

Florida League of Cities Legislative Bill Summaries
Volume 50 – Issue 10: February 16, 2024

01-SPOTLIGHT BILLS

Alternate Mobility Funding Systems (Support)

CS/HB 479 (Robinson, W.) and **SB 688** (Martin) revise and provide additional guidance concerning the use of mobility plans and the collection of mobility fees. The bills provide definitions for “mobility fee” and “mobility plan” to be used within the Community Planning Act. The bills prohibit local governments from charging for transportation impacts if they are not the local government that is issuing a building permit, require that local governments collect for extra jurisdictional impacts if they are issuing building permits and prohibit local governments from assessing multiple charges for the same transportation impact. Concerning impact fees, the bills provide that local governments adopting and collecting impact fees by ordinance or resolution must use localized data available within the previous 12 months of adoption for the local government’s calculation of impact fees. (Cruz)

Annual Inflation Adjustment to Homestead Exemption (Oppose)

CS/HJR 7017 (Buchanan) proposes an amendment to the constitution to authorize the Legislature to require an annual adjustment to the value of certain homestead exemptions. 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. CS/HB HJR 7017 was amended to clarify that the annual inflation adjustment to the \$25,000 exemption on assessed value for all levies, other than school district levies, and any future similar exemptions added to the constitution must be adjusted only when the inflation growth is positive. (Chapman)

Increased Homestead Property Tax Exemption (Oppose)

HJR 7015 (Buchanan) proposes an amendment to the constitution to authorize the Legislature to increase the maximum amount of the exemption on homestead property from a maximum amount of \$25,000 to a maximum amount of \$50,000, for homestead property with an assessed value greater than \$50,000. 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)

Land Use and Development Regulations (Oppose)

SB 1184 (Ingoglia) and **CS/CS/HB 1221** (McClain) are comprehensive bills relating to land use and development regulations. The bills amend various regulations relating to comprehensive plans. The bill would restrict optional elements of a comprehensive plan from containing a policy restricting density and intensity. The bills amend definitions of intensity, density, urban service area and urban sprawl to promote the construction of additional single-family, two-family and fee simple townhomes. The bills require local governments to adopt minimum lot sizes with single-family, two-family and fee simple townhouse zoning districts to accommodate

the maximum density authorized in the comprehensive plan. The bills require local governments to adopt infill redevelopment regulations to administratively approve the development of infill single-family, two-family and fee simple townhouses. HB 1221 also contains a provision that would require the automatic rezoning of agricultural land for single family housing in certain circumstances. This provision is not found in SB 1184. **CS/CS/HB 1221** has been significantly amended in committee. Relevant to municipal operation, the amendments inserted a provision that preempts local regulation relating to the building of new self-storage facilities and removed provisions related to the rezoning of agricultural enclaves. The bill was amended further to permit a final order or decision by a municipally established historic preservation board or commission to be appealed to the board of county commissioners. (Cruz)

Local Business Taxes (Oppose)

CS/CS/HB 609 (Botana) and **SB 1144** (DiCeglie) would repeal local governments' ability to levy a local business tax (LBT). CS/HB 609 was amended to no longer repeal the LBT. However, the amount of revenue generated from the collection of the LBT is being capped using fiscal year 23/24 as the base year. Local governments may not generate more revenue in any year moving forward above the base year of 23/24. Rates for the fees may be lowered, but not increased. CS/CS/HB 609 was amended to not apply to fiscally constrained counties or a municipality located in a fiscally constrained county. (Chapman)

Local Government Actions (Oppose)

CS/SB 1628 (Collins) and **CS/HB 1547** (McClure) revise exemptions from the application of SB 170, relating to local ordinances and business impact estimates, passed in the 2023 Legislative Session. The bills eliminate exemptions for ordinances adopted pursuant to Section 163, Part II, except for development orders, permits and agreements. Consequently, ordinances adopting land development regulations, comprehensive plan amendments and zoning changes are no longer exempt from the ordinance suspension and business impact requirements in current law. (O'Hara)

Municipal Utilities (Oppose)

CS/CS/HB 1277 (Busatta Cabrera) and **SB 1510** (Brodeur) impose restrictions on the use of municipal water, wastewater, gas or electric utility revenues to fund general government services and impose restrictions on the imposition of water and wastewater extraterritorial surcharges. CS/CS/HB 1277 requires interlocal agreements for extraterritorial utility service (gas, electric, water and wastewater) to be written and provides that such agreements may not become effective until the provider municipality holds a joint public meeting with the governing body of the recipient jurisdiction. In addition, the bill requires a joint annual customer meeting between the providing municipality and the recipient jurisdictions' governing bodies for the purpose of obtaining public input on utility matters. CS/CS/HB 1277 imposes a 10% cap of gross utility revenues on any utility enterprise fund transfers to the general fund. Beginning November 2024, municipal utilities providing extraterritorial services are required to submit an annual report to the Public Service Commission with information about the scope and nature of

the services. Beginning January 2025, the Public Service Commission is required to aggregate the information submitted by municipal utilities and provide an annual report to the Legislature. SB 1510 specifies that the portion of utility revenues transferred to the general fund may not exceed the transfer rates specified in the bill. The specified transfer rates are based on the average midpoints of the rates of return on equity approved by the Public Service Commission for investor-owned utilities. The bill requires further reductions in the allowable transfer rate based on the percentage of the utility's retail customers located outside the municipality's boundaries. The bill further specifies that these reductions do not apply if the utility service is governed by a utility authority board that, through the election of voting members from outside the municipal boundaries, provides for proportionate representation of customers located outside the municipal boundaries. With respect to extraterritorial surcharges, CS/CS/HB 1277 and SB 1510 eliminate the first 25% extraterritorial surcharge that may be imposed without a public hearing. The bills eliminate the second 25% surcharge that may be imposed after a public hearing. In addition, the bills provide that rates, fees and charges that may be imposed on extraterritorial customers shall not exceed 25% (reduced from the 50% allowed under current law) of the total amount the municipality charges customers served within the municipality for corresponding service. The effective date of the bills is July 2025. (O'Hara)

Residential Building Permits (Oppose)

CS/CS/CS/HB 267 (Esposito) and **CS/SB 684** (DiCeglie) are comprehensive building permit bills. Of concern to cities, the bills do the following:

Expedited Approval of Residential Permits for Large Scale Developments

Only in CS/SB 684:

- Require municipalities with a population of 30,000 or more to create a program to expedite the process of issuing building permits for residential subdivisions by August 15, 2024.
- Create a two-step application process that would include the adoption of a preliminary plat and a final plat in order to expedite the issuance of building permits.
- Allow cities to work with the appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in the application.
- Requires applicants to have a performance bond for up to 120%.
- Require applicants to indemnify local governments that issue the permit.
- Specifies that upon an applicant's request, a local government must issue no less than 50% of the permits for dwellings to be built.

Shorten Timeframes for Building Permits (applies to all municipalities)

- CS/CS/CS/HB 267 was amended to remove the requirement for the local jurisdiction to reduce the permit fee by 75% if an owner retains a private provider. SB 684 maintains this provision.

Only in CS/CS/CS/HB 267:

- Requires a local government to:
 - Determine if a building permit application is complete within five business days of receiving the application, previously set at 10 days.
 - Determine if a building permit application is sufficient within 10 business days of receiving a completed application, previously set at 45 days.
 - Approve, approve with conditions, or deny a complete and sufficient permit application within the following timeframes:
 - 30 business days for applicants using local government review, previously set at 120 days;
 - 15 business days for applicants using a private provider, previously set at 120 days; and
 - 10 business days for applicants for a permit under an already-approved master plan permit, previously set at 120 days.
 - 60 business days for applicants for a multifamily project; previously set at 120 days.
 - Review a completed application for sufficiency within 10 business days.
 - Provide an opportunity for a virtual meeting, instead of just an in-person meeting, before a second request for additional information may be made.
- Reduce the number of times a municipality can ask an applicant for additional information.
- Allow an application to be “deemed” approved if municipalities fail to meet any of the timeframes.
- Prohibits the local government from requiring a waiver of the timeframes as a condition to review the application for a building permit.

Alternative Plans Review and Inspection by a licensed professional engineer or architect:

- Specifies a timeframe of 10 business days for local building officials to issue permits or provide written notices regarding plan deficiencies.
- If the local building official does not provide specific written notice to the permit applicant within the prescribed 10-day period, the permit application is deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day.

Only in CS/SB 684:

- Requires a local government to:
 - A local government must approve, approve with conditions, or deny a building permit application after receipt of a completed and sufficient application within the following timeframes, unless the applicant waives such timeframes in writing:
 - 30 business days residential permits under 7,500 square feet
 - 60 business days residential associated permits over 7,500 square feet

- 60 business days signs or nonresidential less than 25,000 square feet
- 120 business days for multifamily residential not exceeding 50 units; site-plan approvals and subdivision plats not requiring public hearing or public notice; and lot grading and site alteration
- 15 business days for using a master building permit consistent with s. 553.794 to obtain a site-specific building permit
- 10 business days for a single-family residential dwelling who participates in a Community Development Block Grant–Disaster Recovery program
- Provides framework for responding to insufficient application within 10 business days. The curing process will provide 10 days for applicant to respond and final 10 days for local government approve or deny the permit.

Alternative Plans Review and Inspection by a licensed professional engineer or architect:

- Specifies a timeframe of 12 business days for local building officials to issue permits or provide written notices regarding plan deficiencies.
- If the local building official does not provide specific written notice to the permit applicant within the prescribed 12-day period, the permit application is deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day. (Branch)

Sovereign Immunity (Oppose)

CS/SB 472 (Brodeur) and **CS/CS/HB 569** (McFarland) 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. Both bills would increase the caps to \$400,000 per person and \$600,000 per incident. CS/HB 569 initially required caps to be adjusted annually on July 1 to reflect changes in the regional Consumer Price Index, but this was removed from CS/CS/HB 569 in committee, while CS/SB 472 was amended to require this adjustment to occur on July 1, 2029, and to occur every five years thereafter. The bills prohibit an insurance policy from conditioning the payout of a claim on the passage of a claims bill. Both bills allow a subdivision of the state to settle a claim above the statutory limits without the need for a claims bill. The bills narrow the statute of limitation on negligence claims against government entities from four years to two years. CS/SB 472 was amended to mirror the provision in CS/CS/HB 569 that lowers the required pre-suit notice from three years to 18 months. Both bills also abolish the common law doctrine of “home venue privilege” in relation to negligence suits against the state. The Senate bill allows the limitations of liability in effect on the date a final judgment is entered to apply to the claim. Therefore, allowing claims that occurred prior to implementation of these new limits to avail themselves to the increase in caps. On the other hand, the House bill was amended to apply the increased caps to apply to accidents that occur after the effective date of the bill, October 1, 2024. (Cruz)

Vacation Rentals (Oppose)

CS/SB 280 (DiCeglie) and **CS/HB 1537** (Griffitts) are comprehensive bills dealing with short-term rentals. Here is a brief description of how the bills are different:

CS/HB 1537:

- Pay a fee of no more than \$150 per unit for processing an individual registration application and a \$50 per unit yearly renewal. A local government may impose a \$300 fine for failure to register.
- State the maximum occupancy of the short-term rental based on the number of sleeping accommodations for persons staying in the short-term rental.
- Requires the responsible party to respond to a complaint or emergency by 9 a.m. the next calendar day.
- After five violations occur over a period of time, suspensions are set at 15 days, 30 days and 60 days, respectively.

CS/SB 280:

- Pay a “reasonable fee” per unit for processing an individual registration application and renewal. A local government may impose a \$500 fine for failure to register.
- State the maximum occupancy of the short-term rental is no more than two people per room plus two, or at a minimum of 50 sq ft. per person.
- Display their individual registration number in a conspicuous location in the vacation rental.
- After five violations occur over a period of time, suspensions are set at 30 days, 60 days and 90 days, respectively.

Below are how the bills remain identical:

Impact on Local Governments

The bills maintain the current preemption on local governments from adopting zoning ordinances specific to short-term rentals as well as regulating the duration of stays and the frequency in which the properties are rented.

Local Registration Programs

The bills create a statewide process for the local registration of vacation rentals. Under the program, a local government has 15 days after receiving an application for registration to accept the application or issue a written notice specifying all deficiencies. Both parties may agree to extend the timeline. If a municipality does not accept or deny an application within that 15-day window, that application is deemed approved.

As a condition of registration, the local registration program may only require the owner or operator of a vacation rental to:

- Charge a reasonable fee for inspections to ensure compliance with the Florida Building and Fire Prevention Codes.

- Renew their registration no more than once per year per unit, unless the property has a change in ownership.
- Submit identifying information about the owner or the property manager and the short-term rental being registered.
- Obtain a license as a transient public lodging establishment by the Department of Business and Professional Regulation (DBPR).
- Obtain all required tax registration, receipts or certificates issued by the Department of Revenue, a county or a municipal government.
- Maintain all registration information on a continuing basis so it is current.
- Designate and maintain a property designee who can respond to complaints and other immediate problems related to the property, including being available by phone 24 hours a day, seven days a week.
- Pay in full all municipal or county code liens against the property being registered.

June 1, 2011, Grandfather Provision

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

Impact on Advertising Platforms and DBPR

Advertising platforms will now be required to:

- Collect and remit all required taxes.
- Require each person listing a property as a vacation rental to include in the advertisement the state license number and, if applicable, the local registration number. They will also be required to attest that the license and registration numbers are valid.
- By January 1, 2026, the advertising platform will be required to check and verify the license number of all listings with DBPR prior to posting the advertisement. Additionally, license numbers must be checked at the end of each calendar quarter with the department.
- Remove from public view an advertisement from their website within 15 business days after notification by DBPR in writing that a vacation rental fails to display a valid license number.
- Adopt an anti-discrimination policy.

Revocation/Denial of License

A local government may revoke or refuse to renew a vacation rental registration:

- An owner's vacation rental registration has been suspended three times.
- There is an unsatisfied municipal or county code lien, so long as the local government allows the owner at least 60 days before the termination to satisfy the lien.

- The premises and its owner are the subject of a final order or judgment directing the termination of the premises' use as a vacation rental. (Wagoner)

BUILDING CODE/CONSTRUCTION

Expedited Approval of Residential Building Permits (Oppose)

CS/HB 665 (McClain) and **CS/CS/CS/SB 812** (Ingoglia) are comprehensive bills dealing with the expedited approval of residential building permits. Of concern to municipalities, the bills do the following:

- Create a two-step application process that would include the adoption of a preliminary plat and a final plat in order to expedite the issuance of building permits.
- Applies to municipalities who have 25 acres more of contiguous land zoned for residential or agricultural purposes.
- Allow cities to work with the appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in the application.
- Requires municipalities to establish a registry of three qualified contractors to assist with plan review and processing.
- Require applicants to have a performance bond for up to 130%.
- Require applicants to indemnify local governments that issue the permit.
- Specify that upon an applicant's request, a local government must issue no less than 50% of the permits for dwellings to be built. (Chapman)

Public Works Projects (Oppose)

CS/SB 742 (Grall) and **CS/HB 705** (Shoaf) revise and expand the definition of "public works project" to include an activity that is paid using any local or state-appropriated funds. Under current law, this is defined as any state funds. Of concern to cities, the bills prohibit municipalities that contract for a public works project from requiring a contractor to do the following:

- Pay employees a predetermined amount of wages or prescribe any wage rate
- Provide employees a specified type, amount or rate of employee benefits
- Control, limit or expand staffing
- Recruit, train or hire employees from a designated, restricted or single source. (Branch)

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Use of Private Providers for Plans Review and Inspection (Monitor)

HB 579 (Griffitts) allows private providers the ability to handle plans review and inspection tasks. Of concerns to cities, the bill does the following:

- Defines "Private Provider Firm" as a business organization offering building code services to the public through licensed agents, including architects and engineers.

