



LEGISLATIVE BULLETIN

January 17, 2020

2020 Legislative Session Begins

The 2020 Legislative Session kicked off on Tuesday, January 14, 2020!

With the start of session, Palm Beach, Hillsborough, Volusia, Pasco, and Pinellas counties also hosted their "County Day" in Tallahassee in which representatives from those counties met with their delegation members regarding county-specific legislative priorities.

Baker, Bradford, Columbia, Gilchrist, Hamilton, Levy, Madison, Putnam, Suwanee, and Union counties also celebrated "Rural Counties Day" at the Capitol. The counties treated attendees to fried fish and strawberry shortcake while sharing pertinent information regarding their area and their priorities.

When your county is in Tallahassee visiting for your "County Day" or you're here for official business, the FAC Office is your home away from home while traveling. We have a work station set up in case you need to check emails, make a phone call or print documents.

For those counties that haven't traveled to Tallahassee yet, we look forward to see you at the upcoming 2020 FAC Legislative Day on Wednesday, January 29. This is just another a great opportunity to show legislators the impact you are having at home and remind them of the importance of preserving and strengthening home rule.



Pasco County commissioners and staff at the Capitol



Wakulla County Commissioner and FAC First Vice President, Ralph Thomas, serves up fried fish at Rural Counties Day.



ACTION ALERT: Vacation Rentals Preemption

House Committee to Hear Vacation Rental Preemption Next Week Let them know your concerns!

On Tuesday, January 21, [HB 1011 \(Vacation Rentals\)](#) by Representative Fischer, will be heard in its first committee, Workforce Development & Tourism Subcommittee. While maintaining the grandfather clause for ordinances adopted before 2011, the bill preempts vacation rental regulation to the state.

Contact your delegation members on the committee and let them know your concerns with this bill. To view committee members contact information, please [click here](#).

In addition, please share with the FAC any vacation rental ordinances your county has adopted in order for the Association to have a clearer understanding of current local regulations and best practices. This information will be used to educate bill sponsors on the issue and facilitate a comprehensive conversation on the issue.

Sovereign Immunity Bill Up Next Week in Senate

[SB 1302 \(Sovereign Immunity\)](#) by Senator Flores would increase the cap from \$200,000 / \$300,00 to \$1 million per incident, with an annual adjustment to reflect changes in the CPI. The bill is scheduled to be heard during next week's meeting of the **Senate Judiciary Committee**, on **Tuesday, January 21, at 12:00 p.m.** It does not currently have a House companion.

FAC is working in coordination with many of the entities protected by sovereign immunity and with our insurance providers to determine what effects this change might have on rates.



Community, **Health** & Safety

Affordable Housing Bill Moves Forward

[SB 998 \(Housing\)](#) by Senator Hutson passed its first committee stop in the Senate Community Affairs Committee. A strike all amendment was taken up, removing a number of provisions problematic for local governments. Remaining provisions include expanding local governments' ability to zone for affordable housing, new reporting requirements for impact fees, creating the Community Workforce Housing Loan Program, and establishing a biannual council of local elected officials to meet and share best practices on affordable housing.

There are still provisions of concern in the bill such as allowing accessory dwelling units in all residential areas as well as allowing mobile home parks destroyed by disasters to be rebuilt by the same standards as when they were originally commissioned. FAC spoke in support as the sponsor continues to coordinate on remaining concerns. The bill passed unanimously. A companion legislation, [HB 1339 \(Housing\)](#) by Representative Yarborough, has not been heard this session.

Public Safety Bills Heard in Senate Infrastructure & Security Committee

[SB 7028 \(Public Safety\)](#), a proposed committee bill, was introduced by committee staff in the Senate Infrastructure & Security committee. The bill requires health care professionals to report to law enforcement potential threats within a HIPAA exception; creates a new form that would need to be filled out for the majority of private firearm sales and notarized; raises firearm storage age to 18; and prevents the sale of firearms on grounds of public access without a federal background check. The bill passed unanimously. The bill does not have a House companion.

[SB 7030 \(Public Records/Active Threat Assessments and Threat Management Records\)](#), another proposed committee bill, was introduced by staff to fulfill technical requirements of SB 7028, exempting documents related to active threat assessments and threat management records. The bill passed unanimously. The bill does not have a House companion.

Public Park Smoking Prohibition Passes First Senate Committee

[SB 630 \(Regulation of Smoking\)](#) by Senator Mayfield was heard in the Senate Community Affairs Committee, its first committee. The bill allows local governments to further restrict smoking within the boundaries of any public parks they own. FAC waived in support. The bill passed unanimously. The bill has no direct companion in the House.

