



LEGISLATIVE BULLETIN

February 14, 2020

With Week 5 Over, We're Officially Halfway Through Session

We are halfway through the 2020 Legislative Session! Thank you for your engagement with the Association so far.

In addition, FAC also announced a new recognition, Counties Helping Counties, for county governments this week - of which, Leon County was the first recipient. The recognition honors counties for going above and beyond not just in service to their citizens but in service to their fellow counties.

In 2019, Leon County conducted a comprehensive and immersive program for FAC staff on the nuances and business of running a county government.



FAC Executive Director presenting recognition to Leon County BOCC

By helping FAC staff become better leaders, Leon County had a direct role in how the organization serves its members and its overall success. To learn more about this recognition, [click here](#).

we keep track
so you don't have to



2020 FLORIDA LEGISLATION TRACKER



Community, **Health** & Safety

Pet Friendly Emergency Shelters Legislation Clears Second Committee in Both Chambers

Two bills related to pet friendly emergency shelters were heard in both chambers. The bills require counties to have at least one pet-friendly emergency shelter. Under the bill, the Department of Education is required to assist the Department of Agriculture and Consumer Services (DACCS) and local governments with their plans.

[HB 705 \(Emergency Sheltering of Persons with Pets\)](#) by Representative Killebrew was heard for the second time during the House Health and Human Services Committee. FAC offered support for the

legislation. The bill passed unanimously.

[SB 752 \(Emergency Sheltering of Persons with Pets\)](#) by Senator Bean was heard for the second time in the Senate Community Affairs Committee. FAC offered support for the legislation. The bill passed unanimously.

Bill Allowing Smoking Ban in Public Parks Ready for Senate Floor

[SB 630 \(Regulation of Smoking\)](#) by Senator Mayfield was heard for the third time in the Senate Rules Committee. The bill would allow local governments to further restrict smoking in publicly owned parks. The bill passed unanimously. A companion legislation, [HB 457 \(Smoking\)](#) by Representative LaMarca, has not been heard this session.

What else happened this week relating to Community, Health & Safety?

Bills dealing with emotional support animals, emergency reporting, substance abuse, mental health, homelessness, and the prescription drug donation program were also heard this week. To view updates about these bills and other relevant legislation, please visit the [Community, Health & Safety](#) subsection on the [Policy Action Center](#).

FAC Contact:

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



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

Vacation Rentals Preemption Clears Second Senate Committee

[SB 1128 \(Vacation Rentals\)](#) by Senator Diaz was heard for the second time during the Senate Commerce and Tourism 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 along with Indian River, Miami-Dade, and many municipal officials opposed the legislation during committee. The bill passed 3 - 2 (Stewart, Torres). A companion legislation, [HB 1011 \(Vacation Rentals\)](#) by Representative Fischer, has one more committee stop, House Commerce.

Bert Harris Legislation Clears Second Senate Committee

[SB 1766 \(Growth Management\)](#) by Senator Lee was heard for the second time in the Senate Community Affairs Committee. The bill shortens the presuit process that is a prerequisite to a lawsuit under the Bert Harris Act from 150 to 90 days; gives a property owner the option of having compensation for an inordinate burden determined by a judge instead of a jury as under current law; and allows a property owner to forego an application for a permit or other relief as a prerequisite to making a Bert Harris claim if a governmental entity acknowledges that a law or regulation limits the uses of the property. The bill passed unanimously. A companion legislation, [HB 519 \(Private Property Rights Protection\)](#) by Representative Jamie Grant, is ready for consideration on the House Floor, but has substantial substantive differences.

Impact Fees Review Committee Bill Passes First Senate Committee

[SB 1066 \(Impact Fees\)](#) by Senator Gruters was heard for the first time during the Senate Community Affairs Committee. 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 unanimously. A companion legislation, [HB 637 \(Impact Fees\)](#) by Representative DiCeglie, has one more committee stop, House State Affairs.