- Requires private provider firms to qualify as business organizations if using licensed architects and engineers.
- Allows building owners or their contractors to hire private providers for building code inspection services with a written contract.
- Permits fee owners to use private providers for plans review or building inspections, with the possibility of requiring both if plans review is chosen.
- Requires equal access to permitting and inspection documents for private providers, owners and contractors.
- Prohibits the local building official from conducting their own plans review or inspections if a private provider is hired.
- Specifies a timeframe of 12 business days for local building officials to issue permits or provide written notices regarding plan deficiencies.
- If the local building official does not provide specific written notice to the permit applicant within the prescribed 12-day period, the permit application is deemed approved as a matter of law, and the permit must be issued by the local building official on the next business day.
- Establishes a complaint process through the Department of Commerce for fee owners or contractors if local jurisdictions fail to reduce fees as required. (Branch)

Other Bills of Interest

SB 656 (DiCeglie) and **HB 149** (Alvarez) – Continuing Contracts

HB 1307 (Redondo) and **SB 1552** (Gruters) – Housing Developments

SB 1200 (Rodriguez) and **HB 1507** (Chambliss) – Enforcement of the Florida Building Code

HB 1297 (Mooney) and **SB 1456** (Rodriguez) – Affordable Housing in Areas of Critical State Concern

CYBERSECURITY

Artificial Intelligence (Monitor)

SB 972 (Gruters) creates the Artificial Intelligence Advisory Council within the Department of Management Services. The purpose of the Council is to study and monitor the development of artificial intelligence systems in state government and prepare a report due to the Legislature by July 1, 2025. The bill preempts a county or city or any political subdivision thereof from regulating the private and public use of artificial intelligence systems. (Wagoner)

Cybersecurity Incident Liability (Support)

CS/HB 473 (Giallombardo) and **CS/SB 658** (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 the current training and cybersecurity standards requirements under Section 282.3185, Florida Statutes. (Wagoner)

Cybersecurity (Monitor)

CS/CS/HB 1555 (Giallombardo) and **CS/SB 1662** (Collins) make several changes to the State Cybersecurity Act (Act). The bills revise the reporting timelines and requirements for the “Cybersecurity Operations Center,” adding additional requirements for the state chief information officer and the chief information security officer. CS/CS/HB 1555 requires the Cybersecurity Operations Center to immediately notify the Department of Law Enforcement and the state chief information officer of an incident. The state chief information officer will be required to notify the President of the Senate and the Speaker of the House. The bills require the Cybercrime Operations Center to notify the Cybercrime Office of the Department of Law Enforcement of any incidents, provide regular reports and provide aid to investigate the incident. The bills require the Cybersecurity Operations Center to provide a consolidated incident report to the Governor, the Attorney General and the Executive Director of the Department of Law Enforcement by the 30th day after the end of each quarter.

Local Government Incident Notification:

The bills require local governments to immediately notify the Cybercrime Office in the Department of Law Enforcement and the local sheriff who is responsible for receiving notification of a cybercrime incident in a local jurisdiction. Further, the bills require immediate notification to the state chief information security officer. Once a notification has been made to appropriate parties, the status and continued reporting updates are required to the local sheriff until there is no further risk to the public or other critical state systems. (Wagoner)

ETHICS & ELECTIONS

Artificial Intelligence Use in Political Advertising (Monitor)

HB 919 (Rizo) and **CS/SB 850** (DiCeglie) require political advertisements, electioneering communications or other miscellaneous advertisements to include a specified disclaimer if the advertisement or communication was created in whole or in part with the use of generative artificial intelligence and the generated content appears to depict a real person performing an action that did not actually occur. The bills subject a person who fails to include the disclaimer in an advertisement or communication to civil penalties. (O’Hara)

Ethics (Monitor)

CS/SB 7014 (Ethics and Elections Committee) and **CS/HB 1597** (Brackett) create timeframes for the completion of investigations of alleged ethics violations conducted by the Florida Commission on Ethics (Commission), modify financial disclosure requirements relating to disclosure of identifying information of a legal client and impose additional requirements on local government lobbyist disclosure requirements. With respect to financial disclosure, the bills provide that if disclosure of identifying information regarding a source of income will violate a legal confidentiality or privilege, a filer who is also an attorney may indicate the income source is a “legal client” without providing further information. The bills provide that if a local government has more stringent standards of conduct and disclosure for lobbyists, any noncriminal complaint procedure relating to such standards must: require a complaint be

written and signed under oath by the complainant; require a complaint be based on personal knowledge and information other than hearsay; prohibit initiation of a complaint or investigation by the governing body or any entity created to enforce the standards; and establish a process for the recovery of costs and attorney fees against a person found to have filed a complaint with malicious intent to injure the reputation of a public officer or employee or filed with knowledge the complaint contains false allegations or with reckless disregard for whether the complaint contains false allegations. In addition, the bills provide that terms of Commission members are limited to two terms total, rather than two successive terms. It adds candidates for public office to the categories of persons authorized to recover costs and attorney fees for defending against a maliciously filed ethics complaint. A complaint filed with the Commission must be based upon personal knowledge and information other than hearsay. The bills authorize an alleged violator to request a hearing before the Division of Administrative Hearings or to select an informal hearing with the Commission. Finally, the bills conform the maximum penalty (changing the penalty from \$10,000 to \$20,000) for a violation of the constitutional prohibition against lobbying by a public officer to the penalties authorized for violations of other ethics laws. (O'Hara)

Ballot Boxes (Monitor)

SB 190 (Garcia) and **HB 671** (Borrero) require a law enforcement officer to transport ballot boxes or ballot transfer containers from a supervisor of elections to a precinct and require that all ballot boxes and ballot transfer containers be supervised by a law enforcement officer at all times. The bills require all ballot boxes, ballots, ballot stubs, memoranda and papers relating to the tabulation of votes and proclamation of results under Section 102.071, Florida Statutes, to be transported by a law enforcement officer. (O'Hara)

Election Board Composition (Monitor)

SB 782 (Yarborough) amends Section 102.012, Florida Statutes, to require election boards to include at least one member from each of the two largest political parties in the state. (O'Hara)

Government Accountability (Monitor)

CS/CS/SB 734 (Ingoglia) and **CS/HB 735** (Andrade) impose restrictions on the renewal or extension of contracts for the chief executive officer of a municipality and the municipal general counsel; lobbyist registration requirements for lobbying counties, municipalities or special districts; and revise physical quorum requirements for public meetings. The bills prohibit a person from lobbying a county, municipality or special district unless he or she is registered with the Florida Commission on Ethics for lobbying the county, municipality or special district. The Commission is required to maintain a public database of persons registered to lobby a municipality, county or special district. The bills require a county, municipality or special district from knowingly authorizing a person who is not registered as a lobbyist with the Commission to lobby the county, municipality or special district. "Lobby" is defined as seeking, on behalf of another person or group, to influence a decision of the governing entity in an area of policy or procurement or in an attempt to obtain the goodwill of an official or employee of such entity. "Lobbyist" has the same meaning as in Section 112.3215(1). The bills authorize the Florida

Commission on Ethics to investigate violations of the registration requirements upon receipt of a sworn complaint alleging a violation of the lobbyist registration requirements. It directs the Commission to provide the county, municipality or special district with a report of its findings and recommendations and authorizes the chief executive officer of the county, municipality or special district to enforce the Commission's findings and recommendations. The bills preempt and supersede any ordinance or charter provision establishing a lobbyist registration program adopted before July 1, 2024. The bills prohibit public officers, public employees, a local government attorney or candidate for nomination or election from soliciting or accepting anything of value from a foreign country of concern. The bills prohibit the governing body of a municipality from renewing or extending the employment contract of a chief executive officer of the municipality during the eight months immediately preceding a general election for the mayor or for members of the governing body unless the renewal or extension is approved by a unanimous vote. In addition, the bills prohibit the governing body of a municipality from renewing or extending the employment contract of a municipal general counsel during the eight months immediately preceding a general election for mayor or for members of the governing body unless the renewal or extension is approved by a unanimous vote. (O'Hara)

Other Bills of Interest

HB 57 (Salzman) and **SB 438** (Ingoglia) – Term Limits for County Commissioners

SB 780 (Yarborough) and **HB 963** (Daniels) – Early Voting Sites

HB 281 (Arrington) and **SB 724** (Davis) – Candidate Qualifying

HB 1035 (Bracy Davis) and **SB 1522** (Thompson) – Elections

SB 326 (Ingoglia) – Term Limits

SB 1752 (Ingoglia) and **HB 1669** (Roth) – Elections

SB 1602 (Gruters) – Elections

FINANCE & TAXATION

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

HJR 53 (Tant) and **SJR 618** (Simon) propose 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)

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

SB 220 (Wright) and **HB 689** (Smith) expand the current ad valorem tax exemption for not-for-profit homes for the aged. The bills will allow a home for the aged owned by a separate entity that is owned by a not-for-profit corporation to also receive the exemption. (Chapman)

Annual Inflation Adjustment to Homestead Exemption (Oppose)

CS/HJR 7017 (Buchanan) proposes an amendment to the constitution to authorize the Legislature to require an annual adjustment to the value of certain homestead exemptions. 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. CS/HB HJR 7017 was amended to clarify that the annual inflation adjustment to the \$25,000 exemption on assessed value for all levies, other than school district levies, and any future similar exemptions added to the constitution must be adjusted only when the inflation growth is positive. (Chapman)

Child Care and Early Learning Providers (Oppose)

CS/HB 635 (McFarland) and **CS/CS/SB 820** (Grall) amend S 170.201 FS and provide an exemption for public and private preschools from specified special assessments levied by a municipality. CS/CS/SB820 was amended to clarify the language relevant to the calculation for the amount owed after tax credits were applied. (Chapman)

Homesteads (Oppose)

HJR 1103 (Caruso) and **SJR 1374** (Wright) propose an amendment to the constitution to authorize the Legislature to allow newly established homestead property to be assessed at less than just value if the property was previously assessed as non-homestead property and has not changed ownership and authorizing residency requirements for homestead exemptions. 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)

Homesteads – 2 (Oppose)

CS/HB 1105 (Caruso) and **SB 1376** (Wright) are the implementing bills for HJR 1103 (Caruso) and SJR 1374 (Wright) if it is voter-approved and would allow newly established homestead property to be assessed at less than just value if the property was previously assessed as non-homestead property and has not changed ownership and authorizing residency requirements for homestead exemptions. CS/HB 1105 was amended to afford property owners to rescind an application to seek homestead exemption on their property within a specified time frame. (Chapman)

Increased Homestead Property Tax Exemption -1 (Oppose)

CS/HB 7019 (Buchanan) is the implementing bill for HJR 7017 if it is voter-approved and would require an annual adjustment to the value of certain homestead exemptions. The bill would require that the Legislature appropriate funds to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties due to the annual positive inflation adjustment. (Chapman)

Increased Homestead Property Tax Exemption (Oppose)

HJR 7015 (Buchanan) proposes an amendment to the constitution to authorize the Legislature to increase the maximum amount of the exemption on homestead property from a maximum

amount of \$25,000 to a maximum amount of \$50,000, for homestead property with an assessed value greater than \$50,000. 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)

Limitation on Local Fees for Virtual Offices (Oppose)

HB 503 (Fabricio) and **SB 578** (Ingoglia) would prohibit a local government from imposing, levying or collecting certain fees relating to the utilization of a virtual office. (Chapman)

Local Business Taxes (Oppose)

CS/CS/HB 609 (Botana) and **SB 1144** (DiCeglie) would repeal local governments' ability to levy a local business tax (LBT). CS/HB 609 was amended to no longer repeal the LBT. However, the amount of revenue generated from the collection of the LBT is being capped using fiscal year 23/24 as the base year. Local governments may not generate more revenue in any year moving forward above the base year of 23/24. Rates for the fees may be lowered, but not increased. CS/CS/HB 609 was amended to not apply to fiscally constrained counties or a municipality located in a fiscally constrained county. (Chapman)

Millage Rates (Oppose)

CS/CS/HB 1195 (Garrison) and **CS/SB 1322** (Ingoglia) would require local government to have two-thirds vote of the membership of the governing body to increase the millage rate. CS/HB 1195 was amended to clarify that the two-thirds vote does not apply to existing millage rate increases that require a three-fourths or unanimous vote of the governing body or voter approval in a referendum under current law. (Chapman)

Property Tax Exemptions (Oppose)

HJR 1369 (Chamberlin) proposes an amendment to the constitution to authorize the Legislature to create two new property tax exemptions. The first would create a \$100,000 exemption from assessed value of real property for all levies, the second would create a \$250,000 homestead exemption for residential property owned by someone 65 or older. 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)

Property Tax Exemptions - 2 (Oppose)

CS/HB 1371 (Chamberlin) is the implementing bill for HJR 1369 if it is voter-approved and would create two new property tax exemptions. The bill was amended to include a study by the Office of Policy Analysis and Government Accountability (OPPAGA) for the potential impact of eliminating all property tax and replacing the lost revenue through the establishment of a consumption tax. The report is to be submitted to the Speaker of the House and the Senate President by July 1, 2025. (Chapman)

Securities and Securities Transactions (Support)

CS/CS/HB 311 (Barnaby) and **CS/SB 532** (Brodeur) are comprehensive bills that extensively revise Florida's securities and transactions regulations. The bills redefine the term "investment adviser" to exclude political subdivisions from the listed entities required to register with the State. (Cruz)

Tangible Personal Property Tax Exemption (Monitor)

HJR 7075 (McClain) proposes an amendment to the Florida constitution to authorize the Legislature to increase the tangible personal property exemption from \$25,000 to \$50,000, subject to local ad valorem taxes levied by cities and counties. 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)

Tangible Personal Property Tax Exemption Implementing Bill (Monitor)

HB 7077 (McClain) is the implementing bill for WMC6 if it is voter-approved and would increase the tangible personal property exemption from \$25,000 to \$50,000. The bill would require that the Legislature appropriate funds to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties. (Chapman)

Taxation (Monitor)

HB 7073 (McClain) and **SB 7074** (Finance and Tax) are this session's comprehensive tax package and address several different areas of taxation. SB 7074 is a preliminary proposed bill dependent on negotiations with the House and Senate. HB 7073 does the following:

- **Tourism Development Tax:** The bill calls for the expiration of the tax six years after the date the ordinance is approved in a referendum but may be renewed for subsequent six-year periods if each six-year period is approved in a referendum. Provides exceptions for Tourism Development Taxes utilized to secure debt and adjusts time frames for renewal by referendum.
- **Tangible Personal Property:** The bill clarifies tangible personal property taxes are not assessed for infrastructure constructed or installed by an electric utility until the infrastructure is deemed substantially complete. Substantially complete means all permit, or approval required for commercial operation have been received or approved. Applies retroactively to January 1, 2024, and first applies to the 2024 property tax roll.
- **Renewable Energy Source Device Assessments:** The bill adds biogas to the list of renewable energy sources. Included in the description is the infrastructure associated with biogas energy operations. The bill excludes the infrastructure distribution grid or transmission lines for a natural gas pipeline or distribution system. The amendment first applies to the 2025 property tax roll.
- **Home Equity Conversions Mortgage Tax:** The bill clarifies only the amount of the principal limit available to the borrower is subject to the taxes. The amendment is intended to be retroactive but does not create a right to a refund.

