



CAPITOL UPDATE

November 15, 2019

FAC Policy Committees Meet in Broward County Next Week

As the fifth committee week wraps up, FAC's Policy Committees prepare to meet next week in Broward County for the 2019 FAC Legislative Conference to formally adopt the Association's legislative priorities for the 2020 Legislative Session.

Before a final vote by full membership is taken on Friday, November 22, each committee will debate the legislative initiatives in the days prior. For those members not yet registered for the conference, registration will be available onsite.

See you in Broward County!



Community, **Health** & Safety

This FAC Committee meets November 20 at 3:30 PM!

Senate Criminal Justice Committee

[SB 346 \(Controlled Substances\)](#) by Senator Bradley was heard for the first time. The bill reduces penalties for drug possession under two grams, except fentanyl, to less than one year of incarceration with some exceptions. The bill also allows judicial discretion in lieu of mandatory minimums as long as certain criteria are met. Senator Bradley spoke to the intent of the bill, saying less severe crimes should be handled by local governments to reduce the strain on the state prison population. The bill also mandates that law enforcement agencies record custodial interrogations for seventeen specific, mostly violent, offenses. Furthermore, it deletes provisions that act as barriers for compensation for wrongful convictions. The bill passed unanimously.

[SB 556 \(Inmate Conditional Medical Release\)](#) by Senator Brandes was heard for the first time. The bill grants the Department of Corrections the authority to allow the release of inmates who meet certain medical criteria as determined to be terminal, incapacitated, or in a degenerative condition. A panel would be established to outline the provisions of a release such as electronic monitoring, and confirm the inmate is not a danger to themselves or others. Victims are granted the right to notification and testimony, and medical releases may be revoked upon improvement or new legal violations. The bill passed unanimously.

Senate Children, Family & Elder Affairs Committee

[SPB 7012 \(Mental Health\)](#) was introduced as a committee bill. The bill makes numerous changes to mental health law. These changes include requiring insurance providers to provide coverage for mental health and substance abuse disorders, and provide immunity for individuals providing aid in good faith during suicide emergencies. The bill also includes numerous provisions that would enhance suicide prevention especially for veterans, students, and medical patients. The bill passed

unanimously.

House Children, Families, & Seniors Committee

[HB 209 \(Emotional Support Animals\)](#) by Representative Killebrew was heard for the first time. The bill bars discrimination and extra fees on individuals in rented dwellings who have an emotional support animal (ESA). Furthermore, ESA's would be clearly defined, but would require proper licensing and verification of proof. The bill passed unanimously.

FAC Contact:

For additional information, please contact Tonnelle Graham at tgraham@flcounties.com.



Growth, Agriculture, Transportation, & Environment

This FAC Committee meets November 21 at 1:30 PM!

House Agriculture & Natural Resources Appropriations Committee

[HB 153 \(Indian River Lagoon State Matching Grant Program\)](#) by Representative Fine was heard for the first time. The bill provides that certain projects identified in Indian River Lagoon Comprehensive Conservation & Management Plan are eligible for state matching funding consideration including advanced waste treatment upgrades, water treatment facility expansions, and sewer system connections. The bill passed unanimously.

Senate Environment & Natural Resources Committee

[SB 150 \(Sanitary Sewer Laterals\)](#) by Senator Brandes was heard for the first time. The bill encourages counties and municipalities to establish a sanitary sewer lateral inspection program by 7/1/2022. The bill also requires a seller of real property to disclose any known defects in the property's sanitary sewer lateral to a prospective purchaser. Local governments may experience a fiscal impact when implementing the suggestions. The bill passed unanimously.

In Other News...

The Florida Senate heard multiple presentations on biosolids from stakeholder groups and DEP. Presentations and discussions focused on innovative technologies to address removing excess nitrogen and phosphorus from Florida's waterways. Industry representatives offered their expertise to support new initiatives on advancements to the biosolids and wastewater treatments.

DEP's Deputy Secretary John Truitt updated Senators on the state's biosolids rule revisions. The Biosolids Technical Advisory Committee met four times between September 2018 and January 2019 to evaluate biosolids management and explore opportunities to better protect Florida's water resources. Primary recommendations aimed to minimize nutrient migration to prevent impairment to water bodies, establish site specific rates of application characteristics, increase DEP inspection rates, develop monitoring protocols, conduct further nutrient management research, and promote innovative technology pilot projects.

DEP published the Notice of Proposed Rule on October 29th, 2019. The current 21-day challenge period ends on November 19th. For more information on DEP's Biosolids rulemaking, follow this [link](#).

