



PUBLIC  
POLICY

# Legislative Wrap-Up

## 2020 Legislative Session



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POLICY

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# 2020 SESSION AT A GLANCE



# PUBLIC POLICY

- Sine Die | March 19, 2020 | 1:49 PM
- 3,578 Bills and PCBs filed
- 2,596 Amendments filed
- 4,223 Votes taken
- 40 Floor sessions
- 210 Bills passed both chambers

# PREEMPTIONS FILED



# PUBLIC POLICY

## FAILED

- Vacation Rentals (HB 1011/SB 1128)
- Local Occupational Licensing (HB 3/SB 1336)
- Local Communications Services Tax Limitations (SB 1174/HB 701)
- Local Pet Store Regulations (HB 1237/SB 1698)
- Conditions of Employment (HB 305/ SB 1126)
- Home Based Businesses (HB 537/ SB 778)
- Local Government Accountability (HB 611/ SB 766)
- Supermajority Vote to Raise Taxes (HB 477)

# PREEMPTIONS FILED



# PUBLIC POLICY

## PASSED

- Sunscreen Preemption (HB 113/SB 172)
- Deregulation of Professions (HB 1193/ SB 474)
- Environmental Rights Preemption Passes in Water Package (SB 712)

# TAX PACKAGE



# PUBLIC POLICY

## HB 7097: Taxation (Avila) - **PASSED**

- The tax package was significantly paired back during committee discussions and the Senate Floor. The total statewide impact of the tax package is \$56.9 million non-recurring (1st year) and \$7.5 million recurring revenues. The total estimated impact to counties of the tax package is \$10.2 million non-recurring (1st year) and \$3.2 million recurring revenues.
- The Senate stripped the tax package of House proposed changes to the Tourist Development Tax used in Miami-Dade County.
- The Senate waited until the final night of session to pass the tax package, 36 - 2. The bill passed the House 104 - 8.

# FINANCE, TAX & ADMINISTRATION



# PUBLIC POLICY

## SB 966: Public Records/Disaster Recovery Assistance (Gainer) - **PASSED**

- The bill was amended to narrow the exemption by making only property photographs and applicant financial documentation confidential and exempt.
- 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, 118 - 0, and now heads to the Governor for final approval



# FINANCE, TAX & ADMINISTRATION



# PUBLIC POLICY

## SB 426: Economic Development (Montford) – **PASSED**

- 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.
- The bill amends the Rural Infrastructure Fund by increasing the percentage of total infrastructure costs that may be funded by a grant award as well as expanding eligible projects and uses to include broadband internet service.
- The bill passed unanimously and now heads to the Governor for final approval.



# FINANCE, TAX & ADMINISTRATION



# PUBLIC POLICY

## HB 969 – Rural Broadband Access (Drake) – **PASSED**

- The bill designates 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 bill encourages 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.

# FINANCE, TAX & ADMINISTRATION



# PUBLIC POLICY

## SB 1302: Sovereign Immunity (Flores) – **FAILED**

- The bill increases the statutory limits on liability for tort claims against the state and its subdivisions to \$500,000 and sets adjustments for limitations of liability to the Consumer Price Index annually.
- These new limits will apply to lawsuits that have not been adjudicated before the effective date of the bill. The bill further allows government entities to settle claims in any amount without the approval of a claim bill by the Legislature.
- House companion legislation was not filed this session.

# FINANCE, TAX & ADMINISTRATION



# PUBLIC POLICY

## HB 7043: Contingency Fees (Gregory) – **FAILED**

- The bill limits contingency fee contracts entered into by a local government in a similar manner as s. 16.0155, F.S., limits Department of Legal Affairs (DLA). The committee bill prohibits an aggregate contingency fee in excess of:
  - Twenty-five percent of any recovery up to \$10 million;
  - Plus twenty percent of any portion of recovery between \$10 million and \$15 million;
  - Plus fifteen percent of any portion of recovery between \$15 million and \$20 million;
  - Plus ten percent of any portion of recovery between \$20 million and \$25 million;
  - Plus five percent of any portion of recovery exceeding \$25 million.