- **Municipal Resort Tax:** Requires cities who presently levy the tax to renew the tax by referendum.
- **Tax on Rental or License Fee for Use of Real Property (Business Rent Tax):** The bill reduces the rate of the Business Rent Tax to 1.25% from its current rate of 4.5%. Note, prior legislation in 2021 called for a reduction of the Business Rent Tax to 2% by 2026, once the tax revenues had recovered to pre-Covid levels. This schedule was advanced to reduce to 2% as of June 2024. The bill excludes the leasing or renting of a motor vehicle as defined Section 316.003, which is used primarily in the trade or established business of the lessee or rentee for a certain time frame.
- **Charter County and Regional Transportation System Surtax:** The bill reduces the amount of time the tax may be levied from 30 years to 10 years. The levy of the tax by ordinance must be enacted by an extraordinary vote of the county governing authority and approved by a majority of voters in a referendum.
- **Indigent Care and Trauma Center Surtax:** The tax is levied by counties. The bill removes the ability to approve the tax by an extraordinary vote of the county governing body. The tax may only be levied by the approval of the majority vote in a referendum.
- **County Public Hospital Surtax:** The tax is levied by counties. The bill removes the ability to approve the tax by an extraordinary vote of the county governing body. The tax may only be levied by the approval of the majority vote in a referendum.
- **Pension Liability Surtax:** The bill adds language to sunset the surtax for either the actuarial funding level has reached or exceeded 100% of the defined benefit retirement plan or by December 31st of the tenth year after the surtax was approved by referendum.
- **Discretionary Sales Surtax:** The bill calls for any new or reenacted surtax held on or after July 1, 2024, may not be levied for more than 10 years unless reenacted by ordinance subject to approval of the majority of the voters in a subsequent referendum.
- **Tax Returns:** The bill provides for an automatic 10-day extension for the filing of tax returns following a Governor declared state of emergency under certain circumstances.
- **Agricultural Promotional Campaign Trust Fund:** The bill extends the distribution of funds to June 30, 2027. The amount of the trust fund is \$27.5 million.
- **Individuals with Unique Abilities Tax Credit Program:** The bill increases the amount of tax credits for businesses who employ persons with disabilities. The combined total of tax credits that may be granted under this section is \$5 million in each of the state fiscal years 2024-25, 2025-26 and 2026-27.
- **Federal Income Tax Filing Extensions:** The bill grants an automatic extension of 15 calendar days for filing federal income tax returns if there is a federally declared disaster.
- **Strong Families Tax Credits:** The bill extends the program for 2024-25, increases the tax credit cap to \$40 million (increased for \$20 million), adjusts the application period to January 1 at 9 a.m. of each year, except for the additional \$20 million in additional credit which will be available on July 1 at 9 a.m.
- **James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program:** The bill also authorized 100% of the revenues collected from the

tax collection enforcement diversion program to be used by the Florida Association of Centers for Independent Living to administer the program.

- **Disaster Preparedness Sales Tax Holiday:** The bill authorizes the holiday this year from June 1 to June 14 and August 24 to September 6.
- **Freedom Month Sales Tax Holiday:** The bill authorizes the holiday this year from July 1 to July 31 on certain types of events and equipment.
- **School Supplies Sales Tax Holiday:** The bill authorizes the holiday this year from July 29 to August 11 on the retail sale of certain items.
- **Tool Time Sales Tax Holiday:** The bill authorizes the holiday this year from September 1 to September 7 for the retail sale of certain tools and construction-related items.
- **Affordable Housing in Areas of Critical State Concern:** The bill authorizes the use of tourism impact tax funds to be utilized for the expansion of affordable housing under certain conditions. (Chapman)

Tax Exemptions for Surviving Spouses of Quadriplegics (Monitor)

HB 55 (Tant) and **CS/CS/SB 616** (Simon) are the implementing bills for HJR 53/SJR 618 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)

Tourist Development Tax (Support)

SB 1072 (Avila) and **HB 1081** (Porras) revise the method by which counties distribute collected Tourist Development Taxes apportioning 50% of the revenues to be distributed monthly by the county to the governing authorities of the municipalities within the county. Distributions must be in proportion to the amount collected in the prior month within the municipality as a share of the total amount collected from all municipalities in the county. The bill further revises which expenses and projects may be covered by Tourism Development Taxes. (Chapman)

Other Bills of Interest

SB 102 (Jones) – Property Insurance

HB 611 (Botana) and **SB 1018** (Ingoglia) – Public Deposits

HB 989 (LaMarca) and **SB 1098** (DiCeglie) – Department of Financial Services

HB 585 (Rommel) and **SB 1132** (Martin) – Access to Financial Institution Customer Accounts

SB 58 (Stewart) and **HB 475** (Killebrew) – 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) and **HB 1161** (Arrington) – Verification of Eligibility for Homestead Exemption

SB 218 (Wright) and **HB 239** (Killebrew) – Property Tax Exemption for Surviving Spouses of Veterans

SB 230 (Wright) – Sales Tax on Aircraft Sales and Leases

SB 264 (Rodriguez) and **HB 269** (Overdorf) – Aircraft Taxes
HB 331 (Garcia) and **HB 333** (Garcia) – Limitation of Property Tax Assessment
SB 378 (Garcia) – Property Tax Assessment
SB 380 (Hooper) and **HB 295** (Anderson) – Disclosure of Estimated Ad Valorem Taxes
SB 652 (Garcia) and **SB 654** (Garcia) – Homestead Assessments
HB 727 (Amesty) and **SB 1004** (Torres) – Tax Exemption for Disabled Ex-servicemembers
SB 890 (Boyd) – Taxation
HB 879 (McFarland) and **HB 1453** (Valdes) – Homestead Property Tax Assessment
SB 886 (Gruters) and **HB 471** (Fine) – Valuation of Timeshare Units
HB 913 (McFarland) and **SB 1710** (Yarborough) – Homestead Tax Exemptions
SB 976 (Perry) and **SB 978** (Perry) – Reduction of Assessed Value
SB 1060 (Calatayud) and **SB 1062** (Calatayud) – Assessment of Real Property and Residential Real Property
SB 872 (Stewart) – Tourist Development Tax
HB 1001 (Stevenson) and **SB 1030** (Rodriguez) – Taxation
HB 1251 (Alvarez) and **SB 1560** (Collins) – Tangible Personal Property Tax Exemption
HB 1373 (Alvarez), **HB 1375** (Alvarez), **SB 1684** (Collins) and **SB 1686** (Collins) – Property Tax Discount for Disabled Veterans
HB 1409 (Maggard) and **SB 1672** (Grall) – Taxation of State Chartered Banks
SB 1468 (Hutson) and **HB 1585** (Steele) – Sales and Use Tax
HB 1481 (Beltran) and **SB 1678** (Gruters) – Taxes, Licenses, and Fees
HB 1511 (McClain) and **HB 1513** (McClain) – Tax Exemption for Portions of Homestead Property Used as Living Quarters for Parents and Grandparents
SB 1570 (Torres) and **HB 1601** (Grantt) – Working Floridians Tax Rebate Program
HB 1594 (Stewart) – Tourist Impact Tax
HB 1599 (Truenow) and **SB 1748** (Brodeur) – Tourist Development Tax
HB 1649 (Plakon) – Ad Valorem Taxation
SB 1770 (Gruters) – Tax-filing Extensions

GENERAL GOVERNMENT

Agritourism (Monitor)

HB 339 (Roth) and **SB 696** (Rodriguez) amend the statutory preemption on local government regulation of agritourism activities by prohibiting a local government from requiring a “certificate of use” for any agricultural land, facility or agritourism venue unless authorized by general law. In addition, the bills prohibit a local government from limiting any state-regulated activity associated with agritourism, including a farm stand, farmers market, brewery, winery, distillery, food processing and preparation activity, food truck or mobile food service operation associated with agritourism agricultural products. (O’Hara)

Development Permits and Development Orders (Monitor)

HB 791 (Overdorf) and **SB 1150** (Perry) 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 these governmental entities 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 development permit or order within five days. The bills require the statutory timeframes to restart if an application makes a substantive change to an application, which is defined as a change of 15 percent or more in the proposed density, intensity or square footage of a parcel. The bills require counties and municipalities to issue refunds ranging from 10 to 100 percent of the application fee for failure to meet the statutory timeframes for determining whether an application is complete or require additional information and for taking final action on an application. (O'Hara)

Local Government Actions (Oppose)

CS/SB 1628 (Collins) and **CS/HB 1547** (McClure) revise exemptions from the application of SB 170, relating to local ordinances and business impact estimates, passed in the 2023 Legislative Session. The bills eliminate exemptions for ordinances adopted pursuant to Section 163, Part II, except for development orders, permits and agreements. Consequently, ordinances adopting land development regulations, comprehensive plan amendments and zoning changes are no longer exempt from the ordinance suspension and business impact requirements in current law. (O'Hara)

Solicitation of Contributions Act (Monitor)

HB 759 (Andrade) prohibits panhandling within 50 feet of the following: an entrance to or exit from a commercially zoned property; a bus stop or facility; an automatic teller machine or bank entrance; a parking lot, parking garage, parking meter or parking pay station; or a public restroom. It prohibits panhandling within 100 feet of a child care facility or Pre-K through 12 school; on a right-of-way or road defined in section 334.03; at a public transit stop or in a public transit vehicle; while the person being solicited is waiting to be admitted to a commercial establishment; by touching the person being solicited; with the use of profane or abusive language; while under the influence of alcohol or illegal controlled substance; and between the hours of 4 p.m. and 9 a.m. The bill prohibits a person from approaching an operator or other occupant of a motor vehicle for the purpose of panhandling. The bill specifies penalties for violations. Finally, the bill requires individuals engaged in solicitation on specified roads, rights-of-way or facilities to clearly identify the name of the charitable organization or named individual on whose behalf contributions are being solicited and to clearly identify the charitable purpose for which contributions are being solicited. (O'Hara)

Unauthorized Public Camping or Sleeping (Monitor)

SB 1530 (Martin) and **HB 1365** (Garrison) prohibit counties and municipalities from permitting public sleeping or camping on public property, at public buildings or on public rights-of-way within their respective jurisdictions without a lawfully issued temporary permit. The bills

authorize municipalities and counties to designate certain public property for public sleeping or public camping subject to the following conditions, the sufficiency of which must be determined by the Florida Department of Children and Families: minimum sanitation levels, including access to restrooms and running water; security present and onsite at all times; access to behavioral health services; prohibition on drugs and alcohol; and the designated area may not be in a location that adversely and materially affects existing residential or commercial properties. The bills authorize a person or business to bring a civil action against any county or municipality to enjoin a violation of the prohibitions and conditions and to recover their attorney fees and costs. The bills provide an exception for a state of emergency declared by the Governor. (O'Hara)

Other Bills of Interest

SB 426 (Garcia, I.) – Community Associations

HB 229 (Payne) and **SB 364** (Collins) – Public Service Commission Rules

HB 1279 (Gregory) and **SB 1326** (DiCeglie) – Review of Agency Rules

SB 366 (Yarborough) and **HB 81** (Brackett) – Gas Safety

SB 404 (Rouson) – Urban Agriculture Pilot Projects

HOUSING

Affordable Housing (Monitor)

CS/CS/SB 328 (Calatayud) and **CS/HB 1239** (Lopez, V.) amend various provisions of the Live Local Act (act), passed during the 2023 Regular Session. The bills do the following:

- Adjust the height allowances for parcels adjacent to single-family residential uses within a single-family neighborhood.
 - Provides that if a proposed development is “adjacent to, on two more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the local government may restrict the height of the proposed development to 150% of the tallest building on property within one-quarter mile of the proposed development or three stories, whichever is higher.”
- Prohibit qualifying developments within one-quarter mile of a military installation from utilizing the act’s administrative approval process and exempt certain airport-impacted areas from the act’s provisions.
- Clarify that a local government’s “currently allowed” density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations.
- Modify parking reduction requirements for qualifying developments located near certain transportation facilities.
- CS/CS/SB 328 and HB 1239 propose funding the Hometown Hero Program at \$100 million. (Branch)

Affordable Housing Inclusionary Housing Ordinances (Monitor)

HB 1603 (Gantt) and SB 1742 (Jones) amend the current statute regarding inclusionary housing ordinances. The bills remove the option for developers to contribute to a housing fund or explore other alternatives instead of constructing affordable housing units. (Branch)

Affordable Housing Parking Requirements (Oppose)

SB 386 (Osgood) requires local governments to reduce parking requirements necessary for development approval for “Live Local” developments where at least 75% of the residential units are affordable for at least 30 years and the development is located within one-half mile of a major transportation hub. (Branch)

Property Tax Exemptions for Affordable Property (Monitor)

HB 1299 (Cross) and **CS/SB 1440** (Calatayud) grant counties and municipalities the authority to exclude specific accessory dwelling units from ad valorem taxation meeting certain affordable housing requirements. (Branch)

Other Bills of Interest

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

HB 557 (Stevenson) – Moveable Tiny Homes

HB 1467 (Driskell) and **SB 1504** (Davis) – Affordable Housing

SB 7028 (Banking and Insurance) and **HB 1263** (LaMarca) – My Safe Florida Home Program

LAND USE & COMPREHENSIVE PLANNING

Alternate Mobility Funding Systems (Support)

CS/HB 479 (Robinson, W.) and **SB 688** (Martin) revise and provide additional guidance concerning the use of mobility plans and the collection of mobility fees. The bills provide definitions for “mobility fee” and “mobility plan” to be used within the Community Planning Act. The bills prohibit local governments from charging for transportation impacts if they are not the local government that is issuing a building permit, require that local governments collect for extra jurisdictional impacts if they are issuing building permits and prohibit local governments from assessing multiple charges for the same transportation impact. Concerning impact fees, the bills provide that local governments adopting and collecting impact fees by ordinance or resolution must use localized data available within the previous 12 months of adoption for the local government’s calculation of impact fees. (Cruz)

Housing for Agricultural Workers (Monitor)

CS/HB 1051 (Tuck) and **SB 1082** (Collins) prohibit a governmental entity from adopting or enforcing legislation inhibiting the construction or installation of housing for agricultural workers on agricultural land. The bills establish criteria for the construction and installation of these housing units, including adherence to federal, state and local building standards, minimum distance requirements between units, limitations on the square footage of climate-controlled facilities and specified setbacks from property boundaries. The bills prohibit local

governments from adopting land use regulations that are more restrictive than certain state and federal regulations, while requiring property owners to maintain records of all approved permits for at least three years. The bills also outline conditions under which housing sites may cease to be used or be required to be removed, including non-use for over a year or loss of agricultural land classification. The bills are set to take effect on July 1, 2024. (Cruz)

Land Development (Monitor)

CS/CS/HB 1177 (Duggan) and **SB 1110** (DiCeglie) amend various provisions related to land development regulations in Florida. The bills amend the Community Planning Act to require modifications to transportation concurrency system requirements for local governments, change to the adoption of impact fees by special districts, and adjustment provisions governing credits against local impact fees. The bills also address revisions in procedures regarding local government review of changes to previously approved developments of regional impact (DRIs), specifying certain types of changes that won't necessitate local government review. The bills allow for modifications to multimodal pathways in previously approved DRIs under specific conditions and outline that certain changes to comprehensive plan policies and land development regulations won't apply to developments with vested rights. Additionally, the legislation revises the criteria that constitute acts of reliance by a developer to vest rights.