FAC Contact:

For additional information, please contact Susan Harbin at sharbin@flcounties.com.



Finance, Tax, & Administration

This FAC Committee meets November 20 at 2:00 PM!

Senate Commerce and Tourism Committee

[SB 508 \(Sales Tax Absorption\)](#) by Senator Baxley was heard for the first time. The bill authorizes dealers to advertise or hold out to the public that they will absorb all or part of sales & use tax on taxable transactions, or refund any part thereof to purchaser. The bill prohibits dealers from implying that the transaction is exempt or excluded from the tax. The bill passed unanimously.

[SB 524 \(Sales Tax Holiday for Disaster Preparedness Supplies\)](#) by Senator Gruters was heard for the first time. The bill establishes an 18-day “disaster preparedness” sales tax holiday, from Friday, May 29 to Monday, June 15, 2020, for certain disaster preparedness supplies. The Revenue Estimating Conference has not yet met regarding the bill. The bill passed unanimously.

[SB 542 \(Back-to-school Sales Tax\)](#) by Senator Perry was heard for the first time. The bill establishes a 10-day “back-to-school” sales tax holiday, from Friday, July 31 to Sunday, August 9, 2020, for certain clothing and school supplies, and a 9-day “back-to-school” sales tax holiday, from Saturday, August 1 to Sunday, August 9, 2020, for certain personal computers and personal computer-related accessories. The Revenue Estimating Conference has not yet met regarding the bill. The bill passed unanimously.

[SB 576 \(Research and Development Tax Credit\)](#) by Senator Gruters was heard for the first time. The bill increases the annual limit for research and development (R&D) tax credits on corporate income taxes to \$50 million from \$9 million, and provides that the first \$10 million must be allocated to qualified businesses in the cleantech industry. The increased annual limit of \$50 million will apply to the taxable year beginning January 1, 2020, and to all taxable years thereafter. The bill also expands the types of businesses eligible to receive the tax credit. The Revenue Estimating Conference has not yet met regarding the bill. The bill passed unanimously.

Senate Education Committee

[SB 130 \(Florida Job Growth Grant Fund\)](#) by Senator Hutson was heard in its second committee stop. The bill authorizes the Governor to approve workforce training grants to charter schools that exclusively offer the Career and Technical Education graduation pathway option under the Florida Job Growth Grant Fund which promotes public infrastructure and workforce training across the state. The bill passed unanimously.

House Civil Justice Committee

[HB 175 \(Housing Discrimination\)](#) by Representative Davis clarifies that complainants alleging housing discrimination do not have to exhaust administrative remedies by filing a complaint with the Florida Commission on Human Relations prior to filing a civil case in court. Federal funding for FHCR is tied to passage of the bill. The bill passed unanimously.

[HB 195 \(Public Records\)](#) by Representative Ray Rodrigues was heard in its second committee stop. The bill prohibits an agency or local government from responding to a public records request by filing a civil action against the individual or entity making the request. FAC raised concerns with the bill’s complete prohibition on local governments filing declaratory judgment actions against requestors, particularly in those cases in which the release of the documents is contingent upon a court order. The bill passed unanimously.

[HB 301](#) & [HB 303](#) (Repeal of the Constitution Revision Commission) by Representative Drake was heard for the first time. The bill proposes a constitutional amendment that would abolish the Constitutional Revision Commission. Critics want to abolish the commission or limit proposed amendments to a single subject limitation similar to the legislature. HB 301 passed 9-2 with Representatives Diamond and Antone voting no. HB 303 passed with Representative Diamond voting no.

Senate Ethics & Elections Committee

[SPB 7006 \(Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position\)](#) by Ethics and Elections was introduced this week. The bill implements Amendment 12 approved by the voters in 2018. The amended constitutional language prohibits a public officer or public employee from abusing his or her public position in order to obtain a disproportionate benefit. The bill passed unanimously.

In Other News...

While neither the House nor the Senate have filed their tax packages for the upcoming session,

several bills are moving through the committee process. Provisions from past tax packages such as the “back-to-school” sales tax holiday and the “disaster preparedness” sales tax holiday can be expected to be included in some form. Additionally, Senator Gruters told committee members that the Research and Development Tax Credit is “one of the most important.” Clearing early committee hurdles is typically seen as a positive sign the provision will be included in the final product.

FAC Contact:

For additional information, please contact Laura Youmans via email at lyoumans@flcounties.com.