# FTA – Other bills of interest



# PUBLIC POLICY

- HB 159/ SB 126: Online and Remote Sales Tax - **FAILED**
- HB 195 / SB 162: Public Records Lawsuits - **FAILED**
- HB 1113/ SB 1270: Fiduciary Duty of Care for Appointed Officials - **FAILED**
- HB 7069/ SB 1512: Local Government Reporting - **FAILED**
- SB 362: Florida Tourism Marketing - **PASSED**

# SADOWSKI HOUSING TRUST FUND



## PUBLIC POLICY

- For the first time in 13 years, the Sadowski Housing Trust Fund has been fully funded - **\$137M left untouched**
- The trust fund has been swept of roughly \$2 billion over the last decade
- According to the National Low Income Housing Coalition, 71% of the nation's 10.9 million exceedingly low-income renter households are spending more than half of their incomes on utilities and rent
- The challenges encountered in Florida are compounded by the nature of the state's job market

# COMMUNITY, HEALTH & SAFETY



# PUBLIC POLICY

## HB 1339: Community Development and Housing (Yarborough) – **PASSED**

- The legislation was amended on Second Reading to include the expansion of local governments' ability to zone for affordable housing, establishes new reporting requirements for impact fees, and creates a biannual council of local elected officials to meet and share best practices on affordable housing.
- A companion legislation, SB 998 (Housing) by Senator Hutson, was substituted for HB 1339 and amended.
- The bill also includes language regarding linkage fees. The bill passed the House 101-10 and now heads to the Governor for final approval.

# COMMUNITY, HEALTH & SAFETY



# PUBLIC POLICY

## HB 705: Emergency Sheltering of Persons with Pets (Killebrew) – **PASSED**

- The bill requires counties to have at least one pet-friendly emergency shelter. Under the bill, the Department of Education is required to assist the DACS and local governments with their plans.
- The bill passed unanimously, 115 - 0. A companion legislation, SB 752 (Emergency Sheltering of Persons with Pets) by Senator Bean, was substituted for HB 705 and considered on the Senate Floor. The bill passed the Senate unanimously, 39 - 0.



# COMMUNITY, HEALTH & SAFETY



# PUBLIC POLICY

## SB 538: Emergency Reporting (Diaz) – PASSED

- The bills require counties and municipalities to notify the State Watch Office within the Division of Emergency Management of any incidents listed in the State Watch Office Reportable Incidents List as soon as practicable.
- The Division of Emergency Management must provide a list of reportable incidents to local governments each year. The House removed a Senate amendment to exempt informational meetings and calls during declared disasters from public meeting requirements when two or more members of a governing body attend.

# COMMUNITY, HEALTH & SAFETY



# PUBLIC POLICY

## HB 743: Nonopioid Alternatives (Plakon) – **PASSED**

- The bill amends the requirement that a health care practitioner advise a patient of nonopioid alternatives before providing opioid anesthesia or prescribing, ordering, dispensing, or administering an opioid drug.
- The legislation amends this requirement by: authorizing a health care practitioner to choose to advise the patient or his or her representative; providing that a health care practitioner is not required to discuss nonopioid alternatives when treating a patient in a hospital critical care unit or an emergency department, or when treating a patient receiving hospice services

# COMMUNITY, HEALTH & SAFETY



# PUBLIC POLICY

## SB 7048: Public Records/Public Shelter Space (Lee) – **FAILED**

- The bill exempts from public inspection and copying the name, address, and telephone number of a person which are held by an agency providing shelter or assistance to such person during an emergency.
- FAC adopted and supports public records exemptions for information obtained by a local government in the course of providing emergency management services.

# CHS – Other bills of interest



# PUBLIC POLICY

- HB 163: Homelessness – **PASSED**
- SB 810: Tobacco and Nicotine Products – **PASSED**
- SB 1060: Pub. Rec. and Meetings/911 and E911 Systems – **PASSED**
- SB 630/HB 457: Regulation of Smoking – **FAILED**
- HB 131/ SB 118 Security in Trial Court Facilities - **PASSED**