CS/CS/HB 1177 was amended to prohibit local governments from requiring a notice, application, approval, permit, fee or mitigation for the pruning, trimming or removal of a tree on property being used for the construction or development of a veterans health care facility, as approved by the U.S. Department of Veterans Affairs. The bill was also amended to require local governments that implement a transportation concurrency system to credit the fair market value of any land dedicated to the entity for transportation facilities against the total proportionate share payments computed. The bill was amended further to permit a final order or decision by a municipally established historic preservation board or commission to be appealed to the board of county commissioners. (Cruz)

Land Use and Development Regulations (Oppose)

SB 1184 (Ingoglia) and **CS/CS/HB 1221** (McClain) are comprehensive bills relating to land use and development regulations. The bills amend various regulations relating to comprehensive plans. The bill would restrict optional elements of a comprehensive plan from containing a policy restricting density and intensity. The bills amend definitions of intensity, density, urban service area and urban sprawl to promote the construction of additional single-family, two-family and fee simple townhomes. The bills require local governments to adopt minimum lot sizes with single-family, two-family and fee simple townhouse zoning districts to accommodate the maximum density authorized in the comprehensive plan. The bills require local governments to adopt infill redevelopment regulations to administratively approve the development of infill single-family, two-family and fee simple townhouses. HB 1221 also contains a provision that would require the automatic rezoning of agricultural land for single family housing in certain circumstances. This provision is not found in SB 1184. **CS/CS/HB 1221** has been significantly amended in committee. Relevant to municipal operation, the amendments inserted a provision that preempts local regulation relating to the building of new self-storage facilities and removed provisions related to the rezoning of agricultural enclaves.

The bill was amended further to permit a final order or decision by a municipally established historic preservation board or commission to be appealed to the board of county commissioners. (Cruz)

Local Government Impact Fees and Exactions (Oppose)

HB 1635 (Steele) and **SB 1796** (Burgess) require local governments to provide compensation for a nonmonetary exaction equal to the fair market value of the exaction imposed. The bills require a local government that adopts and collects impact fees by ordinance to ensure the impact fee is collected only if the relevant property receives the service for which the fee was assessed. The bills also require local governments to establish impact fee zones or districts to assist local governments in ensuring the fee is expended to provide additional capital facilities within the appropriate zone or district. **HB 1635** places the maximum amount an impact fee may charge depending on the type of development in state law. The bill also prohibits the imposition of both an impact fee and a mobility fee for master planned unit developments and planned home developments. (Cruz)

Local Regulation of Nonconforming or Unsafe Structures (Oppose)

CS/HB 1647 (Roach) and **CS/SB 1526** (Avila) restricts local governments from prohibiting, restricting, or preventing the demolition of nonconforming or unsafe structures. The bills authorize the demolition of a structure and automatic replacement without requiring the new structure to have historical features or characteristics. The bills also prohibit local governments from imposing additional restrictions on the demolition or redevelopment that depart from existing requirements for a similarly situated parcel. The bills specify the provisions do not apply to a structure individually listed in the National Register of Historic Places or a contributing structure listed prior to 2000, a single-family home, or a structure located on a barrier island in a municipality with a population less than 10,000, which has at least six city blocks that are not located within flood zones V, VE, AO or AE, as identified in Flood Insurance Rate Map issued by FEMA. (Cruz)

Urban Agriculture Pilot Projects (Monitor)

HB 397 (Cross) and **SB 404** (Rouson) expand the urban agricultural pilot project to allow for commercial agricultural use of residential property in certain circumstances. (Cruz)

Unlawful Demolition of Historical Structures and Landmarks (Support)

HB 1621 (Beltran) authorizes 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. (Cruz)

Other Bills of Interest

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

HB 997 (Gottlieb) – Expedited Foreclosure Proceedings for Abandoned Real Property

SB 1370 (Torres) – Abandoned Residential Real Property

HB 1229 (Porras) and **SB 1068** (Rodriguez) – Marketable Record Title to Real Property

OTHER

Airports (Monitor)

SB 854 (Martin) and **HB 1643** (Rommel) require airport authorities, special districts created by the Legislature, to only allow aircraft to land if they meet Federal Aviation Administration noise standards and weight limits set by the International Civil Aviation Organization. Authorized aircraft within the weight range of 75,000 to 125,000 pounds may face restrictions on landing frequency, increased landing fees, or higher charges for hangar and storage facilities. The airport authority can request documentation confirming an aircraft's compliance before its first landing and annually thereafter. (Branch)

Automated External Defibrillators at Parks and Youth Recreation or Sports Facilities (Monitor)

SB 1774 (Powell) and **HB 1477** (Williams) require that parks, youth recreation or sports facilities owned or operated by a local government have a functioning automated external defibrillator (AED) on premises at all times. The bills also specify that employees and volunteers at these facilities have proper training. (Wagoner)

Aviation (Oppose)

CS/HB 981 (Bankson) makes significant changes to the regulation of private airports, specifically addressing vertiports and powered-lift aircraft. The bill does the following:

Vertiport Approval:

- Requires private airport owners or lessees intending to operate vertiports for powered-lift aircraft to obtain a powered-lift aircraft endorsement from the Department of Transportation (DOT).

Department of Transportation Department

- Mandates the DOT to designate a subject matter expert for advanced air mobility, focusing on powered-lift aircraft and electrification of aviation.
- Requires the DOT to provide annual reports to the Governor and Legislature on advanced air mobility industry status, technological advances, federal regulations and recommendations for land use compatibility around vertiports.
- Mandates the DOT to serve as a resource for local governments and stakeholders in powered-lift aircraft and vertiport development.

Advanced Air Mobility Test Site:

- Designates the Greater Orlando Aviation Authority as the advanced air mobility test site for the state. (Branch)

Code Enforcement Officers (Support)

SB 506 (Wright) adds code enforcement officers to the list of covered professionals under Section 784.07, Florida Statutes, which provides penalties for assault, battery, aggravated assault, and aggravated battery when the offense is knowingly committed against a law enforcement officer or other specified professionals who are engaged in the lawful performance of his or her duties. (Wagoner)

Declarations of a Public Health Emergency (Monitor)

HB 459 (Rudman) and **SB 402** (Yarborough) revise the criteria of the State Health Officer extending a statewide public health emergency to require approval by a two-thirds majority vote of the Legislature. HB 459 prohibits the State Health Officer from issuing a blanket closure on government buildings and services, churches and altering election procedures and protocols. However, any action that will affect an entire group must be authorized on a case-by-case basis, with each case being afforded all rights of due process. (Branch)

Department of Commerce (Monitor)

CS/HB 1419 (Tuck) and **CS/SB 1420** (Burgess) are comprehensive bills that amend requirements for comprehensive plan amendments and revise the roles of the Florida Department of Commerce (formerly Department of Economic Opportunity). The bills mandate that local governments hold a second public hearing to decide whether to adopt comprehensive plan amendments within 180 days after receiving agency comments. Failure to hold this hearing and adopt the amendments within this timeframe will result in the amendments being deemed withdrawn, unless an extension is agreed upon with the state land planning agency and any affected person who provided comments. The bills require local governments to transmit all adopted amendments, along with supporting data and analysis, to the state land planning agency and any other agency or local government that provided timely comments within 10 working days after the final adoption hearing. If the local government does not meet this 10-working-day deadline, the amendments will be deemed withdrawn. Both bills have been amended to extend the repayment period of the Local Government Emergency Revolving Bridge Loan Program, and any existing loans executed before February 1, 2024, from 5 to 10 years. (Cruz)

Education (Oppose)

CS/CS/SB 996 (Burgess) makes several changes to Florida's K-12 public schools and postsecondary institutions. Of concern to cities, the bill was amended to enable private schools to establish new campuses in existing facilities like churches or theaters, bypassing local zoning regulations and traffic management requirements. The bill seeks to prevent cities and counties from holding public meetings to approve rezoning these facilities for educational use and from requiring private schools to mitigate traffic impacts. As a consequence, residents near these new schools would lack the opportunity to voice concerns or influence the location of new private schools. The House companion, **CS/HB 1285** (Canady), does not contain these provisions. (Branch)

Food Delivery Platforms (Monitor)

CS/HB 1099 (Melo) and **CS/SB 676** (Bradley) are comprehensive food delivery platform bills. Of concern to cities, the bills expressly preempt the regulation of the food delivery platforms to the state. A food delivery platform is defined in the bills as a third-party company that picks up food from restaurants to deliver to consumers. (Branch)

Gambling (Monitor)

CS/HB 189 (Salzman) and **SB 1046** (Martin) 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 activities described in Section 546.10 or Chapter 849, Florida Statutes. (Wagoner)

Identification Documents (Monitor)

SB 1174 (Ingoglia) and **HB 1451** (Michael) prohibit a local government from accepting as identification any identification card or document that is issued by any person, entity or organization that knowingly issues the identification cards or documents to individuals who are not lawfully present in the United States. This prohibition does not extend to any documentation that is issued by or on behalf of the Federal Government. (Wagoner)

Immunization Requirements (Monitor)

SB 1094 (Martin) specifies that beginning July 1, 2024, the Department of Health must get approval from the Legislature before adding any new vaccines for school attendance. The bill also prohibits the department, state agencies, local governments and political subdivisions from participating in or employing any digital health identification registry or similar mechanism for tracking the health data of residents without prior approval from the Legislature. The bill also introduces a way for people to claim an exemption from vaccination if an FDA-approved vaccine is not available, allowing individuals to make this claim for themselves or their dependents without facing additional conditions from employers or other entities. The bill prohibits certain mandatory vaccination policies during public health emergencies without legislative approval. (Branch)

License or Permit to Operate a Vehicle for Hire (Oppose)

SB 648 (DiCeglie) and **HB 377** (Borrero) allow a person who holds a valid vehicle-for-hire license or permit from any city or county the ability to operate a vehicle for hire in another city or county without being subject to additional licensing or permitting requirements. This preemption would not apply to transportation services to and from an airport. (Branch)

Low-voltage Alarm System Projects (Oppose)

CS/SB 496 (Perry) and **CS/HB 535** (Snyder) expand the criteria for the installation of low-voltage electric fences in areas not considered to be zoned exclusively for single-family or multifamily

residential use if the area is within more than one zoning category. Of concern to local government, the bills prohibit the regulation of low-voltage alarms in any manner that is more restrictive than state law. (Branch)

Private Property for Motor Vehicle Parking (Support)

CS/CS/HB 271 (Lopez, V.) and **CS/SB 388** (Garcia) make several changes to the regulation of private parking lot operations. Of interest to cities, the bills require owners or operators of private property used for parking to place signage where it is clearly visible to people entering the parking lot. The bills provide that the signage may be regulated by the local government where the property is located. (Branch)

Property Rights (Monitor)

CS/SB 888 (Perry) provides residential property owners an alternative remedy to remove unauthorized persons, such as a squatter, from a residential dwelling. The residential property owners may request the sheriff immediately remove unlawful occupants under specific circumstances. (Cruz)

Protection of Historical Monuments and Memorials (Monitor)

CS/HB 395 (Black) and **CS/SB 1122** (Martin) prohibit a local government from removing historical monuments and memorials. A local government may only relocate a historical monument in certain circumstances. The bills provide that any person or entity that damages, defaces, destroys or removes an existing monument or memorial will be civilly liable for the costs to return, repair or replace the monument or memorial unless the person was authorized, or the entity was the owner. The bills limit the effects of the bill to monuments and memorials located on public property that have been displayed for at least 25 years and applied the provisions on a prospective basis. **CS/SB 1122** was amended to add a severability clause that provides that if a court finds a portion of the underlying law is ruled unconstitutional, the overall law will remain intact. **CS/SB 1122** also moves back the date of application to protect a monument that was removed to July 1, 2018. (Wagoner)

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)

Removal of Roadside Memorials (Monitor)

HB 421 (Gossett-Seidman) and **SB 572** (Rodriguez) require local governments and other entities to make best efforts to provide advance notice to the entity or person who installed a traffic-related roadside memorial commemorating a deceased person before altering, dismantling, destroying or removing it. (Wagoner)

Reparations (Monitor)

SJR 582 (Ingoglia) proposes a constitutional amendment to the State Constitution to prohibit the state, a county, a municipality or any other political subdivision from paying reparations to an individual who is a descendant of an enslaved individual who lived in the United States before December 6, 1865. (Cruz)

Special Districts (Monitor)

CS/CS/HB 7013 (Persons-Mulicka) and **CS/SB 1058** (Hutson) are comprehensive bills dealing with special districts. Of interest to cities, the bills do the following:

- Establish a term limit of 12 years for members of an elected body governing an independent special district, unless the district's charter provides for more restrictive terms of office. Any term of office that commenced before November 5, 2024, does not count toward the limitation created by the bill. This provision does not apply to the governing body of a community development district or any independent special district created by a special act.
- Add additional criteria for declaring a special district inactive, including Community Redevelopment Agencies (CRA's).
- Authorize districts that have been declared inactive to expend funds as necessary to service outstanding debt.
- Reduce the maximum ad valorem millage rate that may be levied by a mosquito control district from 10 mills to 1 mill.
- Require all special districts to adopt goals and objectives, as well as performance measures and standards to determine if those goals and objectives are being achieved.
- Repeal a provision that allows a special district to convert into a municipality without legislative approval.
- Require each petition to create a community development district to contain a sworn affidavit concerning planned development.
- Provides that the boundaries of most types of independent special districts may only be changed by an act of the Legislature.
- Require independent special fire control districts to report certain information to the Division of State Fire Marshal.
- Prohibit the creation of new neighborhood improvement districts (NIDs) after July 1, 2024. (Branch)

Towing and Storage - 1 (Monitor)

CS/SB 774 (Perry) and **SB 202** (Rodriguez) make changes related to towing-storage operator practices, including allowable fees, payment, 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.

SB 774 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.

Only **SB 202** preempts counties and cities from imposing any regulations upon a towing-storage operator more stringent than those within this legislation. (Wagoner)

Towing and Storage - 2 (Monitor)

CS/CS/HB 179 (Bell) makes changes related to towing-storage operator practices, including allowable fees, payment, lien requirements, sale of unclaimed vehicles and record retention.

Specifically, the bill does the following:

- Reduces the timeframe in which a towing-storage operator must send the notice of lien from seven to five business days, and reduce storage charges that may be charged if a lienor fails to provide this notice.
- Provides that a towing-storage operator may only charge certain fees.
- Requires towing-storage operators to accept specified forms of payment.
- Increases the timeframe an unclaimed vehicle or vessel three years of age or newer may be sold by a lienor from 50 days to 57 days from the storage date and requires the notice of lien must not be sent less than 52 days before the sale.
- Increases 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.