Emotional Support Animals Legislation Passes Through Committees in Both Chambers

[SB 1084 \(Emotional Support Animals\)](#) by Senator Diaz passed its first committee, the Senate Agriculture Committee, this week while its companion [HB 209 \(Emotional Support Animals\)](#) by Representative Killebrew was voted favorably in the House Children, Families, & Seniors

Subcommittee, its second stop. The bills codify emotional support animals but require owners to receive a certificate from a medical practitioner with whom they have an ongoing doctor-patient relationship stating they have a medical need for the animal. Landlords would be required to accommodate owners under the Americans with Disabilities Act. SB 1084 passed 4 - 1 with Senator Gainer dissenting, and HB 209 passed unanimously.

Trial Court Facilities Security Bill Clears First House Committee

[HB 131 \(Security in Trial Court Facilities\)](#) by Representative McClain was heard during the House Criminal Justice Subcommittee, its first committee. The bill requires each county sheriff to coordinate with the board of county commissioners and the chief judge of the judicial circuit to develop a comprehensive security plan for trial court facilities. FAC waived in support. The bill passed unanimously. The bill's companion, [SB 118 \(Security in Trial Court Facilities\)](#) by Senator Gruters, is on its second committee stop.

Nurse Scope of Practice Bill Crosses Second Hurdle in House

[HB 607 \(Health Care Practitioners\)](#) by Representative Pigman passed its second stop in the House Health Care Appropriations Subcommittee. The bill allows APRNs to practice without physician supervision, allow physician assistants to act as standalone primary care providers, and would grant physician assistants to certify a person for involuntary psychological examination. The bill passed unanimously. The bill has no direct companion in the Senate.

Increased Support for the Transportation Disadvantaged Pass First House Committee

[HB 551 \(Transportation Disadvantaged\)](#) by Representative Jenne was heard for the first time in the House Transportation & Infrastructure Subcommittee. The bill requires community transportation coordinators to provide transportation to disadvantaged individuals across county lines to improve their access to employment, education, healthcare, and other life sustaining services. The bill passed unanimously. The bill's companion, [SB 76 \(Transportation Disadvantaged\)](#) by Senator Book, has not been heard this session.

Changes to Assisted Living Facilities Passes First House Committee

[HB 767 \(Assisted Living Facilities\)](#) by Representative Grant(M) had its first hearing in the House Health Market Reform Subcommittee. The bill makes several changes to ALF regulations including adding new core training and education requirements, updates requirements for adverse incident reports, referrals, waivers for receiving medication, and training for administering prescriptions. The bill passed unanimously. The bill's companion, [SB 402 \(Assisted Living Facilities\)](#) by Senator Harrell, is on its second committee stop.

Prescription Drug Donation Program Advances in Both Chambers

[SB 58 \(Prescription Drug Donation Repository Program\)](#) by Senator Book cleared its second committee this week in Senate Health & Human Services Appropriations while its companion [HB 177 \(Prescription Drug Donation Repository Program\)](#) passed its final stop, the House Health & Human Services Committee. The bills would allow clinics, hospitals, and other locations to receive unused prescriptions or medical devices from certain entities, establish record keeping, storing and distribution, and then donate the medication to qualified indigent patients. In their current form, substantive differences still exist between the two versions. Both bills passed unanimously.

Children's Mental Health Bill Passes First House Committee

[HB 945 \(Children's Mental Health\)](#) by Representative Silvers was heard for the first time in the House Children, Families, & Seniors Subcommittee. The bill establishes a network in the Department of Children & Families and the Agency for Health Care Administration to provide comprehensive mental health services to children or adolescents considered at risk or experiencing various forms of mental health problems at any level. Services include an emergency mobile response team, provide screening and early identification, and community based behavioral services. Various groups will be required to cooperate and create a comprehensive plan and network including but not limited to local sheriffs and law enforcement, schools, DCF, AHCA, the mobile response team, and behavioral health services providers. The bill passed unanimously. The Senate companion, [SB 1440 \(Children's Mental Health\)](#) by Senator Powell has yet to be heard in committee.

Drug Possession and Mandatory Minimum Reform Ready for Senate Floor

[SB 346 \(Criminal Justice\)](#) by Senator Bradley passed its final committee stop in the Senate

Appropriations Committee. The bill puts a 12 month cap on the purchase or possession of controlled substances under two grams, barring fentanyl, and gives judges more flexibility within the system of mandatory minimums, including lesser punishments, so long as certain violent and sexual crimes are not committed. The 12 month cap for drugs offenses may increase the burden on county jails or other resources such as drug courts. The bill also requires recordings of custodial interrogations and removes the “Clean Hands” provision for the wrongly convicted, where they would not be disqualified from damages based on prior unrelated convictions with exceptions. An amendment was filed to allow a certain amount of retroactivity. The bill passed unanimously. The bill has no direct companion in the House.

