathing places due to elevated levels of specified bacteria and requires such signage to be placed at beach access points and access points to public bathing places until the health advisory is removed. The bill specifies that municipalities and counties are responsible for posting and maintaining the signage around beaches and public bathing places they own. Finally, the bill requires the Department to develop an interagency database for reporting fecal indicator bacteria data and specify that fecal indicator bacteria relating to sampled beach waters and public bathing places must be published in the database within five business days after receipt of the data. (O'Hara)

### **State Renewable Energy Goals (Monitor)**

**SB 144** (Berman) and **HB 193** (Eskamani) amend multiple provisions of law relating to renewable energy. The bills prohibit the drilling, exploration for or the production of oil, gas or other petroleum products on the lands and waters of the state. The bills provide that by 2050, 100% of the electricity used in the state will be generated from 100% renewable energy and that by 2051, the state will have net zero carbon emissions. The bills direct the Office of Energy within the Department of Agriculture and Consumer Services to coordinate with state, regional and local entities to develop a unified statewide renewable energy plan. (O'Hara)

### **Trees on Residential Property (Support)**

**SB 122** (Stewart) repeals a state law preemption of local government regulation of tree pruning, trimming or removal on residential property. (O'Hara)

### **Other Bills of Interest**

**SB 192** (Garcia, I.) – Anchoring of Vessels in Anchoring Limitation Areas (Biscayne Bay)