- Requires a towing-storage operator to make a towed vehicle available for inspection during normal business hours within one hour after arrival at a storage facility.
- Requires 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.
- Requires 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.
- Provides 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.
- Creates notice and bond requirements for foreclosure of storage liens on vehicles or vessels held by self-storage facilities.
- Provides that counties must, and cities may, establish maximum rates for which can be charged for cleanup and disposal, and ensure that those rates are published on its website. In areas where no maximum rates have been established, the maximum rates established by the Division of Florida Highway will apply. (Wagoner)

Workplace Heat Exposure Requirements (Oppose)

CS/HB 433 (Esposito) and **CS/SB 1492** (Trumbull) preempt the regulation of heat exposure requirements to the state. The bills prohibit local governments from providing preference for contractors on the basis of employment benefits offered by the contractor. The bills preempt to the state and remove any requirements a local government can place on a contractor in reference to the minimum wage. Lastly, the bills preempt the regulation of workplace terms and conditions to the state, not allowing a city to exceed or be in conflict with any state or federal workplace terms and conditions. CS/HB 433 preempts all regulation on the terms of employment to the state. CS/SB 1492 was amended to remove the provisions relating to wage and employment benefits by political subdivisions. (Wagoner)

Wrecker Operators (Monitor)

HB 661 (Caruso) and **CS/SB 332** (Burgess) require counties to establish maximum rates that may be charged for the storage of electric vehicles. Wrecker operators are also permitted to charge fair and reasonable costs, plus 10% for cleanup and disposal of hazardous materials or debris. If the vehicle is stored at a wrecker facility for more than 30 days, the entity that requested the storage is financially liable to the wrecker facility. Whenever a local government entity authorizes the removal of a vehicle, the local government entity is required to notify the Department of Highway Safety and Motor Vehicles. CS/SB 332 requires municipalities to establish maximum rates that may be charged by wrecker operators for the storage of electric vehicles. Additionally, the bill requires the "governmental entity" to contact the Department of Highway Safety and Motor Vehicles within 24 hours, providing a full description of the vehicle or vessel. (Wagoner)

Other Bills of Interest

HB 109 (Andrade) and **SB 246** (Harrell) – Conversion Charter Schools

HB 275 (Canady) and **SB 340** (Yarborough) – Intentional Damage to Critical Infrastructure
SB 674 (Boyd) and **HB 779** (Griffitts) – United States-produced Iron and Steel in Public Works Projects
SB 706 (Rodriguez) and **HB 719** (Lopez) – Residential Swimming Pool Requirements
HB 1021 (Lopez, V.) and **SB 1178** (Bradley) – Community Associations
HB 1421 (Fine) and **SB 1700** (DiCeglie) – Independent Hospital Districts
HB 1623 (Beltran) – Emergencies
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
SB 482 (Berman) – Amblyopia Awareness Month
HB 495 (Woodson) – Prohibition of Smoking and Vaping in State Parks
HB 633 (Berfield) – Mental Health and Substance Use Disorder Awareness and Assistance Training Program
SB 682 (DiCeglie) and **HB 487** (Chaney) – Lost or Abandoned Property
SB 870 (Boyd) and **HB 781** (Clemons) – Unsolicited Proposals for Public-private Partnerships
HB 873 (Payne) and **SB 1156** (Collins) – Dangerous Dogs
HB 901 (Borrero) and **SB 1120** (Martin) – Display of Flags by Governmental Entities
HB 1033 (Killebrew) and **SB 1478** (Yarborough) – Animals
HB 1053 (Amesty) – Location of Medical Marijuana Centers, Retail Vape Shops, and On-premises Consumption of Alcohol
SB 1180 (Harrell) and **HB 1065** (Caruso) – Substance Abuse Treatment
SB 1206 (Martin) – Live Performances
HB 1459 (McFarland) and **SB 1680** (Bradley) – Artificial Intelligence Transparency
HB 1583 (Steele) and **SB 1636** (Gruters) – Substance Use Disorder Treatment Services
HB 1659 (Botana) – Location of Equipment Owned by Amusement Business Owner
HB 7003 (Ethics, Elections & Open Government Subcommittee, Holcomb) – OGSR/Preregistered Voters
HB 7005 (Ethics, Elections & Open Government Subcommittee, Holcomb) – GSR/Financial Disclosure
HB 7007 (Ethics, Elections & Open Government Subcommittee, Holcomb) – OGSR/Campus Emergency Response
SB 7030 (Governmental Oversight and Accountability) and **HB 7043** (Ethics, Elections & Open Government Subcommittee) – OGSR/Agency Personnel Information
HB 15 (Rudman) – Contracts for Live Entertainment
HJR 335 (Roth) – Requiring Broader Public Support for Constitutional Amendments or Revisions
HB 217 (Mooney) and **SB 222** (Rodriguez) – College Campus Facilities in Areas of Critical State Concern
HB 939 (Griffitts) and **SB 1066** (Burton) – Consumer Protection
HB 1625 (Beltran) – Procedures of the Legislature
HB 1527 (Joseph) – Immigration and State-issued Identification

SB 1598 (Torres) – Immigration and Immigrants
SB 40 (Stewart) – Review of Employment Contracts
HB 175 (Benjamin) and **SB 984** (Rouson) – Judgement Liens
SB 1166 (DiCeglie) and **HB 1183** (Barnaby) – Main Street Historical Tourism and Revitalization Act
HB 1143 (Dunkley) and **SB 1508** (Wright) – 911 Public Safety Telecommunicators
HB 1471 (Black) and **SB 1746** (Ingoglia) – Public Employees

PERSONNEL

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

CS/HB 151 (Busatta Cabrera) and **SB 242** (Hooper) create 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. CS/HB 151 was amended to conduct a study on the feasibility and cost of providing a cost-of-living adjustment for employees initially enrolled in the FRS after July 1, 2011. The amendment also includes adjustments to the employee contribution levels to the FRS in order to meet actuarial projections. (Chapman)

First Responder Treatment by a Medical Specialist (Monitor)

CS/HB 637 (Yeager) and **CS/SB 808** (DiCeglie) authorize a firefighter, a law enforcement officer, a correctional officer or a correctional probation officer requiring medical treatment for tuberculosis, heart disease or hypertension resulting in a total or partial disability to be treated by a medical specialist of their choosing. The treatment by a medical specialist must be reasonable, necessary, and related to tuberculosis, heart disease or hypertension and reimbursed at no more than 200% of the Medicare rate. The bills were amended to require written notice to the firefighter's or officer's workers' compensation carrier, self-insured employer, or third-party administrator, and the carrier, self-insured employer, or third-party administrator must authorize the selected specialist or authorize an alternative specialist meeting the same or greater qualifications. The carrier, self-insured employer, or third-party administrator must, within five business days of the receipt of the notice, authorize treatment and schedule an appointment to be held within 30 days of the receipt of the notice with the selected specialist or the alternative specialist. If the carrier, self-insured employer, or third-party administrator fails to provide an alternative specialist within the five business days of receipt of the notice, the specialist selected by the employee shall be automatically authorized. (Cruz)

First Responders and Crime Scene Investigators (Monitor)

HB 993 (Holcomb) and **CS/SB 1490** (Burgess) expand the conditions in which first responders and certain personnel may receive posttraumatic stress benefits. The bills redefine the term "first responder" to include any full-time, part-time or volunteer law enforcement officer, firefighter, correctional officer, 911 public safety telecommunicator or federal law enforcement

officer. The bills create a statutory framework for crime scene investigators to receive a posttraumatic stress disorder (PTSD) evaluation and receive a diagnosis as a compensable occupational disease under specific circumstances. The bills also specify correctional officer PTSD evaluations may be conducted in person or through telehealth. The bills require an employing agency of a crime scene investigator to provide educational training related to mental health. (Cruz)

Law Enforcement Officers and Correctional Officers (Monitor)

SB 710 (Ingoglia) and **HB 443** (Alvarez) make several changes to the "The Police Officers' Bill of Rights." The Police Officers Bill of Rights is designed to ensure certain protections for law enforcement and correctional officers are provided to officers throughout the process of investigating complaints against an officer if the investigation can lead to disciplinary action, demotion or dismissal of the officer. The bills delete provisions from current law relating to complaint review boards. The bills authorize an officer to file a civil suit if he or she is subject to disciplinary action in violation of the Officer Bill of Rights. The bills grant officers certain increased protections for alleged violations of the process required in the Officer Bill of Rights. Lastly, the bills authorize an officer to address and remedy any violation in a court of competent jurisdiction and provide for the reversal of any disciplinary action requiring the employing agency to pay for an officer's monetary damages, attorney fees and costs for any intentional violation of the Officer Bill of Rights. (Cruz)

Leave of Absence to Officials and Employees (Monitor)

HB 765 (Daley) and **SB 818** (Avila) provide that certain public officials and employees are entitled to their full pay for a leave of absence in which they are performing federal military service that is 90 days or more. (Cruz)

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)

Prohibited Use of Human Trafficked Labor in Government Contracts (Monitor)

SB 628 (Simon) requires certain contractors who contract with governmental entities to provide an affidavit attesting the contractor does not use coercion for labor or services. (Cruz)

Other Bills of Interest

HB 161 (Daley) and **SB 362** (Bradley) – Medical Treatment Under the Workers' Compensation Law

HB 1415 (Chamberlin) and **SB 1712** (Bradley) – Peer Support for First Responders

HB 839 (Benjamin) – Employment Leave for Crime Victims and Witnesses

HB 945 (Gottlieb) and **SB 762** (Rouson) – Heat Illness Prevention

HB 505 (Truenow) and **SB 958** (Martin) – Local Government Employees

HB 599 (Chamberlin) and **SB 1382** (Martin) – Gender Identity Employment Practices

Reemployment of Retired Law Enforcement Officers (Monitor)

CS/SB 400 (Burgess) and **HB 853** (McClure) specify that retired law enforcement officers can be reemployed in a position that qualifies for the Special Risk Class by an employer that participates in the Florida Retirement System. The bills reduce the timeframe from 12 months to 6 months during which a former employee is prohibited from receiving both a reemployment salary and retirement benefits. **CS/SB 400** was amended to apply to all FRS retirees, not just law enforcement and includes employer contribution rate adjustments to meet actuarial projections. (Chapman)

Other Bills of Interest

HB 1089 (Shoaf) and **SB 560** (Bradley) – Special Risk Class

PUBLIC RECORDS & PUBLIC MEETINGS

Citizen Volunteer Advisory Committees (Monitor)

CS/CS/SB 224 (Wright) and **CS/HB 413** (Altman) authorize citizen volunteer advisory committees that are comprised of representatives from four or more counties to conduct virtual public meetings and workshops using communications media technology. **CS/HB 413** specifies that there must also be a 100-mile distance between the two most distant counties. The public notice must specify whether the meeting or workshop will be held in person or virtually and how members of the public can participate. (Wagoner)

Governing Body Meetings (Support)

HB 157 (Caruso) and **CS/SB 894** (Bradley) 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 bills do specify that meetings that include formal action on ordinances or are quasi-judicial hearings may not be conducted via teleconferencing or other technological means. **CS/SB 894** was amended to provide that these provisions would be suspended for the first 60 days of a declared emergency. (Wagoner)

Public Records/County Administrator and City Managers (Support)

HB 811 (Gottlieb) and **CS/SB 862** (Jones) create a public records exemption for the personal identifying and location information of current county administrators and city managers, as well as information regarding the names and locations of schools and daycare facilities attended by the children of current administrators and city managers. **CS/SB 862** was amended and removed provisions providing protections for deputy and assistant county and city administrators and their spouses. (Wagoner)

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

CS/HB 103 (Arrington) and **CS/SB 712** (Powell) create 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. (Wagoner)

Public Records Requests (Monitor)

SB 1494 (Pizzo) provides that a public agency that has custody of a public record may not charge a fee once an agency has received a request to produce records. The bill provides that any person who violates this chapter (Chapter 119, Florida Statutes) may be punished by a \$5,000 fine and if the custodian knowingly deters a public records request, they commit a first degree misdemeanor. Lastly, the bill requires courts to set priority for public records cases over other pending hearings. (Wagoner)

Public Records/Service Provider Contracts (Monitor)

SB 290 (Wright) requires that certain public agency contracts include a requirement that service providers comply with public records laws. The bill defines a services provider as an individual, a partnership, a corporation or a business entity that enters into a contract for services with a public agency and is not acting on behalf of the public agency. Linked to SB 290, **SB 292** (Wright) creates a public records exemption for contractors' and service providers' records related to audit or claims resolution, which are provided to a public agency pursuant to contract requirements. (Wagoner)

Other Bills of Interest

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

SB 528 (Pizzo), **SB 526** (Pizzo) and **HB 299** (Woodson) – Public Records/Property Appraiser

HB 289 (Woodson) and **HB 243** (Woodson)– Public Records/Property Appraiser

HB 1237 (Dunkley) and **SB 1272** (Yarborough) – Public Records/Medical Examiners

HB 1461 (McFarland). Rec./Investigations by the Department of Legal Affairs

SB 1682 (Bradley) – Pub Public Records/Artificial Intelligence Transparency Violations

PUBLIC SAFETY

Cold Case Murders (Monitor)

CS/SB 350 (Osgood) and **HB 837** (Benjamin) address cold case murders by establishing a process for reviewing and reinvestigating such cases. The bills mandate 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, including the identification of new probative leads or a likely perpetrator. The bills require 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 bills also require law enforcement agencies to report quarterly all relevant data to the Global Forensic and Justice Center at Florida International University. The bills direct the Center to establish a case tracking system and searchable public website. The bills also allow medical

examiners to issue death certificates with nonspecific causes of death and manner of murder under certain conditions. (Wagoner)

Complaints Against Law Enforcement and Correctional Officers (Oppose)

HB 601 (Duggan) and **CS/SB 576** (Ingoglia) make it unlawful for municipalities or citizen oversight boards to pass or enforce any ordinance relating to the receipt, processing or investigation of complaints of misconduct by law enforcement officers and correctional officers. The bills also prohibit the creation of any laws in relation to civilian oversight of a law enforcement agency in relation to the investigation of complaints. **CS/SB 576** was amended to add provisions permitting a sheriff or chief of police to create a civilian oversight board with certain requirements for those who may be appointed. (Wagoner)

Employment and Curfew of Minors (Monitor)

CS/CS/HB 49 (Chaney) and **SB 1596** (Burgess) make changes to the employment restrictions for minors. Under **CS/HB 49**, 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. Under **SB 1596**, these ages are set at 15. The bills would also prohibit local governments from adopting or enforcing curfews on minors that are more stringent than those listed within the bill. (Wagoner)

Enhanced Firearms Training Facilities (Monitor)

CS/HB 831 (Yarkosky) and **SB 1586** (Collins) state that a facility that is licensed as an enhanced firearms training facility is exempt from unincorporated local government planning and zoning or public works restrictions if the facility is zoned for agricultural use or its equivalent. The bills provide licensing renewal requirements and allow the Department of Agriculture and Consumer Services to adopt rules to implement the bills. (Wagoner)

Exposures of First Responders to Fentanyl and Fentanyl Analogs (Support)

CS/CS/HB 231 (Baker) and **CS/CS/SB 718** (Collins) provide criminal penalties for persons who unlawfully and intentionally possess and expose first responders who are acting in their official capacity to Fentanyl and Fentanyl Analogs. (Wagoner)

Impeding, Provoking or Harassing First Responders (Support)

CS/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. (Wagoner)

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. (Wagoner)

Storage of Firearms in Private Conveyances and Vessels (Monitor)

HB 419 (Hinson) prohibits the storage of firearms in unoccupied private conveyances and vessels unless the firearm is kept from ordinary view and locked within a trunk, utility or glove box, or another locked container, or secured with a device or mechanism that is securely affixed to the private conveyance or vessel. The bill requires local law enforcement agencies to engage in a promotional campaign to educate the public and gun owners about the requirements above. (Wagoner)