Independent Living Task Force Ready for House Floor

[HB 39 \(Independent Living Task Force\)](#) by Representative Gottlieb passed its final committee stop in the House State Affairs Committee. The bill establishes an independent living task force to develop and evaluate policies to promote low-cost assistant housing for the developmentally disabled. The Florida Association of Counties (FAC) is one of the entities included on the task force. FAC waived in support. The bill passed unanimously. The bill’s companion, [SB 364 \(Independent Living Task Force\)](#) by Senator Rader, is in its final committee stop, Senate Rules.

FAC Contact:

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Growth, **Agriculture,**
Transportation, **& Environment**

Vacation Rentals Preemption Advances to Second Senate Committee

[SB 1128 \(Vacation Rentals\)](#) by Senator Diaz was heard for the first time this year in the Senate Innovation, Industry, and Technology Committee. While maintaining the grandfather clause for ordinances adopted before 2011, the bill preempts vacation rental regulation to the state. The preemption includes the regulation of licensing and inspections, which would fall under the Department of Business & Professional Regulation. Furthermore, nuisance ordinances would be allowed but only if applied to all residential properties uniformly. Licensing and tax information would be required by online provider platforms, as well as the ability for DBPR to instruct a website to remove particular listings. Concerns were raised including DBPR being unable to handle the added responsibilities due to a lack of manpower; rental and renting by sex offenders; and discrimination. FAC waived in opposition. The bill passed 8 - 2 with Senators Brandes and Farmer dissenting. A companion legislation, [HB 1011 \(Vacation Rentals\)](#) by Representative Fischer, has not been heard this session.

Resiliency Legislation Passes Second Senate Committee

[SB 7016 \(Statewide Office of Resiliency\)](#) by Senator Lee was heard for the second time during the Senate Environment and Natural Resources Committee. The bill codifies the Governor’s Executive Order that established the Statewide Office of Resiliency (SOR) within the Executive Office of the Governor, headed by a Chief Resilience Officer appointed by and serving at the pleasure of the Governor. The proposed bill creates the Statewide Sea-Level Rise Task Force adjunct to the SOR for the purpose of recommending consensus projections of the anticipated sea-level rise and flooding impacts along the state’s coastline. The bill authorizes technical advisory groups to inform its decision-making and directs DEP to assist in developing baseline projections. Recommended projections will be submitted to the Environmental Regulatory Commission for adoption or rejection by 1/1/2021.

FAC adopted a Guiding Principle to support a comprehensive state climate change action plan, with energy policies and other initiatives to reduce greenhouse gases and to address ecosystem sustainability, long term water supply, flood protection, public health and safety, and economic prosperity. The bill passed unanimously. A companion legislation, [HB 1073 \(Statewide Office of Resiliency\)](#) by Representative Stevenson, has not been heard this session.

Florida Forever Expansion Introduced as a Committee Bill

[SB 7024 \(Florida Forever\)](#) by Senator Montford was heard as a proposed committee bill during the Senate Environment and Natural Resources Committee. The bill directs state agencies to prioritize projects in the Florida Forever program that relate to conservation lands and coastal areas subject to flooding as a result of sea-level rise. The bill allocates \$10 million per fiscal year to acquisitions of land or conservation easements impacted by a hurricane within the last 5 years and allows Florida Forever

funding to be used for wildlife crossings. The bill passed unanimously. This bill does not have a House companion.

Building Design Preemption Passes First House Committee

[HB 459 \(Building Design\)](#) by Representative Overdorf passed in its first committee stop in the House Business & Professions Subcommittee. The original purpose of the bill was to prevent local governments to dictate building designs, such as aesthetics. However, a strike-all amendment was filed to clarify that this applies only to single- or two- family homes. The strike all makes further changes removing the provision that would allow the Florida Building Commission to void local regulations, and requires the commission to pass a non-binding advisory opinion rather than a mandatory one. Buildings on the National Register of Historic Places would be exempt. Some concerns for local governments remain, such as the lack of inclusion of special districts or historic cultural districts wishing to retain a certain character aesthetic. The bill passed unanimously. A companion legislation, [SB 954 \(Building Design\)](#) by Senator Perry, has not been heard this session.