Electric Vehicle Infrastructure Legislation Amended to include Essential State Infrastructure

[SB 7018 \(Electric Vehicle Charging Station Infrastructure\)](#) by Senator Lee was heard for the second time during the Senate Appropriations Subcommittee on Agriculture, Environment and General Government. The bill requires the Public Service Commission (PSC), in coordination with the Department of Transportation (DOT) and the Department of Agriculture and Consumer Services' (DACCS) Office of Energy, to develop and recommend a plan for the development of electric vehicle charging station infrastructure along the State Highway System by 7/1/2021.

The bill also had a strike all amendment changing the title of the bill to "Essential State Infrastructure." Amendment to Section 1 of the committee substitute extends expedited review timelines for all utility permits in the right-of-way and would deem approved any permit pending after the review period. Currently, the expedited timeframe and "deemed approved" clause are only applicable for permits for communications service providers. Section 3 of committee substitute would amend Section 704.06 to prohibit conservation easements on land traditionally used for agriculture from limiting the ability of the owner of the land from negotiating the use of the land for any public or private linear facility. Allowing reasonable compensation for the diminution of value of the interest in the conservation easement as the only remedy available to the holder of the conservation easement.

The bill passed unanimously. A companion legislation, [HB 943 \(Electric Vehicle Charging Stations\)](#) by Representative Daley, has one more committee stop, however, the bill varies significantly.

What else happened this week relating to the GATE committee?

Other bills dealing with environmental and transportation issues included bills regarding e-bikes, private waste companies, towing, environmental enforcement and rights and sea level rise. To view updates about these bill and other relevant legislation, please visit the [Growth, Agriculture, Transportation, and Environment](#) subsection on the [Policy Action Center](#).

FAC Contact:

For additional information, please contact Eric Poole at epoole@fl-counties.com.



Water Quality & Supply

Reclaimed Water Legislation Clears First Committee in Both Chambers

[HB 715 \(Reclaimed Water\)](#) by Representative Maggard was heard for the first time during the House Agriculture & Natural Resources Appropriations Subcommittee. The bill implements the recommendations set forth in the Potable Reuse Commission's 2020 report. The bills prohibit domestic wastewater treatment facilities from disposing of effluent, reclaimed water, or reuse water by surface water discharge beginning 1/1/26. The bills provide for certain exemptions to this prohibition. The cost of compliance with the elimination of surface water discharge is estimated to be \$28 billion. Several concerns were raised regarding the timeline of accomplishing these goals as well as expanding exemptions to those that are science-based. The bill passed unanimously. A companion legislation, [SB 1656 \(Reclaimed Water\)](#) by Senator Albritton, has two more committee stops.

What else happened this week relating to the Water committee?

The House's water package also cleared its first committee. To view updates about this bill and other relevant legislation, please visit the [Water](#) subsection on the [Policy Action Center](#).

FAC Contact:

For additional information, please contact Jeff Scala at jscala@fl-counties.com.



Finance, **Tax**, & Administration

House Releases 2020-2021 Tax Package

The House Ways and Means Committee released its FY 2020-2021 Tax Package for the current legislative session on Tuesday, February 11th. The tax package includes all of the tax relief concepts for the current fiscal year. The total statewide impact of the proposed House tax package is **\$100.28 million non-recurring (1st year)** and **\$98.2 million recurring revenues**.

Below is the list of the tax cuts and relief with their impacts to county governments:

Sales Tax: Business Rent - Tax/Rate Cut 0.1%

- Non-recurring (1st year): \$1.19 million
- Recurring: \$2.51 million

Communication Services Tax: Rate Cut 0.5%

- Non-recurring (1st year): \$2.64 million
- Recurring: \$6.34 million

Sales Tax: Tax Holiday--Back-to-school Holiday 3 Days

- Non-recurring (1st year): \$6.27 million

Sales Tax: Tax Holiday--Disaster Preparedness

- Non-recurring (1st year): \$0.86 million

Total Impacts to County Governments

- **Non-recurring (1st year): \$10.96 million**
- **Recurring: \$8.84 million**

Public Records Disaster Assistance Legislation Clears Second Senate Committee

[SB 966 \(Public Records/Disaster Recovery Assistance\)](#) by Senator Gainer was heard for the second time during the Senate Governmental Oversight & Accountability Committee. The bill exempts and keeps confidential records and information related to property photographs, financial documents, or financial information provided to local or state entities on behalf of an applicant for or a participant in a federal, state, or local housing assistance program for the purpose of disaster recovery assistance. The public records exemption will protect sensitive information of people impacted by a disaster. FAC adopted and supports public records exemption for information obtained by a local government in the course of providing emergency management services. The bill passed unanimously. A companion legislation, [HB 1035 \(Pub. Rec./Records and Information Provided to Specified Entities for Disaster Recovery Assistance\)](#) by Representative Raschein has one more committee stop, House State Affairs.

Regional Rural Development Grants Bill Clears Second House Committee

[HB 1139 \(Regional Rural Development Grants\)](#) by Representative Clemons was heard for the second time during the House Transportation & Tourism Appropriations Subcommittee. The bill modifies the grant program to reduce matching requirements, increases the maximum grant to RAOs from \$150,000 to \$250,000, and allows grant funds to build the professional capacity of Opportunity Florida, Florida's Heartland Economic Region of Opportunity, and North Florida Economic Development Partnership. FAC adopted a support statement at the Legislative Conference in support of this legislation.

FAC, Palm Beach County, Small County Coalition, Florida Chamber of Commerce, DEO, Florida Farm Bureau, AIF, North Florida Economic Development Partnership, Jackson County, Jackson County Chamber of Commerce, Mainstreet Marianna, Florida Rural Economic Development Association, Florida Economic Development Council, Opportunity Florida, and Florida's Great Northwest offered support for the legislation.

The bill passed unanimously. A companion legislation, [SB 426 \(Regional Rural Development Grants\)](#) by Senator Montford, is ready for consideration on the Senate floor.

Local Government Reporting Legislation Clears First Senate Committee

[SB 1512 \(Local Government Reporting\)](#) by Senator Diaz was heard for the first time during the Senate Community Affairs Committee. The bill removes local government financial reporting requirements passed during the 2019 session to instead create an interactive repository for county and municipal financial information and to distribute a report that enables residents to compare the final budget and economic status of counties and municipalities with rankings. Local governments would still be responsible for submitting financial reporting data to Department of Financial Services (DFS). The report must be mailed to each household within a municipality or county and assist households in making direct comparisons of fiscal and economic metrics, must be a single page and use colorful graphics. The bill allows DFS to use contractors to issue the report and create an interactive website through an open

request for proposal process. The bill passed unanimously. A companion legislation, [HB 7069 \(Local Government Reporting\)](#) by Representative Ingoglia, has one more committee stop, House Appropriations.

Citizen Initiative Revision Legislation Clears Second Senate Committee

[SB 1794 \(Constitutional Amendments Proposed by Initiative\)](#) by Senator Hutson was heard for the second time during the Senate Judiciary Committee. The bill was amended to make several changes to the citizen initiative process including: increasing the number of statewide electors to 33 percent (previously 10 percent), the share of petitions that must be gathered and submitted, requiring the ballot to contain additional information regarding the initiative sponsor, requiring a copy of the proposal in each voting booth, requiring a political committee sponsoring a proposal to disclose the percentage of in-state contributions amongst other provisions. The bill passed 4 - 2 (Gibson, Rodriguez). A companion legislation, [HB 7037 \(Constitutional Amendments Proposed By Initiative\)](#) by Representative Jamie Grant, has one more committee stop, House Judiciary.

Bill to Keep Visit Florida Passes Senate

[SB 362 \(Florida Tourism Marketing\)](#) by Senator Hooper was heard on the Senate Floor. The bill saves from repeal the Florida Tourism Industry Marketing Corporation, Visit Florida. FAC along with a coalition of tourism and business groups support the bill. The bill passed the Senate unanimously. A companion legislation, [HB 213 \(Florida Tourism Marketing\)](#) by Representative Ponder, has not been heard this session.