Other Bills of Interest

HB 27 (Benjamin) and **SB 834** (Simon) – Citizen’s Arrest

SB 96 (Jones) and **HB 787** (Rayner) – Use of Threatened Use of Force

SB 98 (Jones) and **HB 383** (Edmonds) – Community Violence Task Force

SB 100 (Jones) and **HB 237** (Hart)– 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), **HB 291** (Hunschofsky), **SB 518** (Polsky) – Sale, Transfer, and Storage of Firearms

HB 123 (Chambliss) and **SB 274** (Rodriguez) – Child Water Safety Requirements

SB 254 (Book) – Picketing or Protesting in or Near Health Care Facilities

HB 259 (Waldron) and **SB 270** (Berman) – Discharging a Firearm in Residential Areas

HB 463 (Bartleman) and **SB 1158** (Bradley) – Lights Displayed on Police Equipment and Fire Department Vehicles

HB 485 (Brackett) and **SB 1286** (Collins) – Return of Weapons and Arms Following an Arrest

HB 573 (Antone) and **HB 575** (Antone) – Task Force on Public Safety in Urban and Inner-City Communities

HB 597 (Chamerblin) and **SB 722** (Collins) – Fleeing or Attempting to Elude Law Enforcement Officer

HB 673 (Bartleman) and **SB 610** (Book) – Domestic Violence Investigation

HB 729 (Baker) and **SB 638** (Grall) – Lethality Assessments

HB 833 (Yarkosky) and **SB 1708** (Yarborough) – Public Safety Programs

SB 1092 (Martin) and **HB 1657** (Baker) – Criminal Offenses Against Law Enforcement Officers and Other Personnel

SB 1164 (Burton) and **HB 1113** (Killebrew) – Use of Lights and Sirens on Emergency Vehicles

HB 1131 (Temple) and **SB 1190** (Ingoglia) – Online Sting Operations Grant Program

SB 1250 (Berman) and **HB 1087** (Casello) – Safe Storage of Firearms and Ammunition Within Motor Vehicles and Vessels

SB 1704 (Yarborough) and **HB 1447** (Duggan) – Sheriffs in Consolidated Governments

SHORT-TERM RENTALS

Vacation Rentals (Oppose)

CS/SB 280 (DiCeglie) and **CS/HB 1537** (Griffitts) are comprehensive bills dealing with short-term rentals. Here is a brief description of how the bills are different:

CS/HB 1537:

- Pay a fee of no more than \$150 per unit for processing an individual registration application and a \$50 per unit yearly renewal. A local government may impose a \$300 fine for failure to register.
- State the maximum occupancy of the short-term rental based on the number of sleeping accommodations for persons staying in the short-term rental.
- Requires the responsible party to respond to a complaint or emergency by 9 a.m. the next calendar day.
- After five violations occur over a period of time, suspensions are set at 15 days, 30 days and 60 days, respectively.

CS/SB 280:

- Pay a “reasonable fee” per unit for processing an individual registration application and renewal. A local government may impose a \$500 fine for failure to register.
- State the maximum occupancy of the short-term rental is no more than two people per room plus two, or at a minimum of 50 sq ft. per person.
- Display their individual registration number in a conspicuous location in the vacation rental.
- After five violations occur over a period of time, suspensions are set at 30 days, 60 days and 90 days, respectively.

Below are how the bills remain identical:

Impact on Local Governments

The bills maintain the current preemption on local governments from adopting zoning ordinances specific to short-term rentals as well as regulating the duration of stays and the frequency in which the properties are rented.

Local Registration Programs

The bills create a statewide process for the local registration of vacation rentals. Under the program, a local government has 15 days after receiving an application for registration to accept the application or issue a written notice specifying all deficiencies. Both parties may agree to extend the timeline. If a municipality does not accept or deny an application within that 15-day window, that application is deemed approved.

As a condition of registration, the local registration program may only require the owner or operator of a vacation rental to:

- Charge a reasonable fee for inspections to ensure compliance with the Florida Building and Fire Prevention Codes.
- Renew their registration no more than once per year per unit, unless the property has a change in ownership.
- Submit identifying information about the owner or the property manager and the short-term rental being registered.
- Obtain a license as a transient public lodging establishment by the Department of Business and Professional Regulation (DBPR).
- Obtain all required tax registration, receipts or certificates issued by the Department of Revenue, a county or a municipal government.
- Maintain all registration information on a continuing basis so it is current.
- Designate and maintain a property designee who can respond to complaints and other immediate problems related to the property, including being available by phone 24 hours a day, seven days a week.
- Pay in full all municipal or county code liens against the property being registered.

June 1, 2011, Grandfather Provision

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

Impact on Advertising Platforms and DBPR

Advertising platforms will now be required to:

- Collect and remit all required taxes.
- Require each person listing a property as a vacation rental to include in the advertisement the state license number and, if applicable, the local registration number. They will also be required to attest that the license and registration numbers are valid.
- By January 1, 2026, the advertising platform will be required to check and verify the license number of all listings with DBPR prior to posting the advertisement. Additionally, license numbers must be checked at the end of each calendar quarter with the department.
- Remove from public view an advertisement from their website within 15 business days after notification by DBPR in writing that a vacation rental fails to display a valid license number.
- Adopt an anti-discrimination policy.

Revocation/Denial of License

A local government may revoke or refuse to renew a vacation rental registration:

- An owner’s vacation rental registration has been suspended three times.
- There is an unsatisfied municipal or county code lien, so long as the local government allows the owner at least 60 days before the termination to satisfy the lien.
- The premises and its owner are the subject of a final order or judgment directing the termination of the premises’ use as a vacation rental. (Wagoner)

Vacation Rentals with Swimming Pools (Monitor)

HB 1207 (Harris) requires vacation rentals with swimming pools to post various safety notices regarding, but not limited to, the prevention of drowning, having responsible adults supervise young children and requiring that alcohol or drugs cannot be consumed before and during swimming. (Wagoner)

TORT LIABILITY

Property Rights Attorney Fees and Costs (Monitor)

HB 1167 (Yarkosky) and **SB 702** (Martin) create a provision for the recovery of attorney fees and costs in a civil action regarding disputes over property rights. The bills define the term “property rights” to include use rights, ingress and egress rights, and those rights incident to land bordering upon navigable waters. In a civil action brought against the owner of a parcel of real property to resolve a dispute concerning these property rights, the bills would require the award of prevailing party attorney fees if the prevailing defendant made improvements in substantial compliance with, or in reliance on, environmental or regulatory approvals or permits issued by a political subdivision or a state agency. **HB 1167** also defines the term “improvement” to include anything done to increase the value, use or benefit of real property, whether physical, material, legal or otherwise. (Cruz)

Sovereign Immunity (Oppose)

CS/SB 472 (Brodeur) and **CS/CS/HB 569** (McFarland) 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. Both bills would increase the caps to \$400,000 per person and \$600,000 per incident. CS/HB 569 initially required caps to be adjusted annually on July 1 to reflect changes in the regional Consumer Price Index, but this was removed from CS/CS/HB 569 in committee, while CS/SB 472 was amended to require this adjustment to occur on July 1, 2029, and to occur every five years thereafter. The bills prohibit an insurance policy from conditioning the payout of a claim on the passage of a claims bill. Both bills allow a subdivision of the state to settle a claim above the statutory limits without the need for a claims bill. The bills narrow the statute of limitation on negligence claims against government entities from four years to two years. CS/SB 472 was amended to mirror the provision in CS/CS/HB 569 that lowers the required pre-suit notice from three years to 18 months. Both bills also abolish the common law doctrine of “home venue privilege” in relation to negligence suits against the state. The Senate bill allows the limitations of liability in effect on the date a final judgment is entered to apply to the claim. Therefore, allowing claims that occurred prior to implementation of these new limits to avail themselves

to the increase in caps. On the other hand, the House bill was amended to apply the increased caps to apply to accidents that occur after the effective date of the bill, October 1, 2024. (Cruz)

Other Bills of Interest

HB 619 (Tuck) and **SB 1534** (Bradley) – Civil Liability

HB 651 (Persons-Mulicka) – Civil Liability for the Wrongful Death of an Unborn Child

SB 476 (Grall) – Civil Liability

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

TRANSPORTATION

Department of Agriculture and Consumer Services (Monitor)

SB 1084 (Collins) and **CS/HB 1071** (Alvarez) are the legislative priority bills for the Department of Agriculture and Consumer Services. Of concern to cities, the bills preempt a local government from enacting an ordinance regulating electric vehicle charging stations. (Branch)

Electric and Hybrid Vehicle License Fees (Support)

CS/SB 28 (Hooper) increases the annual fees required for electric and hybrid vehicles. Beginning January 1, 2029, the annual fee for electric vehicles (EVs) would increase from \$200 to \$250, and the annual fee for hybrid vehicles would increase from \$50 to \$100. The bill specifies that 64% of the proceeds be deposited into the State Transportation Trust Fund (STTF), and 36% must be allocated to the county where the vehicle is registered. Local governments can use these funds for transportation expenditures. The EV fee is not included in **CS/CS/HB 107** (Esposito). **CS/CS/HB 107** requires the Revenue Estimating Conference to estimate the impact on the General Revenue Fund from the sales tax levied from charging EVs and directs the Department of Revenue to distribute funds into the STTF. (Branch)

Strategic Transportation Infrastructure Investment (Support)

HB 1275 (Berfield) and **SB 1506** (DiCeglie) require the Florida Department of Transportation (FDOT) to develop a Strategic Infrastructure Investment Plan to address freight mobility infrastructure. The bills require FDOT to consult with relevant stakeholders including county and municipal governments. Beginning July 1, 2025, the department is required to distribute \$150 million to the State Transportation Trust Fund to fund the projects identified in the Strategic Infrastructure Investment Plan. (Branch)

Traffic Enforcement (Oppose)

SB 1464 (Calatayud) and **CS/CS/HB 1363** (Busatta Cabrera) are bills related to the use of traffic cameras. Of interest to cities, the bills do the following:

- Prohibit the use of camera systems made by Chinese manufacturers or using materials from China for traffic enforcement in Florida.
- Require local governments to approve any new camera contracts or renewals in a public meeting.
- Requires local governments to enact ordinances allowing traffic cameras.

- Require local governments to show evidence the cameras are needed for safety before installation.
- Mandate local governments submit reports on traffic camera use every year to the state.
- Noncompliance with rules results in suspension of traffic camera use. (Branch)

Traffic and Pedestrian Safety (Monitor)

SB 980 (Perry) requires that all plans submitted on or before July 1, 2024, for the construction of crosswalks located at any place other than an intersection of a public street, highway or road be controlled by pedestrian and traffic signals and meet requirements of the Florida Department of Transportation Manual on Uniform Traffic Control Devices. (Branch)

Transportation (Monitor)

CS/CS/SB 266 (Hooper), **CS/SB 1032** (Gruters), **HB 7049** (McFarland) and **CS/HB 287** (Esposito) are the legislative priority bills for the Florida Department of Transportation (FDOT). These bills outline various requirements for FDOT and local agencies related to transportation projects. FDOT is mandated to oversee funded projects on behalf of the Federal Highway Administration, update project cost estimates and include contingency amounts. Local agencies must prioritize and budget projects through their respective metropolitan planning organizations (MPOs), be certified by FDOT and incorporate specific contractual requirements and contingency amounts for unforeseen conditions. CS/SB 1032 and HB 7049 specifically prohibit the creation of new MPOs, with exceptions for urbanized areas defined by the U.S. Census Bureau.

In CS/HB 287 only, the permit or relocation agreement for utility installation, location or relocation must:

- Include a reasonable utility relocation schedule to expedite the completion of FDOT's construction or maintenance project.
- Define a reasonable liquidated damage amount for each day the work exceeds the specified time frame.
- Require the utility to be responsible for any damage resulting from the work performed under such permit or relocation agreement. (Branch)

Transportation (Monitor)

CS/CS/HB 1301 (Abbott) and **CS/SB 1226** (DiCeglie) address matters related to transportation. Of concern to cities, the bills provide that a public transit provider may not expend state funds directly, indirectly, or through a grant or agreement for any of the following marketing or advertising activities:

- A marketing or public awareness campaign, whether through a digital or print medium, including the use of any wrap, tinting or paint on a bus, commercial motor vehicle or motor vehicle, as in support of any social, political or ideological interest.

- Use of an asset owned or funded by a public transit provider, including an existing or future asset, which displays, contains or markets, whether through a digital or print medium, any social, political or ideological interest. (Branch)

Utility Terrain Vehicles (Monitor)

CS/SB 440 (Wright) authorizes a utility terrain vehicle (UTV) to legally operate on two-lane county roads and two-lane municipal streets in which the posted speed limit is less than 55 miles per hour. The bill allows a local government to enact an ordinance regulating UTV operation and equipment that is more restrictive than statutory requirements. A local government can prohibit the operation of a UTV on any road under its jurisdiction if the governing body determines that such prohibition is necessary in the interest of safety. (Branch)

Other Bills of Interest

HB 805 (Borrero) and **SB 1042** (Garcia) – Traffic Infraction Detectors

SB 994 (Burgess) and **HB 1045** (Michael) – Student Transportation Safety

UTILITIES & NATURAL RESOURCES

Advanced Wastewater Treatment (Monitor)

HB 1153 (Cross) and **SB 1304** (Berman) require the Department of Environmental Protection, in consultation with water management districts and wastewater facilities, to submit to the Governor and Legislature reports containing specified information on all sewage disposal facilities with a permitted capacity greater than 1 million gallons per day in the state.