Mobile Home Parks Overhaul Passes in First Senate Committee

[SB 818 \(Manufactured Housing\)](#) by Senator Hooper was heard in the Senate Innovation, Industry, & Technology Committee. The bill requires a 6% sales tax on 50% of the sale of mobile homes if subject to sales tax as tangible personal property, and updates requirements for displaying mobile homes for sale by brokers. Additionally, garage liability policy would no longer be required for mobile home dealers who sell only park trailers and the Public Service Commission exemption would be expanded to include landlords providing utility service to their tenants without specific compensation for mobile home parks. Finally, the bill allows for destroyed mobile home parks to be rebuilt in the same density as when it was first commissioned, and regulations during eviction disputes. The bill passed unanimously. A companion legislation, [HB 1339 \(Housing\)](#) by Representative Yarborough, has not been heard this session.

Changes to Impact Fees Passes First House Committee

[HB 637 \(Impact Fees\)](#) by Representative DiCeglie passed its first committee stop in the House Local, Federal, & Veterans' Affairs Subcommittee. The bill allows impact fee credits to be transferable to any parcel within the fee jurisdiction, and establishes an impact fee review committee which would include retaining an impact fee consultant. Furthermore, it caps impact fees on student stations, and defines infrastructure to match with current statute for application to impact fees. Finally, impact fees must be calculated with data from the past 36 months and new or current impact fees may not be applied to current or pending applications before its effective date. The bill passed 13 - 1 with Representative Eskamani voting against. A companion legislation, [SB 1066 \(Impact Fees\)](#) by Senator Gruters, has not been heard this session.

Updates to the Everglades Protection Area Clears First House Committee

[HB 775 \(Everglades Protection Area\)](#) by Representative Avila was heard in the House Agriculture & Natural Resources Subcommittee. The bill adds new regulations for local governments that border the Everglades Protection Area. This includes adding a review by the Department of Environmental Protection when creating or amending their comprehensive plan in order to ensure potential impacts on the Everglades are mitigated. The bill passed unanimously. A companion legislation, [SB 1390 \(Everglades Protection Area\)](#) by Senator Simmons, has not been heard this session.

Private Property Rights Expansion Receives First Hearing in House Committee

[HB 519 \(Private Property Rights Protection\)](#) by Representative Grant (J) was heard in its first stop in the House Civil Justice Subcommittee. The bill was filed as a reform to the Bert Harris Act and allows for all similarly situated properties to be automatically considered the same in the eyes of the Act if one of said properties is successful in a Bert Harris claim against a local government. Concerns were raised that local governments will be disincentivized to settle claims and will instead prefer to litigate every claim given that the "similarly situated" language could have large unintended consequences. The bill passed 10 - 5 (Antone, Diamond, Mercado, Omphroy, Thompson). A companion legislation, [SB 1766 \(Growth Management\)](#) by Senator Lee, has not been heard this session.

Local Government Recycling Contract Legislation Ready for House Floor

[HB 73 \(Environmental Regulation\)](#) by Representative Roach was heard during the House State Affairs Committee, its final committee before going to the House floor. The bill requires counties and cities to address the contamination of recyclable material in contracts entered into for the collection, transport and processing of residential recycling materials. The bills apply to contracts executed or renewed

after 10/1/2020. The bill passed unanimously. A companion legislation, [SB 326 \(Environmental Regulation\)](#) by Senator Perry, has one more committee stop, Senate Rules.

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Water Quality & Supply

Water & Wastewater Utilities Bill Passes First House Committee

[HB 207 \(Acquisition of Water and Wastewater Systems\)](#) by Representative McClain was heard for the first time during the House Energy & Utilities Committee. The bill establishes the procedure for water & wastewater utilities to establish rate base value to determine fair market value when acquiring a utility system. The bill specifies the application requirements for acquiring a utility and the duties of the Public Service Commission (PSC) in approving and denying an application. The bill only applies to utilities with more than 10,000 customers and are engaged in a voluntary and mutually agreeable acquisition. The bill passed unanimously. A companion legislation, [SB 658 \(Acquisition of Water and Wastewater Systems\)](#) by Senator Albritton, has not been heard this session.

FAC Contact:

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Finance, Tax, & Administration

CST Rate Cuts Expected to Cost Local Governments \$189.5 Million in Recurring Dollars

On Friday, January 17, the Revenue Estimating Conference adopted expected revenue reductions from the impacts of [HB 701 / SB 1174](#) (Communication Services Tax) by Representative Fischer and Senator Hutson. According to the conference, if passed, the bill would cost local governments \$189.5 million in recurring dollars.