Amendment 12 Implementing Legislation Passes the Legislature

[SB 7006 \(Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position\)](#) by Senator Baxley was substituted on the Senate Floor for its House companion legislation, [HB 7009 \(Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position\)](#) by Representative Byrd. The bill implements Amendment 12 that 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. The bill is the first piece of legislation to clear both chambers and now heads to the Governor's desk for final approval.

Local Licensing Portability Clears Second House Committee

[HB 1161 \(Local Licensing\)](#) by Representative Plakon was heard for the second time during the House Government Operations & Technology Appropriations Subcommittee. The bill provides for portability of active local licenses for certain construction contractors. Individuals who hold valid, active local licenses may work within the scope of such license in any local government jurisdiction in addition to the original licensing jurisdiction without having to obtain an additional local license, take an additional local license examination, or pay an additional local license fee. DBPR will maintain an online local licensing information system and local governments must provide information to DBPR to maintain information system monthly or link to their respective website. At this time, the bill does not provide for an appropriation for DBPR to administer the program. FAC offered support for the legislation. The bill passed 11 - 2 (Brown, Cortes) A companion legislation, [SB 890 \(Local Licensing\)](#) by Senator Perry, has two more committee stops.

House Fiscal Transparency Legislation Ready for Floor

[HB 1149 \(Local Government Fiscal Transparency\)](#) by Representative DiCeglie was heard for the third time during the House State Affairs Committee. The bill promotes the fiscal transparency of local governments by requiring additional public noticing of proposed local government actions that increase taxes, enact new taxes, extend expiring taxes, or issue tax-supported debt and requiring voting records of local governing bodies related to such actions to be easily and readily accessible by the public. The bill requires debt affordability analysis prior to issuance of new bonds and requires the chair of the local governing body to sign an affidavit of compliance with the Act. The bill passed 15 - 6 (DuBose, Hart, Hattersley, Polsky, Slosberg, C. Watson). A companion legislation, [SB 1702 \(Local Government Fiscal Transparency\)](#) by Senator Diaz, has not been heard this session.

Rural Broadband Access Legislation Clears Second House Committee

Two bills related to expanding rural broadband access were heard in both chambers. The bills designate DEO as the lead state entity to facilitate the expansion of broadband and establish the Florida Office of Broadband within the Division of Community Development. The bills encourage expansion of broadband services in underserved areas defined as an area where there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 10 megabits per second downstream and at least 1 megabit per second upstream. FAC supports enhancing programs to increase funding for rural infrastructure, job growth, and workforce development policies and efforts to reduce the digital divide and expand internet access to underserved areas through

industry partnerships and collaboration with local stakeholders.

[HB 969 \(Rural Broadband Access\)](#) by Representative Drake was heard for the third time during the House Commerce Committee. The House bill also includes an appropriation up to \$5 million annually for projects that assist in the development of broadband infrastructure within or adjacent to a multiuse corridor including priority to projects located in a RAO. The bill passed unanimously.

[SB 1166 \(Broadband Internet Service\)](#) by Senator Albritton, was heard for the second time during the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Subcommittee. The bill passed unanimously.

What else happened this week relating to Finance & Tax?

There were many bills heard relating to finance and tax this week. Some topics included workforce development, tax exemptions on diapers, property tax exemptions, court services charges, IT security records, and Space Florida. To view updates about these bills and other relevant legislation, please visit the [Finance & Tax](#) subsection on the [Policy Action Center](#).