Information required for the report includes but is not limited to: the dates of construction, maintenance or updates; total and actual permitted volume of water treated daily and the current level of treatment and identification of various contaminants present; pollutant loading; disposal methods; impairment status of any receiving waterbodies; implementation status of any basin management action plans; and wastewater spills since 2010. The bills also require the Department to provide a report outlining a priority ranking process to upgrade all facilities in the state to advanced waste treatment by 2035. The bills require the Department to submit, by June 2026, a progress report on the implementation status of such upgrades. (O’Hara)

Assessment of Renewable Energy Source Devices (Monitor)

HB 769 (Bankson) revises the definition of “renewable energy source device” in Section 193.624 relating to the assessed value of real property attributable to a renewable energy source device, to include equipment that collects, transmits, stores or uses biogas. The equipment includes materials and machinery used in the production, storage, compression, transportation, processing and conversion of biogas from landfill waste, livestock farm waste, food waste or treated wastewater into renewable natural gas suitable for pipeline injection. (O’Hara)

Beverage Container Deposits (Monitor)

HB 905 (Woodson) requires dealers and consumers in the state to pay a deposit fee for specified beverage containers. The bill establishes refund values for various beverage containers, as well as deposit fees to be paid by dealers and consumers. It prohibits the establishment of a redemption center unless it is registered with the Department of Environmental Protection. It establishes requirements for redemption centers and authorizes the use of reverse vending machines under certain circumstances. The bill prohibits a dealer from refusing to redeem a container if the dealer sells that type of container unless the container is contaminated or damaged or there is a redemption center located within 1 mile of the dealer's place of business. It imposes requirements upon deposit beverage dealers and distributors and requires distributors to pay a handling fee to dealers and redemption centers. The bill authorizes municipal and county governments, nonprofit agencies, dealers and individuals to register to operate a redemption center. It prohibits local governments from imposing or collecting any assessment or fee on beverage containers subject to state container deposit requirements. (O'Hara)

Carbon Sequestration (Monitor)

SB 1258 (Rodriguez) and **HB 1187** (Cross) create the Carbon Sequestration Task Force adjunct to the Department of Environmental Protection to provide recommendations for the development of a statewide carbon sequestration program. The bills provide for duties and membership of the Task Force. The bills require the Task Force to submit reports by October 2025 and October 2026 to the Secretary of the Department and to the Governor and Legislature that summarizes the Task Force's activities, findings and recommendations. (O'Hara)

Climate Resilience and Drinking Water Standards (Support)

SB 1630 (Torres) and **HB 1531** (Joseph) require the Department of Environmental Protection to establish the Blue Communities Program to incentivize local action to reduce nutrient pollution and ocean acidification in the ocean, coastal waters and fresh waters. The program would provide technical and financial assistance to local governments that qualify as blue communities under the bills. The bills specify qualification criteria for local governments to become blue communities. The bills establish the Ocean State Climate Adaptation and Resilience Grant Fund within the department and authorize the establishment of an advisory board to determine eligibility of projects for financial assistance for adaptation and resilience projects. They also establish the Carbon Sequestration Advisory Council within the Department of Agriculture and Consumer Services to assist the Department in documenting and quantifying carbon sequestration and greenhouse gas emissions reductions associated with agricultural practices and land uses occurring on agricultural lands. The purpose of the documentation is to assist and encourage agricultural landowners to participate in carbon trading. The bills also establish the Ocean Stewardship Special Account from the Land Acquisition Trust Fund within the Florida Fish and Wildlife Conservation Commission for the collection and use of moneys for the conservation, restoration and enhancement of marine resources. The bills provide for the deposit of user fees and other funding sources into the Account, which shall be used for marine conservation, restoration, enhancement, research, enforcement actions and educational activities. The bills require ocean stewardship user fees to be paid by commercial vessels and all

operators of watercraft or water sports equipment. In addition, HB 1531 requires the Department of Environmental Protection or county health departments to monitor PFAS compounds in community water systems and nontransient noncommunity water systems using the national primary drinking water regulations. If the presence of PFAS compounds is detected at or above a specified level but below the Environmental Protection Agency's specified health advisory level, the bill requires the Department or county health department to annually monitor the PFAS compound levels in the water systems. The bill requires the Department to adopt rules by September 2024 to implement these requirements, including the establishment of enforceable maximum contaminant levels for PFAS compounds. (O'Hara)

Coastal Construction and Assessments (Monitor)

HB 1079 (McFarland) provides that only coastal counties and municipalities that have received authorization from the Department of Environmental Protection (DEP) prior to December 1, 2023, may establish coastal construction zoning and building codes and exceptions thereto in lieu of state coastal construction regulations. The bill prohibits DEP from delegating authority for certain coastal permits to coastal counties and municipalities that did not receive such authorization prior to December 1, 2023. In addition, the bill authorizes DEP to award grants to coastal counties for saltwater intrusion vulnerability assessments and specifies requirements for such assessments. (O'Hara)

Comprehensive Waste Reduction and Recycling Plan (Support)

SB 36 (Stewart) and **HB 455** (Casello) require 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) and **HB 245** (Fabricio) 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)

Contaminants of Emerging Concern (Monitor)

CS/SB 1692 (Brodeur) and **HB 1665** (Gossett-Seidman) establish the PFAS and 1,4-dioxane pretreatment initiative within the Department of Environmental Protection (DEP) for the purpose of coordinating wastewater facility industrial pretreatment programs. The bills require wastewater facilities with an industrial pretreatment program to: (1) By July 2025 complete and provide to DEP an inventory of industrial users to identify probable sources of PFAS or dioxane;

(2) Before March 2025, provide notice to DEP of any industrial user that has been initially identified by the inventory as a probable source of PFAS or dioxane discharges. The notice must inform industrial users that they may become subject to pretreatment standards and requirements; (3) Submit to DEP a final inventory of industrial users that are subject to pretreatment standards and requirements and notify the users that they may be subject to enforcement action by July 2026; (4) Issue a permit, order or other measure to enforce applicable pretreatment standards; and (5) By July 2027, sample each industrial user's facilities and other at-risk sites. If the sample is above discharge limits, the wastewater facility must implement corrective action to reduce levels of PFAS or dioxane at the user's facilities or other at-risk sites. Beginning July 2026, the bills establish specified discharge limits for PFAS and dioxane for industrial users until new discharge limits are adopted by DEP. The bills provide that before July 2027, an entity may not be subject to civil or criminal penalties for violations of the bills' requirements. After July 2027, the bills direct DEP to consider the financial situation and costs of corrective actions for each wastewater facility that may be out of compliance with its permit or order when considering enforcement action for violations of pretreatment standards or violations of water quality standards. (O'Hara)

Department of Environmental Protection (Monitor)

CS/SB 1386 (Calatayud) and **CS/HB 1557** (Chaney) amend current law provisions relating to aquatic preserves, resilience, onsite sewage treatment and disposal systems (septic systems) and wastewater treatment facilities. The bills authorize the Department of Environmental Protection (DEP) to enter and inspect any property (except a private residence) that has a septic system to ascertain compliance with applicable regulations. In addition, the bills require all wastewater treatment facilities to prepare a reuse feasibility study and to implement reuse to the extent feasible. The bills also require wastewater treatment facilities that provide reclaimed water within a basin management action plan area to meet advanced waste treatment standards. The bills direct water management districts and DEP to develop rules to promote reclaimed water and encourage potable water offsets that produce significant water savings. The bills authorize extended permits for permittees that propose a water supply or water resource development project that uses reclaimed water. The bills expand criteria for grant eligibility under the Resilient Florida Grants Program and expand the types of projects that can be submitted by local or regional entities for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan. In addition, the bills require vulnerability assessments to use data from the Florida Flood Hub that is certified by the Chief Resilience Officer. (O'Hara)

Dredging and Beach Restoration Projects (Monitor)

HB 163 (Gossett-Seidman) and **SB 608** (Rodriguez) direct 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)

Energy (Monitor)

SB 1548 (Gruters) prohibits the Department of Transportation from assigning or transferring its permitting rights across transportation rights-of-way operated by the Department to a third party or governmental entity that does not operate the transportation right-of-way. The bill amends Section 337.403, Florida Statutes, to prohibit permitting authorities from requiring a utility within a public road operated by the authority to be relocated on behalf of certain other third party or governmental agency project related to a separate public or private road or corridor. The bill requires the Public Service Commission to approve targeted storm reserve amounts for public utilities and provides for reserve requirements and base rate adjustments. It requires the Department of Commerce to expand categorical eligibility for the low-income home energy assistance program to include individuals who are enrolled in certain federal disability programs. It directs the Public Service Commission to conduct a feasibility study on the use of small modular nuclear reactors in the state and to submit a report to the Legislature. (O'Hara)

Energy Resources (Oppose)

CS/HB 1645 (Payne) and **CS/SB 1624** (Collins) substantially revise various statutes relating to energy policy and regulation. The bills provide that a "Resiliency Facility" is a permitted use in all commercial, industrial, and manufacturing land use categories and districts, and specify that such facilities must comply with landscape and buffering requirements for similar uses. A Resiliency Facility is defined as a facility of a public utility used for assembling, creating, holding, or deploying natural gas reserves for temporary use during a system outage or natural disaster. The bills prohibit a local government, after July 2024, from amending its comprehensive plan or land development regulations in a manner that would conflict with a resiliency facility's classification as a permitted use in all land use categories and districts. The bills remove current law requirements that direct state agencies to purchase "climate-friendly preferred products" and to contract with "Green Lodging" facilities. In addition, the bills remove current law provisions that require state agencies to purchase the most fuel-efficient vehicles. The bills require the Department of Management Services to develop a "Florida Human Preferred Energy Products List." The development of the List must include consideration of products available for purchase under state contracts that include an energy storage device or energy generation device with specified storage capacity that appear largely free from forced labor. State agencies are prohibited from purchasing products not on the List. The bills include "development districts" as entities preempted from regulating utility fuel sources and gas appliances. The bills require a public utility to petition the Public Service Commission for approval before retiring an electric power plant. In addition, the bills authorize the Commission to approve voluntary public utility programs for residential EV charging if the program will not adversely affect the utility's rate payers. The bills revise the goals and objectives of the state's Energy Policy and eliminate various grants and programs relating to renewable energy, energy efficiency and climate. The bills prohibit a homeowner's association from precluding the types

of fuel sources of energy production used to serve consumers, and from precluding the use of gas appliances. The bills direct the Public Service Commission to assess, study and report on the following: modernization of the state's electric grid; the security and resiliency of the state's electric grid and natural gas facilities; and the feasibility of using advanced nuclear power technologies. The bills require the Department of Transportation to study and report on the potential development of hydrogen fueling infrastructure. (O'Hara)

Enhancement and Mitigation Credits (Monitor)

HB 1073 (Truenow) and **CS/SB 1532** (Brodeur) revise current law provisions for the sale and use of water quality enhancement credits from water quality enhancement areas. In addition, the bills require governmental entities to consider unsolicited proposals from private entities, and authorize governmental entities to solicit proposals from private entities, for wetland mitigation bank projects on public lands. The bills specify conditions for a mitigation bank established and operated by a private entity on public land. (O'Hara)

Everglades Protection Area/Comprehensive Plan Amendments (Monitor)

HB 723 (Busatta Cabrera) and **SB 1364** (Calatayud) require comprehensive plans and plan amendments that apply to any land within, or within two miles of, the Everglades Protection Area (EPA) to follow the state-coordinated review process for state agency compliance review under Part II, Chapter 163, Florida Statutes, and requires the Department of Environmental Protection (DEP) to coordinate with the affected local governments on mitigation measures for plans or plan amendments that would impact Everglades restoration. The EPA consists of the three state-designated Water Conservations Areas (WCA-1, WCA-2 and WCA-3) as well as Everglades National Park. Plan amendments that apply to any land within, or within two miles of, the EPA must be transmitted to DEP within 10 days of the second public hearing on the amendment. Finally, the bills require a county whose boundaries include any portion of the EPA, and the municipalities within the county (any municipality within Palm Beach, Broward or Miami-Dade County), to transmit a copy of any small-scale plan amendment to the Department of Economic Opportunity within 10 days after adoption. SB 1364 prohibits the adoption of a small-scale plan amendment if the affected property is located within, or within two miles of, the Everglades Protection Area. (O'Hara)

Environmental Management (Monitor)

CS/HB 789 (Overdorf) and **CS/CS/SB 738** (Burgess) limit causes of action to damages for real and personal property directly resulting from pollution that was not authorized by any government approval or permit pursuant to Chapters 373, 376 and 403, Florida Statutes. In addition, the bills provide that the strict liability exceptions to such a cause of action include those specified in Section 376.308 and 376.82, Florida Statutes. The bills also require that nonindustrial stormwater management systems be designed with side slopes that meet certain minimum design requirements. The bills require the Department of Environmental Protection (DEP) and water management districts to conduct reviews of their coastal permitting processes and permit programs and to submit reports of their findings and recommendations to the Governor and Legislature by December 2024. The review must include coastal construction control line permits, Section 404 permits, and permitting processes related to water supply

infrastructure, wastewater infrastructure and onsite sewage treatment and disposal systems. The purpose of the review is to identify areas of improvement and increase efficiency. Finally, CS/SB 738 provides that a prevailing party in actions against the DEP or water management district relating to authorizations issued pursuant to Chapters 403 or 373 is entitled to reasonable attorney costs and fees. (O'Hara)

Excise Tax on Water Extracted for Commercial or Industrial Use (Monitor)

SB 510 (Stewart) imposes an excise tax on persons extracting water from waters of the state for commercial or industrial use. The bill specifies that tax proceeds must be deposited in the state Water Protection and Sustainability Program Trust Fund. In addition, it specifies that tax proceeds must also be used by the Department of Environmental Protection for geological surveys to monitor the health of waters of the state and for saltwater intrusion prevention and management. (O'Hara)

Flood Damage Prevention (Monitor)

HB 749 (Basabe) and **CS/SB 1766** (Rodriguez) provide that the maximum voluntary freeboard requirements for new construction and substantial improvements to existing construction is 10 feet. The bills prohibit voluntary freeboard from being used to calculate the maximum allowable height of a structure. The bills define "freeboard" as the additional height above the base flood elevation for determining the level at which a structure's lowest floor or the bottom of the lowest horizontal structure member must be elevated in accordance with floodplain management regulations and the Florida Building Code. "Voluntary freeboard" is defined as the additional height above the freeboard required by floodplain management regulations and the Florida Building Code. The bills authorize local governments to adopt by ordinance minimum freeboard requirements or maximum voluntary freeboard that exceeds minimum requirements. In addition, the bills require the Florida Building Commission to adopt by rule minimum freeboard requirements and to incorporate such requirements into the next edition of the Florida Building Code and to review such requirements every five years. (O'Hara)

Funding for Environmental Resource Management (Support)

HB 1417 (Buchanan) and **SB 1638** (Hutson) require the Legislature to appropriate 95% of the revenue share payments received under the 2021 gaming compact for the purpose of acquiring and managing conservation lands and addressing water quality issues. (O'Hara)

Improvements to Real Property (Support)

CS/CS/SB 770 (Martin) and **CS/HB 927** (Trabulsy) revise requirements relating to the Property Assessed Clean Energy (PACE) program. The bills define "commercial property," "facility," "government commercial property," nongovernmental lessee," program administrator," "qualifying improvement contractor," "qualifying improvement program," "qualifying improvement," and "residential property" for purposes of the PACE program. CS/CS/SB 770 authorizes the use of interlocal agreements for the purpose of PACE financing but specifies that the property for which qualifying improvements are made must be located within the jurisdictions of the local governments that are parties to the interlocal agreement. The bills

authorize local governments to enter financing agreements with property owners to finance or refinance qualifying improvements and require such agreements to meet specified conditions. The definition of “qualifying improvement” is expanded to include wastewater improvements relating to repair, replacement, or conversion of a septic tank system, and flood and water damage mitigation and resiliency improvements. The bills define “qualifying improvements” for commercial properties. The bills revise and specify public recording requirements for assessment financing agreements and notices of lien. The bills authorize local governments to include in any contracts with program administrators provisions for performing annual reviews to confirm compliance. The bills prohibit liens relating to PACE improvements from being enforced in a manner that accelerates the remaining nondelinquent unpaid balance. Numerous new consumer protection requirements are imposed on the approval of PACE financing agreements, including requirements that a local government or program administrator determine whether a property owner has the ability to pay the assessment, requirements for disclosures to property owners, requirements for obtaining the consent of certain mortgage holders or loan servicers, requirements for monitoring compliance by qualifying improvement contractors, and requirements for annual reporting by local governments. (O’Hara)

Indian River Lagoon Protection Program (Monitor)

HB 1005 (Roth) and **SB 1354** (Wright) require 40% or \$60 million, whichever is greater, of the proceeds paid into the state’s Water Protection and Sustainability Trust Fund to be used for the Indian River Lagoon Protection Program (Program). The funds may only be used to install and connect septic systems within the Program area to wastewater treatment facilities that have been prioritized by the Department of Environmental Protection (DEP). The funds shall be disbursed to local governments but may not be used to cover more than 50% of the total cost to install and connect dwellings to wastewater treatment facilities. In addition, the bills require DEP to identify and categorize all the commercial or residential properties that use septic systems within Basin Management Action plan areas that are within the Program area and estimate the economic cost of connecting the septic systems to a wastewater treatment facility. The bills direct DEP to perform a cost-benefit analysis to rank and prioritize systems for funding connection grants. The bills require DEP to submit an annual report on its actions relating to the Program to the Governor and the Legislature. (O’Hara)