The proposed legislation repeals home-rule authority for establishing local rates for the Communications Services Tax, and sets standardized rates for charter (4%) and non-charter (2%) by 1/1/2022. Currently, counties have the authority to establish local rates.

Local Government Construction Bills Approved in Senate Government Oversight & Accountability

[SB 504 \(Local Government Public Construction Works\)](#) by Senator Perry was heard for the second time. The bill requires local governing boards to consider the estimated costs of certain projects using cost-accounting principles when making a determination to use its own services. Additionally, the bill requires local government that performs project using its own services, employees, and equipment to disclose the costs of such projects after completion to Auditor General.

The bill was amended to remove the requirement that if the project required an increase in the number of government employees or an increase in such capital expenditures, the local government would not be able to perform the project using its own services, employees, and equipment. The bill passed unanimously. A companion legislation, [HB 279 \(Local Government Public Construction Works\)](#) by Representative David Smith, has not been heard yet this session.

Continuing Contracts Legislation Passes in House and Senate Committees

[HB 441 \(Public Procurement of Services\)](#) by Representative DiCeglie was heard in its second committee stop in the House Governmental Operations & Technology Appropriations Subcommittee.

The bill revises the maximum dollar amount for continuing contracts for construction projects from \$2 million to \$5 million and revises the maximum dollar amount for study activity from \$200,000 to \$500,000. The bill passed unanimously.

[SB 506 \(Public Procurement of Services\)](#) by Senator Perry was heard for the first time. The bill revises the maximum dollar amount for continuing contracts for construction projects from \$2 million to \$5 million. The bill also revises the maximum dollar amount for study activity from \$200,000 to \$500,000. FAC and Marion County supported the legislation in committee. The bill passed unanimously.

IT Security Records Exemption Passes in House and Senate Committees

Two bills that would grant public records exemptions to increase IT security were heard during committee. The bills provide exemptions to public records requirements for portions of records held by a state agency that contain network schematics, hardware/software configurations, encryption, certain recordings and transcripts as well as the portions of meetings that would reveal such records.

[SB 1170 \(Public Records and Meetings/Division of State Technology\)](#) by Senator Baxley was heard for the first time during Senate Innovation, Industry, & Technology Committee. The bill passed 8 - 1 (Bradley).

[HB 821 \(Public Records and Meetings/Information Technology Security Information\)](#) by Representative Williamson was heard for the first time during the House Oversight, Transparency & Public Management Subcommittee. The bill passed unanimously.

Repeal of the Aviation Fuel Tax Clears First Senate committee

[SB 1192 \(Tax on Aviation Fuel\)](#) by Senator Gruters was heard for the first time during the Senate Commerce & Tourism Committee. The bill repeals the Aviation Fuel tax. EDR has not performed a fiscal analysis on the financial impact of this legislation, however, last year's Transportation Revenue Estimating Conference reported \$56,400,000 in gross revenues from the tax with \$39,900,000 transferred to the State Transportation Trust Fund. Concerns were raised that eliminating the tax would hinder future maintenance projects for airports and jeopardize federal match dollars. The bill passed the committee 4 - 1 (Torres). A companion legislation, [HB 6061 \(Aviation Fuel Tax\)](#) by Representative Roach, has not been heard this session.

Fireworks Bill Ready for Senate Floor

[SB 140 \(Fireworks\)](#) by Senator Hutson was heard in its final committee stop, the Senate Rules Committee. The bill creates an additional exception to the prohibition of the sale and use of fireworks to allow fireworks for the following holidays: New Year's Day, July 4th, and New Year's Eve. The bill passed unanimously. A companion legislation, [HB 65 \(Fireworks\)](#) by Representative Ana Maria Rodriguez, has one more committee stop.

Preemption of Sunscreen and Cosmetics Headed to the Senate Floor

[SB 172 \(Florida Drug and Cosmetic Act\)](#) by Senator Bradley was heard in its final committee stop, the Senate Rules Committee. The bill preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics. Specifically, the bill prohibits local ordinances from banning the sale of certain sunscreen products deemed harmful to marine habitats/coral reefs. The bill passed the committee with a vote of 12 - 4 (Braynon, Farmer, Rodriguez, Thurston). A companion legislation, [HB 113 \(Florida Drug and Cosmetic Act\)](#) by Representative Roach, has two more committee stops.