# WATER QUALITY & SUPPLY



# PUBLIC POLICY

## SB 712: Water Quality Improvements (Mayfield) – **PASSED**

- By 12/31 DOH and DEP to submit legislative recommendations on transfer of the Onsite Sewage Program
- By 7/1/21, DEP in coordination with local governments, shall submit a report to the legislature evaluating the costs of wastewater projects identified in the BMAPs and provide an assessment of the water quality monitoring being conducted for each BMAP implementing a nutrient TMDL
- DEP to adopt rules for biosolids management
- By 7/1/21, DEP in coordination with local governments, shall submit a report to the legislature evaluating the costs of wastewater projects identified in the BMAPs and provide an assessment of the water quality monitoring being conducted for each BMAP implementing a nutrient TMDL
- Prohibits local governments from recognizing or granting any legal right to a plant, animal, body of water, or any other part of the natural environment that is not a person or political subdivision; or from granting a person or political subdivision any specific rights relating to the natural environment

# GROWTH, AGRICULTURE, TRANSPORTATION & ENVIRONMENT



# PUBLIC POLICY

## SB 1066: Impact Fees (Gruters) – **PASSED**

- Provides that impact fee credits are assignable and transferable at any time after establishment within the same impact fee zone or impact fee district, or an adjoining zone or district within the same local jurisdiction, provided that the development receives a benefit from the improvement or contribution.

# GROWTH, AGRICULTURE, TRANSPORTATION & ENVIRONMENT



# PUBLIC POLICY

## SB 410: Growth Management (Perry) – **PASSED** – **VETO LETTER SUBMITTED**

- The bill requires local governments to include a private property rights component in its comprehensive plan.
- Provide that in a county with a population of less than 750,000, a county charter provision or comprehensive plan goal, objective, or policy adopted after 1/1/20, may not impose a limitation on lands within a municipality unless the municipality, by referendum or local ordinance, adopts and imposes the provision, goal, objective, or policy.
- Require counties and cities to process utility permit applications for the use of the public right-of-way (ROW) within the timeframes currently applicable to permit applications submitted by communications services providers.



# GROWTH, AGRICULTURE, TRANSPORTATION & ENVIRONMENT



# PUBLIC POLICY

## HB 519/SB 1766: Private Property Rights (Grant/Lee) – **FAILED**

- HB 519 would have allowed for all “similarly situated” properties to be treated the same under a Bert Harris disagreement.
- There was no clear definition of what “similarly situated” established in the bill.
- SB 1766 did not contain this provision but also made changes to the Bert Harris Act.

# GROWTH, AGRICULTURE, TRANSPORTATION & ENVIRONMENT



# PUBLIC POLICY

## HB 1371/SB 1000: Traffic & Pedestrian Safety (Fine/Perry) – **FAILED**

- Allows yellow rectangular rapid flash beacons (RRFBs) to be used on a road if there are no more than two lanes and a speed limit of 35 mph or less;
- Yellow RRFBs must be removed by 10/1/24 and can be retrofitted with legally acceptable equipment;
- FDOT must submit a request by 10/1/20 to the Federal government to allow yellow RRFBs to be replaced by red RRFBs. If approved, all yellow RRFBs must be replaced with red RRFBs within 12 months of federal authorization.
- Before the installation of a pedestrian crosswalk, a Florida licensed professional engineer must conduct a traffic engineering study.
- Requires a pedestrian-facing sign containing language stating duties applicable to the pedestrian at each crosswalk

## GATE – Other bills of interest



# PUBLIC POLICY

- HB 1091/SB 1450: Environmental Enforcement - **PASSED**
- HB 7099/ SB 7018: Essential State Infrastructure - **PASSED**
- HB 1073/ SB 7016: Statewide Office of Resiliency - **FAILED**
- HB 377/ SB 478: Motor Vehicle Rentals - **FAILED**