FAC Contact:

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

News Articles On The Tax Package

Senate panel advances tax breaks

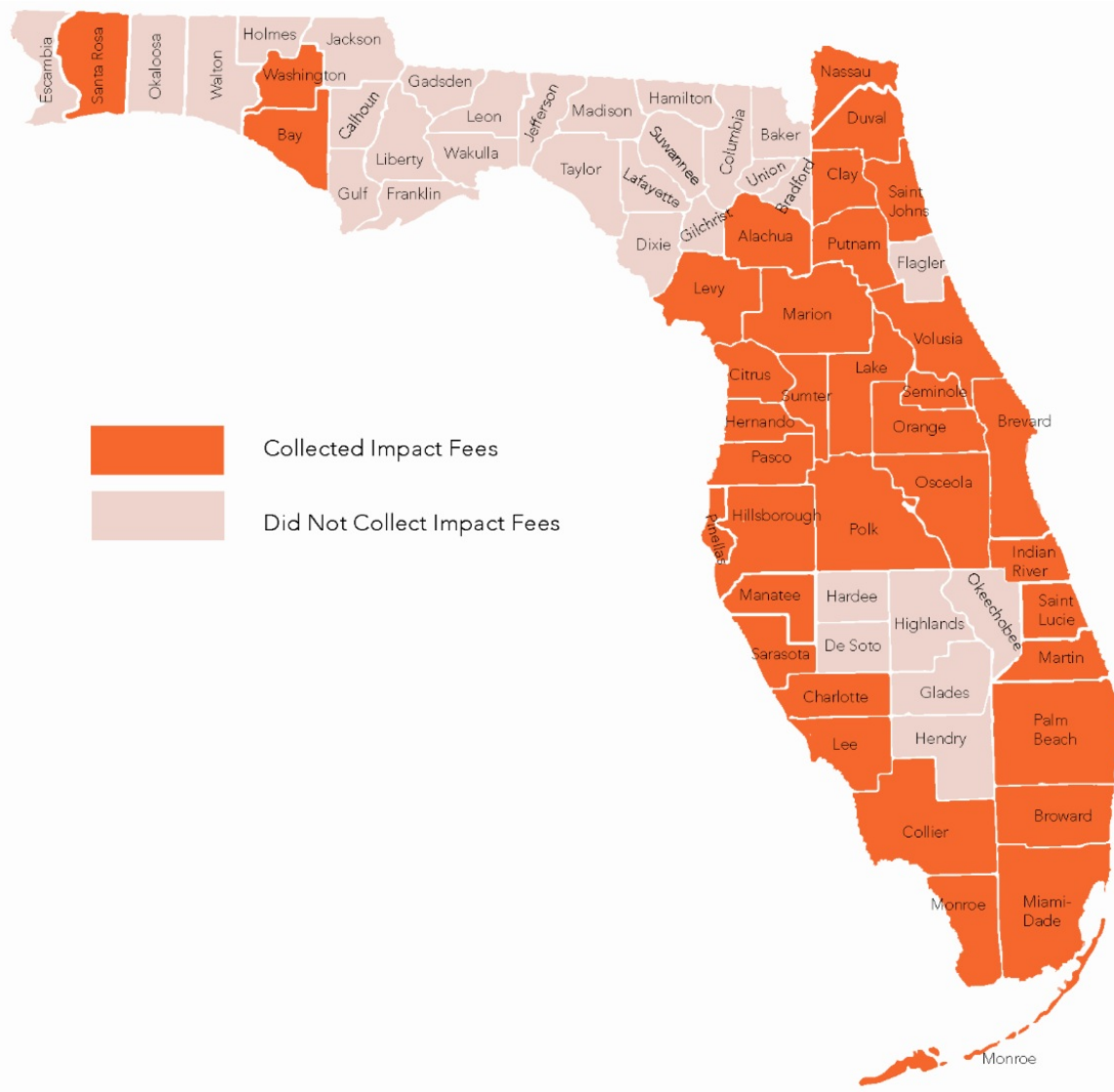
Florida senators on Thursday pushed several tax-saving measures that are expected to be bargaining chips in upcoming negotiations with the House, which introduced its tax package on Tuesday. [Read More](#).



FAC Data Point

Impact Fees

[HB 637](#) / [SB 1066](#) (Impact Fees) by Representative DiCeglie and Senator Gruters allow 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, the bills cap impact fees on student stations, and define 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.



Collected Impact Fees
 Did Not Collect Impact Fees

FAC Contact:
 For additional information, please contact Jeff Scala via email at jscala@fl-counties.com.