Bill Allowing Electronic Public Meeting Notice Requirements Passes First House Committee

[HB 7 \(Legal Notices\)](#) by Representative Fine was heard for the first time during the House Local, Federal, & Veterans Affairs Committee. The bill revises the legally required advertisements and notices of public meetings to allow local governments to post advertisements on publicly accessible websites. The bill also grants an exception for fiscally constrained counties to determine whether this would be in the interest of the county given the level of internet access. The bill narrowly passed with a vote of 7 - 5 (Antone, Eskamani, Jenne, Jones, Silvers). A companion legislation, [SB 1340 \(Legal Notices\)](#) by Senator Gruters, has not been heard this session.

Local Government Waste Contracts Legislation Clears First House Committee

[HB 639 \(Displacement of Private Waste Companies\)](#) by Representative McClure was heard for the first time during the House Local, Federal, & Veterans Affairs Subcommittee. The bill restricts local government's ability to pay a displaced company in lieu of providing a 3 year notice period. The bill

makes mandatory the 3 years' notice requirement before a local government may provide actual service and requires local governments to pay displaced private waste companies an amount equal to the company's gross receipts for the preceding 18 months after the 3-year waiting period ends. The bill passed 11 - 1 (Eskamani). A companion legislation, [SB 996 \(Displacement of Private Waste Companies\)](#) by Senator Albritton, has not been heard this session.

Property Tax Exemption for Surviving Spouses of Disabled Veterans Passes First House Committee

[HB 877](#) & [879](#) (Surviving Spouse Ad Valorem Tax Reduction) by Representative Killebrew was heard for the first time during the House Local, Federal, & Veterans Affairs Committee. The bill proposes a constitutional amendment to allow the transfer of a homestead exemption to the surviving spouse of a disabled veteran upon death as long as the spouse does not remarry. The current discount to ad valorem tax is the percentage equal to the percentage of the veteran's disability. The Revenue Estimating Conference estimated the potential fiscal impact on non-school property tax revenues to be \$600,000 in FY 2021-22 with a recurring negative impact of \$2.4 million. The bills passed unanimously. Companion legislation, [SB 1074](#), [SB 1076](#), and [SB 1078](#) by Senator Wright, has not been heard this session.

Florida Commission on Human Relations Legislation Passes Second Senate Committee

[SB 726 \(Florida Commission on Human Relations\)](#) by Senator Rouson was heard for the second time during the Senate Judiciary Committee. The bill changes quorum requirements to the Commission and its panels as well as requires the commission to provide notice to aggrieved person of the failure to conciliate. Additionally, the bill revises the timeline relating to complaints alleging prohibited personnel action. The bill passed unanimously. A companion legislation, [HB 255 \(Florida Commission on Human Relations\)](#) by Representative Antone, has not been heard this session.

Preemption of Local Occupational Licensing Clears First House Committee

[HB 3 \(Preemption of Local Occupational Licensing\)](#) by Representative Michael Grant was heard for the first time during the House Business & Professions Subcommittee. The bill preempts licensing of occupations to the state and supersedes any local government licensing requirements to expire effective 7/1/2022. Additionally, the bill prohibits local governments from requiring certain specialty contractors to obtain licenses and specifies job scopes for which local government may not require license. The bill passed 12 - 2 (Alexander, Casello). A companion legislation, [SB 1336 \(Preemption of Local Occupational Licensing\)](#) by Senator Perry, has not been heard this session.

Firefighter Cancer Decontamination Equipment Grant Program Move in Both Chambers

Two bills that would create the Firefighter Cancer Decontamination Equipment Grant Program passed both House and Senate committees. [HB 487 \(Fire Prevention and Control\)](#) by Representative Fetterhoff was heard in its second committee stop during the House Government Operations & Technology Appropriations Subcommittee. [SB 1092 \(Fire Prevention and Control\)](#) by Senator Bean was heard in its first committee stop during the Senate Banking & Insurance Committee.

The bills establish the grant program within the Division of the State Fire Marshal to provide financial assistance in an effort to help protect firefighters from acquiring cancer. Funds allocated through this program can be used for equipment, supplies, and education training related to mitigating exposure to hazardous fire contaminants. The House bill was amended to include a \$250,000 recurring appropriation to fund the grant program. The bills passed each committee unanimously.

Tax Exemption for Charitable Hospitals Clears First House Committee

[HB 919 \(Property Tax Exemptions Used by Hospitals\)](#) by Representative Caruso was heard for the first time during the House Health Market Reform Subcommittee. The bill provides for a property tax exemption for the charitable use of a hospital and defines the qualifying criteria for the exemption. Specifically, the bill defines "unadjusted exempt value" as the value exempted in a tax year for the charitable use of property determined by the Internal Revenue Service Form 990, schedule H. The bill passed 12 - 1 (Good). The bill does not have a Senate companion.