Installation of Waterway Markers (Monitor)

SB 784 (Gruters) revises the application and installation requirements for uniform waterway markers. It requires that all waterway markers and information markers be affixed to plastic breakaway structures or floating buoys by January 1, 2025. The bill prohibits a governmental entity from affixing a waterway marker to a steel beam or wood piling. (O’Hara)

Land and Water Management (Monitor)

HB 527 (Maggard) and **SB 664** (Burgess) require a local government to use eminent domain to acquire any land or water buffer area that exceeds the minimum land or water buffer areas required under state law for development in or around wetlands. The bills also preempt dredge and fill permitting to the state and eliminate statutory authority for Land Management Review Teams at water management districts. (O’Hara)

Management and Storage of Surface Waters (Monitor)

SB 986 (Burton) provides an exemption from surface water management and storage regulations for implementing water quality improvements and specified measures for environmental habitat restoration, enhancement and creation on certain agricultural lands or government-owned lands. The measures may alter topography of the land, divert or impede the flow of surface waters on the land, or impact wetlands if the measures result in a net increase in wetland functions. The bill prohibits the use of the exemption to establish mitigation banks or regional offsite mitigation areas. (O'Hara)

Marine Encroachment on Military Operations (Monitor)

SB 1720 (Rodriguez) and **HB 1407** (Altman) modify current growth management laws to expand the types of military installations that local governments must cooperate with to encourage compatible land uses in associated areas. The bills encourage partnerships with local governments to create local mangrove protection and restoration zone programs. The expansion adds military "ranges" specified annexes in the Keys as well as ranges at Fleming Bay to the types of installations subject to the cooperation requirements. (O'Hara)

Mitigation Credits (Monitor)

SB 1646 (DiCeglie) revises the list of projects eligible to use wetland mitigation banks and authorizes the use of mitigation credits within surrounding basins, rather than in the basin being impacted if credits are deemed unavailable within that basin. The bill specifies the circumstances under which credits may be deemed unavailable in a basin and specifies the factors the Department of Environmental Protection and water management districts must consider when awarding mitigation credits. In addition, the bill provides requirements for the calculation of additional credits necessary to use mitigation credits from outside a project area basin. The bill requires the Department to adopt rules that conform to and implement the bill's requirements. (O'Hara)

Municipal Utilities (Oppose)

CS/CS/HB 1277 (Busatta Cabrera) and **SB 1510** (Brodeur) impose restrictions on the use of municipal water, wastewater, gas or electric utility revenues to fund general government services and impose restrictions on the imposition of water and wastewater extraterritorial surcharges. CS/CS/HB 1277 requires interlocal agreements for extraterritorial utility service (gas, electric, water and wastewater) to be written and provides that such agreements may not become effective until the provider municipality holds a joint public meeting with the governing body of the recipient jurisdiction. In addition, the bill requires a joint annual customer meeting between the providing municipality and the recipient jurisdictions' governing bodies for the purpose of obtaining public input on utility matters. CS/CS/HB 1277 imposes a 10% cap of gross utility revenues on any utility enterprise fund transfers to the general fund. Beginning November 2024, municipal utilities providing extraterritorial services are required to submit an annual report to the Public Service Commission with information about the scope and nature of the services. Beginning January 2025, the Public Service Commission is required to aggregate the information submitted by municipal utilities and provide an annual report to the

Legislature. SB 1510 specifies that the portion of utility revenues transferred to the general fund may not exceed the transfer rates specified in the bill. The specified transfer rates are based on the average midpoints of the rates of return on equity approved by the Public Service Commission for investor-owned utilities. The bill requires further reductions in the allowable transfer rate based on the percentage of the utility's retail customers located outside the municipality's boundaries. The bill further specifies that these reductions do not apply if the utility service is governed by a utility authority board that, through the election of voting members from outside the municipal boundaries, provides for proportionate representation of customers located outside the municipal boundaries. With respect to extraterritorial surcharges, CS/CS/HB 1277 and SB 1510 eliminate the first 25% extraterritorial surcharge that may be imposed without a public hearing. The bills eliminate the second 25% surcharge that may be imposed after a public hearing. In addition, the bills provide that rates, fees and charges that may be imposed on extraterritorial customers shall not exceed 25% (reduced from the 50% allowed under current law) of the total amount the municipality charges customers served within the municipality for corresponding service. The effective date of the bills is July 2025. (O'Hara)

Municipal Solid Waste to Energy Program (Monitor)

SB 1606 (Torres) and **HB 1631** (Campbell) change the state agency responsible for administering the Municipal Solid Waste-to-Energy Program from the Department of Agriculture and Consumer Services to the Department of Environmental Protection. The bills revise the eligibility requirements for financial assistance under the program and provide that an applicant that does not meet minimum federal air quality standards is ineligible for grant funding. The bills also require an environmental justice evaluation by the agency of the facility's impact on low-income and historically marginalized groups. (O'Hara)

Mitigation Areas and Assessments (Monitor)

SB 836 (Simon) amends Section 373.414, Florida Statutes, relating to wetland and surface water mitigation areas and assessments. It specifies conditions under which the required "degree of risk" may not be considered when a uniform mitigation assessment method is being applied. For mitigation areas created after January 2022, and for which mitigation has not been determined by the state to be successful for a mitigation area as of July 2024, the bill specifies that no conservation easement or other similar form of encumbrance of real property may be required as a condition of approval of the permit or mitigation plan, and the mitigation credits attributable to the mitigation area will be determined without regard to the presence or absence of a conservation easement or other similar form of encumbrance. (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)

Municipal Water or Sewer Utility Rates, Fees and Charges (Oppose)

CS/HB 777 (Brackett) and **SB 1088** (Martin) remove statutory authorization for municipalities to impose any surcharge for serving customers outside their municipal boundaries. HB 777 would require that rates, fees and charges be the same for customers served inside and outside the municipality's boundaries. SB 1088 specifies that rates, fees, and charges for extraterritorial customers must be just and equitable and be based on the same factors used to fix rates, fees, and charges for customers inside the municipality's boundaries. The bills also require municipal utilities that serve extraterritorial customers to conduct a rate study by January 1, 2027, and every seven years thereafter. (O'Hara)

Preemption of Recyclable and Polystyrene Materials (Support)

SB 498 (Stewart) removes the state law preemption of local laws regarding the regulation of auxiliary containers, wrappings or disposable plastic bags and removes the state preemption of local law regarding the use or sale of polystyrene products. (O'Hara)

Public Records and Meetings of a Utility Owned or Operated by a Local Government (Support)

SB 7006 (Regulated Industries) and **HB 7047** (Ethics, Elections and Open Government Subcommittee) extend the repeal date for the public records and public meetings exemptions relating to information technology security of local government utilities to October 2, 2027, which coincides with the repeal date for cybersecurity public records exemptions for all public agencies. In addition, the bills save from repeal the public record exemption related to customer meter-derived data and billing information. (O'Hara)

Ratification of Statewide Stormwater Rule (Support)

CS/SB 7040 (Environment and Natural Resources Committee) and **CS/HB 7053** (Water Quality, Supply and Treatment Subcommittee) ratify the Department of Environmental Protection's revisions to the stormwater rules within Chapter 62-330, Florida Administrative Code, with additional changes, including: (1) clarifying provisions relating to grandfathered projects; (2) providing that entities implementing stormwater best management practices also regulated under different provisions of law are not subject to duplicate inspections for the same practices; and (3) allowing alternative treatment standards for redevelopment projects in areas with impaired waters. CS/SB 7040 was amended to include additional grandfathering for projects for which a rezoning application was submitted before January 1, 2024, and development of regional impact projects was approved before January 1, 2024. CS/HB 7053 was amended to include additional grandfathering for stormwater management plans and designs included with a project associated with an application for site plan or subdivision plat approval submitted before January 1, 2024, as well as grandfathering for valid development of regional impact (DRI) projects with a development order approved prior to January 1, 2024. The DRI development order grandfathering provision terminates in 2044. (O'Hara)

Regulation of Auxiliary Containers (Oppose)

SB 1126 (Martin) and **HB 1641** (Yeager) preempt the regulation of auxiliary containers (reusable or single-use bags, cups, bottles or other packaging) and deletes a current law provision that

requires the Department of Environmental Protection to review and update its 2010 report on retail bags and auxiliary containers. (O'Hara)

Regulation of Single-use Plastic Products (Support)

SB 698 (Rodriguez) requires the Department of Environmental Protection to review and periodically update its 2010 report and recommendations relating to the use of plastic bags and auxiliary containers. The bill establishes a pilot program for coastal municipalities to establish a pilot program to regulate single-use plastic products upon meeting specified conditions. (O'Hara).

Release of Balloons (Support)

SB 602 (DiCeglie) and **HB 321** (Chaney) revise the current law prohibiting the release of certain balloons. SB 602 deletes the specified timeframe and number of balloons subject to the prohibition, making the intentional release of any number of balloons over any timeframe a violation of state law. SB 602 also deletes the current law exemption from the prohibition for certain biodegradable or photodegradable balloons. Both bills provide that a person who violates the statutory prohibition commits the noncriminal infraction of littering, punishable as provided in Section 403.413(6)(a), Florida Statutes. (O'Hara)

Resilience Districts (Monitor)

SB 1330 (Calatayud) creates a process for establishing 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. If a local government acts as project manager for a 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 and imposes additional obligations on local governments that "inappropriately" deny a petition to establish a district. 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. (O'Hara)

Renewable Natural Gas (Monitor)

SB 480 (DiCeglie) and **HB 683** (Yeager) authorize an investor-owned utility to recover, through an appropriate cost-recovery mechanism administered by the Public Service Commission, prudently incurred renewable natural gas infrastructure project costs. The bill revises the required contents of a basin management action plan for an Outstanding Florida Spring to

include identification of water quality improvement projects that can also produce and capture renewable natural gas through anaerobic digestion or other similar technologies at wastewater treatment plants, livestock farms, food production facilities and organic waste management operations. It encourages municipalities and counties to develop regional solutions to the processing, capture and reuse or sale of renewable natural gas from landfills and wastewater treatment facilities. Finally, it authorizes the Department of Agriculture to expand any “farm-to-fuel” initiative to address the production and capture of renewable natural gas. (O’Hara)

Safe Waterways Act (Monitor)

CS/HB 165 (Gossett-Seidman) and **CS/SB 338** (Berman) 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. (O’Hara)

Saltwater Intrusion Vulnerability Assessments (Monitor)

CS/SB 298 (Polsky) authorizes the Department of Environmental Protection to provide grants to coastal counties for saltwater intrusion vulnerability assessments that analyze the effects of saltwater intrusion on a county's water supply, water utility infrastructure, wellfield protection and freshwater supply management. The bill requires the Department to update its comprehensive statewide flood vulnerability and sea level rise data set to include information received from the county saltwater intrusion vulnerability assessments. The bill directs the Department to provide 50% cost-share funding to counties, up to \$250,000, for each grant, and exempt counties with a population of 50,000 or less from the cost-share requirement. In addition, the bill includes provisions relating to the Department of Environmental Protection’s approval of a coastal county or municipality’s establishment of coastal construction zoning and building codes in lieu of the Department’s requirements. The bill authorizes a city or county to establish its own requirements if the local government’s coastal zones and codes were approved *in writing* by the Department on or before December 1, 2023. (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)

Statewide Drinking Water Standards (Monitor)

SB 1546 (Stewart) and **HB 1533** (Plakon) require the Department of Environmental Protection to adopt rules for a statewide maximum contaminant level for 1,4-dioxane. The rules must require a public water system, by January 2025, to test all of the system's groundwater wells for dioxane. If dioxane is detected at levels greater than the statewide standard, the public water system must develop and submit to the Department a mitigation plan to bring the dioxane levels to state standards and comply with such standards within five years after the rules are adopted. The system must retest for dioxane at frequencies determined by the Department and make the mitigation plan and testing results available to the public. If testing does not detect levels of dioxane exceeding the state standard, a public water system must make the testing results available to the public and must retest for dioxane within five years. In addition, the bills require the Department to provide financial assistance under the drinking water state revolving loan fund to public water systems necessary to help reduce the system's costs to update system infrastructure to meet the new standards. (O'Hara)

Statewide Environmental Resource Permitting Rules (Monitor)

SB 406 (Rodriguez) requires that stormwater management systems be designed with side slope horizontal-to-vertical ratio of 4:1 or an equivalent substitute. The bill supersedes all other side slope rules adopted by the Department of Environmental Protection, water management districts or delegated local programs. (O'Hara)

Surplus Lands (Monitor)

SB 1620 (Collins) requires the state Acquisition and Restoration Council to determine whether any lands surplus by a local government are within a Florida Wildlife Corridor opportunity area. It prohibits further development rights from being attached to such lands that are determined to be within the Corridor opportunity area. The bill authorizes the Department of Environmental Protection (DEP) to surplus state-owned conservation lands without development rights within the Corridor and provides a disposition process for such lands. The bill requires water management districts to determine whether surplus district lands are within the Corridor opportunity area. (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)

Underground Facilities (Monitor)

SB 708 (Burton) and **HB 825** (Koster) revise the timeframe within which an excavator is required to provide information through the free-access notification system established by Sunshine State One-Call Florida, Inc., before beginning certain excavation or demolition activities. In addition, the bills revise the timeframes during which member operators who receive such

notifications are required to mark the horizontal route of an underground facility and provide a positive response to the system. (O'Hara)

Water Safety (Oppose)

SB 1538 (Torres) requires state parks to have a certified lifeguard at designated swimming areas within state parks. In addition, the bill requires "police vehicles" to be equipped with a rescue buoy for a water safety incident and requires the staffing for each shift at a fire department to include at least one firefighter who is certified in rescue diving and who is not a captain or battalion chief. (O'Hara)

Wind Energy Facility Siting (Monitor)

HB 1493 (Altman) and **SB 1718** (Collins) prohibit the construction, operation or expansion of wind energy facilities and offshore wind energy facilities in the state. (O'Hara)

Other Bills of Interest

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

SB 452 (Burton) and **HB 451** (Bell) – Land Acquisition Trust Fund (Heartland Headwaters)

HB 437 (Porras) – Anchoring Limitation Areas (Biscayne Bay)

SB 484 (Bradley) and **HB 1049** (Hunchofsky) – Flood Disclosure in the Sale of Real Property

SB 566 (Rodriguez) – Land Acquisition Trust Fund (Florida Keys)

HB 815 (Smith) and **SB 998** (Collins) – Liquefied Petroleum Gas

HB 1075 (Truenow) and **SB 1772** (Collins) – Soil and Water Conservation Districts

SB 1136 (Trumbull) and **HB 1163** (McClain) – Regulation of Water Resources/Water Well Contractors

SB 1210 (Martin) – Estero Bay Aquatic Preserve

HB 1119 (Antone) and **SB 38** (Stewart) – Flood Zone Disclosures for Dwelling Units

HB 1311 (LaMarca) and **SB 1754** (Pizzo) – Office of the Blue Economy

SB 1756 (Pizzo) – Blue Economy Evaluation

HB 1565 (Grant) and **SB 1360** (Gruters) – Florida Red Tide Mitigation and Technology Development Initiative

HB 1411 (Cross) – Shore Protection