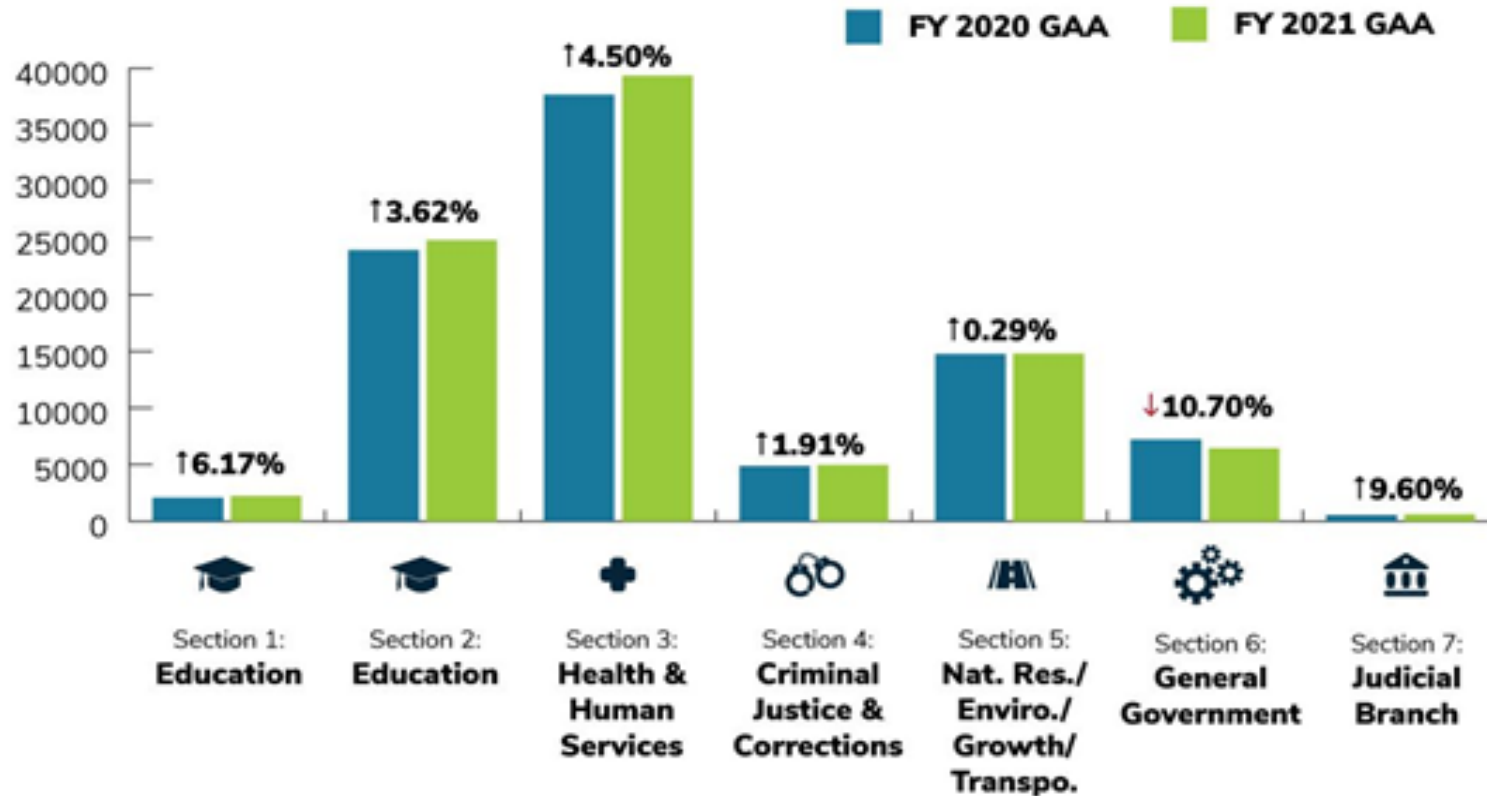
# 2021 STATE BUDGET SUMMARY



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## BUDGET COMPARISON BY SECTION

In Millions of Dollars



# COUNTY IMPACTS



# PUBLIC POLICY

## County Impacts from SFY 2020-21 Budget:

- Community Substance Abuse and Mental Health Services: \$850 million
- State Housing Initiatives Partnership (SHIP): \$225 million
- State Apartment Incentive Loan Program (SAIL): \$115 million
- Small County Outreach Program (SCOP): \$96 million
- Small County Road Assistance Program (SCRAP): \$47.6 million
- Septic-to-Sewer grants: \$25 million
- Beach Management: \$50 million
- Resilient Coastline Initiative: \$10 million
- HB 5003: Implementing Bill
  - Local Government Efficiency Task Force

[State Fiscal Year \(SFY\) 2020-2021 Budget](#)

# For More Information



# PUBLIC POLICY

## FAC's Year End Legislative Report -

[https://www.fl-counties.com/sites/default/files/2020-03/FACLegReport2020\\_Mar24.pdf](https://www.fl-counties.com/sites/default/files/2020-03/FACLegReport2020_Mar24.pdf)

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THANK YOU FOR JOINING US!

STAY WELL & SAFE