Tenant Rights Clarification Legislation Clears House Committee

[HB 6033 \(Rental Agreements upon Foreclosure\)](#) by Representative Sirois was heard in its second committee, the House Insurance & Banking Subcommittee. The bill repeals F.S. 83.561, relating to the termination of rental agreements upon foreclosure. The statute was preempted by federal law. The

repeal clarifies the rights of Florida tenants and successors in interest at foreclosure, which may reduce litigation resulting from confusion over the applicable law. The bill passed unanimously. A companion legislation, [SB 1362 \(Rental Agreements\)](#) by Senator Rodriguez, has not been heard this session.

Tenant Rights Clarification Legislation Clears House Committee

[HB 305 \(Preemption of Conditions of Employment\)](#) by Representative Rommel was heard for the first time during the House Workforce Development & Tourism Subcommittee. The bill preempts to the state the right to regulate conditions of employment and renders void all existing ordinances, regulations, or policies of a political subdivision related to conditions of employment. The bill passed 9 - 5 (Ausley, Brown, Daley, Davis, Polo). A companion legislation, [SB 1126 \(Employment Conditions\)](#) by Senator Gruters, has not been heard this session.

Space Florida Legislation Clears First House Committee

[HB 717 \(Space Florida Financing\)](#) by Representative Sirois was heard for the first time during the House Workforce Development & Tourism Subcommittee. The bill revises the powers of Space Florida regarding bond issuance and removes provisions regarding presentation of bond proposals to and approval of bond issuance by the Governor and Cabinet. The bill passed unanimously. A companion legislation, [SB 1070 \(Space Florida\)](#) by Senator Wright, has not been heard this session.

Special District Financial Reporting Legislation Clears First House Committee

[HB 855 \(Special Districts\)](#) by Representative Payne was heard for the first time during the House Local Administration Committee. The bill allows special districts to post a link to the most recent final, complete audit report on the Auditor General's website. The bill also deletes the requirement that public facilities report and meeting materials be posted on a special district's website, instead only requiring the district to post a meeting or event agenda. FAC supported the legislation during committee. The bill passed unanimously. A companion legislation, [SB 1466 \(Special Districts\)](#) by Senator Baxley, has not been heard this session.

Public Records Bills Pass House Oversight, Transparency, & Public Management Subcommittee

[HB 799](#) & [HB 801](#) (Public Records/Trade Secrets) by Representative Gregory were heard for the first time in the House Oversight, Transparency & Public Management Subcommittee. The bills exempt from public records requirements trade secrets held by an agency. Trade secrets do not apply to information related to a contract agreement, or an addendum such as the parties to a contract, or an amount of money paid or payment structure. The bills passed unanimously. Companion legislation, [SB 1532](#) & [SB 1534](#) (Public Records/Trade Secrets) by Senator Baxley, has not been heard this session.

Repeal of Constitution Revision Committee Ready for House Floor

[HB 301](#) & [HB 303](#) (Repeal of the Constitution Revision Commission) were heard during the House Judiciary Committee, its final committee. The bills propose a constitutional amendment that would abolish the Constitutional Revision Commission. Critics want to abolish the commission, limit proposed amendments to a single subject limitation similar to the legislature, or provide stricter guidelines for its operation. The bill passed 16 - 2 (Diamond, Driskell). A companion legislation, [SB 142 \(Abolishing the Constitution Revision Commission\)](#) by Senator Brandes, has one more committee stop, Senate Rules.

Local Government Construction Retainage Legislation Ready for House Floor

[HB 101 \(Public Construction\)](#) by Representative Andrade was heard during the House Commerce Committee. The bill reduces the cap amount of payment retainage by local government entities for construction contracts from 10% to 5%. The bill also removes any provisions relating to the lowering of retainage to 5% at 50% completion as the cap has already been lowered from the start of the contract. The bill passed unanimously. A companion legislation, [SB 246 \(Public Construction\)](#) by Senator Hooper, has one more committee stop, Senate Appropriations.

Occupational Deregulation Legislation Clears First House Committee

[HB 707 \(Legislative Review of Occupational Regulations\)](#) by Representative Renner was heard for the first time during the House Commerce Committee. The bill establishes a schedule for systematic review of the costs and benefits of occupational regulatory programs to determine whether to allow the

program to expire, renew without modifications, renew with modifications, or provide for other appropriate actions. Any occupational regulatory program that expires through scheduled repeal may not be subsequently regulated by a local government. The regulation of any occupation repealed by this act is preempted to the state unless local regulation of such occupation is expressly authorized by law and provides for a schedule of repeal for occupational regulatory programs. The bill passed 22 - 1 (Ausley). A companion legislation, [SB 1124 \(Legislative Review of Occupational Regulations\)](#) by Senator Diaz, has not been heard this session.