FAC Data Point

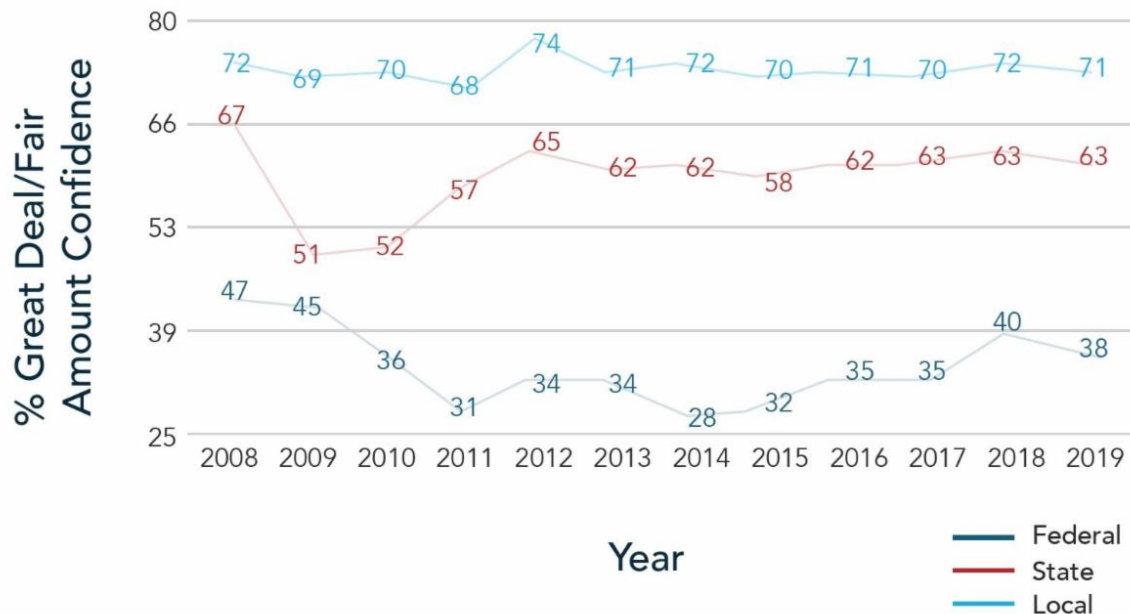
Confidence in Local Government

Founding Father and America’s third president, Thomas Jefferson, is quoted as saying, “The government closest to the people serves the people best.” While many ideas, policies, and government institutions themselves have changed mightily since the dawn of the American Republic, this sentiment has withstood the test of time. Americans tend to place greater confidence in their local government more so than their state and federal counterparts.

Gallup Results

For over 20 years, Gallup has produced a survey each year of the “American public’s trust in the three branches of federal government compared with trust in state and local government.” For nearly each year of the survey, local government outpaces state government in respondents indicating a “great deal” or a “fair amount” of trust. The surveys also show a strong decline in state government trust following the Great Recession with modest gains since that decline. Additionally, local government trust also transcends party lines with Republicans, Independents, and Democrats all supporting local government at high rates.

This polling supplements a series of Gallup polls showing the decline of support for other institutions — such as the media, federal agencies, or the executive branch of the federal government.



For more reasons on why it's best to keep it local, please [click here](#).

FAC Contact:



Other **Legislative** Announcements

CISA Releases “Guide to Critical Infrastructure Security and Resilience”

The Cybersecurity and Infrastructure Security Agency (CISA) and the Department of State have released a “Guide to Critical Infrastructure Security and Resilience.” This collaborative product for domestic and international partners describes the U.S. all-hazards approach to critical infrastructure security and resilience.

The guide provides a step-by-step approach to developing, implementing, and refining related policies and programs for a range of stakeholders, such as foreign ministries charged with oversight of key sectors (e.g., energy, water and wastewater, communications, transportation), as well as experts in security, counterterrorism, crisis management and emergency response. It also includes coordination with industry owners and operators and others with related responsibilities and capabilities.

All sectors share responsibility for security and resilience: government at all levels, industry, academia, community organizations, and even individuals. The Guide acknowledges that the effectiveness of critical infrastructure protection is greatly enhanced when based on a holistic approach that considers all threats and hazards. It is also a useful primer and reference for U.S.-based users, as well as a tool to engage additional partners on roles and responsibility for critical infrastructure as we celebrate [Critical Infrastructure Security and Resilience Month](#) this November.

You can download the guide [here](#).