Citizen Initiative Revision Legislation Introduced as a Committee Bill

[JDC1 \(Constitutional Amendments Proposed By Initiative\)](#) by Representative Jamie Grant was introduced as a committee bill in the House Judiciary Committee. The PCB makes several changes to the citizen initiative process including: increases the number of statewide electors to 50 percent, previously 10 percent, the share of petitions that must be gathered and submitted, requires the ballot to contain additional information regarding the initiative sponsor, requires a copy of the proposal in each voting booth, requires a political committee sponsoring a proposal to disclose the percentage of in-state contributions amongst other provisions. The bill passed 12 - 6 (Alexander, Diamond, Driskell, Geller, Gottlieb, Mercado). The bill does not have a Senate companion.

Amendment 12 Implementing Legislation Ready for House Floor

[HB 7009 \(Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position\)](#) by Representative Byrd was heard during the House State Affairs Committee, its final committee. The legislation 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. A companion legislation, [SB 7006 \(Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position\)](#) by Senate Ethics and Elections (Baxley), has one more committee stop, Senate Rules.

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FAC Data Point

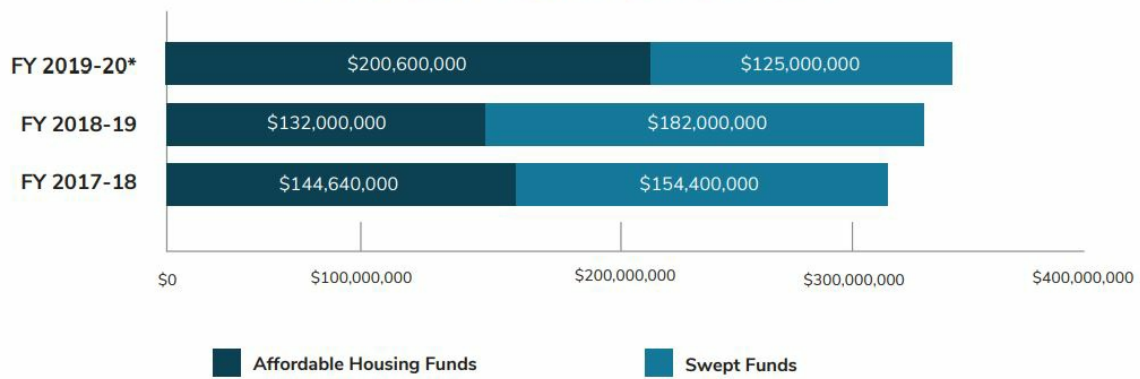
Affordable Housing

Affordable housing is a continual obstacle for Floridians. As it stands, a full-time hourly worker making minimum wage, \$8.46, would need to work 108 hours a week to afford a modest two-bedroom rental. Meanwhile, the average housing wage, or the hourly wage when full time workers spend no more than 30% of income on housing expenses, for Florida is \$22.86 an hour.

By comparison 67% of Floridian jobs make less than \$20 an hour. Currently, the rent affordable for one person at the minimum wage is \$440 a month, while fair market rent for a modest two bedroom is \$1,189. Advocates from all corners of Florida including the Florida Realtors, Homebuilders, Chamber of Commerce, Legal Services, and Conference of Catholic Bishops have joined together to form the Sadowski Coalition to advocate for struggling Floridians.

The Florida Association of Counties (FAC) supports appropriating the full amount of dedicated documentary tax revenues from the Sadowski housing trust funds to fund state and local affordable housing programs, and opposes the Legislature transferring unappropriated funds from the housing trust funds to general revenue or other uses. If fully appropriated, the Sadowski Coalition projects 30,000 new jobs would be created with an over \$4.4 billion economic impact.

AFFORDABLE HOUSING FUNDS & SWEEPS



*\$115 million of appropriated funds in FY 2019/20 went to Hurricane Recovery

While Florida law provides for a dedicated funding source for affordable housing programs to ease this burden, the Legislature routinely raids these trust funds when building the annual state budget. For the 2020-21 Fiscal Year, there is a projected \$352 million of available Sadowski funds. The Legislature has swept funds – partially or totally – from the housing trust funds every year since the 2008-09 fiscal year into the General Revenue fund for various unrelated projects. The 2020-21 Legislative Session is projected to have over \$350 million in available funds.

For more information on the background on the Sadowski Trust Funds, please [click here](#).

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