



2023

LEGISLATIVE SESSION
FINAL REPORT

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FAC EXECUTIVE COMMITTEE



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COUNTY COMMISSIONER TERM LIMITS FAILS

SB 1110 – *Term Limits* by Sen. Ingoglia, places term limits of eight years on all county commissioners, prospectively taking effect on July 1, 2023. The legislation applies to both charter and non-charter counties as the legislation expressly supersedes term limits within any county charter. The language clarifies that this should not be construed to extend the term of any commissioner already subject to term limits within their county charter. For instance, a commissioner scheduled to term out in 2 years based on term limits within their county charter would not receive an additional 6 years of eligibility under this bill.

WATER CONTROL SUPER PREEMPTION FAILS, NEVER HEARD

HB 1197/SB 1240- *Land and Water Management* by Rep. Maggard and Sen. Burgess failed this session after never being heard in the House or Senate. The bill preempts counties from the regulation of water quality, water quantity, pollution control, discharge prevention or removal, and wetlands to the state. The language within the bill preempts all such regulations to the state with no indication of who will take on the additional local responsibilities. The bill includes narrow exemptions which does not apply the preemption to:

- An interagency or interlocal agreement between specified entities, between the Department of Environmental Protection and any agency, water management district, or local government affecting the water resources of the state.
- Affect the authority over the regulation and operation of its own water systems, wastewater systems, or stormwater systems.

BILL THREATENING TDT REVENUES, BONDING CAPACITY FAILS

HB 7053- *Tourism Development* by Reps. Giallombardo and Yeager failed this session; the bill was never heard again after passing as a committee bill. After considerable public resistance from local government and tourism organizations, the bill failed. The bill sought to reshape the funding mechanism behind the Visit Florida program, the state's tourism marketing arm. Under the bill, the state defunds the program of any state funding, and prohibit state appropriation to the program in the future. Instead, a portion

of local tourist development tax (TDT) revenue is redirected to sustain the program for three years—specifically, the program transfers 2% of TDT revenues from rural counties, and 5% from all other counties. After the first three years, counties may continue to voluntarily fund the program. The estimated fiscal impact of this redirection is roughly \$75 million per year on county revenues. Additionally, the bill sunsets all active TDT levies in 2028, and require a 60% referendum every six years to renew or impose any TDT levies in the future. This represents a significant barrier to maintaining counties' collective \$1.5 billion in tourist development tax revenues. Meanwhile, the six-year referendum requirement potentially compromises counties' ability to use TDT as a bondable source. There was never a Senate companion.

IMPACT FEE/MOBILITY FEE PREEMPTION FAILS

HB 235/SB 350- *Alternative Mobility Funding Systems* by Rep. Robinson and Sen. Brodeur failed this session. HB 235 stalled in its last committee, House Commerce, and SB 350 was never heard. The bill provides that only the local government that approves a building permit may charge for transportation impacts within their jurisdiction. The permitting local government must collect and account for extra-jurisdictional impacts, but there is no clarity on how fees for these impacts would be determined or allocated. This presents challenges for county road systems that transcend municipal boundaries. Early in the process, the bill contained language that eliminates a county's authority to increase their impact fees beyond the statutory limits with a finding of extraordinary impact.

BILLS EXPEDITING PERMITTING PROCESS FAILS, AFTER PASSING ONLY ONE HOUSE COMMITTEE

HB 671/SB 682- *Residential Building Permits* by Rep. Esposito and Sen. DiCeglie failed this session. HB 671 made it through one committee stop, while SB 682 was never heard in any committee. The bill dramatically reduces the current time frames for the building permit process by eliminating the current 30 business day timeline for single family dwellings. Furthermore, the legislation revises the reduction to building permit fees when a private provider is used for plan review or building inspection services from the amount of cost savings realized by the local enforcement agency to a required 75% reduction.

- Reduces the current 10-day period for the local enforcement agency to notify the applicant of the information needed, if any, to deem the application properly completed to 3 **CALENDAR** days and requires the notification to be in writing;
- Reduces the timeframe after receiving a completed application within which the local government may notify an applicant that additional information is needed from 45 days to 9 **CALENDAR** days and requires the notice to be in writing;
- Reduces the number of times a local government may request additional information from three times to two times and reduces the time frame for the local government to respond to the additional information submittal from 15 days to 9 calendar days;

Additionally, the bill provides that before a second request for additional information may be made the local government must offer the applicant to meet in person or electronically and the meeting must occur within 5 calendar days after the applicant notifies the local government in writing that they would like to meet. This requires the local government to state the sufficient reason for denial for any application denied. For single family dwellings, two family dwellings and townhomes in master planned communities, the time frames are even shorter – 1 calendar day for additional information requests, 5 calendar days to respond to a completed application or a submittal of additional information. FAC raised concerns this session about the unintended, negative consequences that will result from a quick approval process from customer service, staffing, public safety, and more. The use of “Calendar” Day is problematic and could lead to automatic approvals on weekend and allow for incomplete applications to be deemed approved even if the application is incorrect.

A comparable bill, HB 765- *Building Permit Applications to Local Governments* by Rep. Roth also failed this session and was never heard. This bill requires local governments that issues building permits to post the following on its websites: each type of building permit application, including a list of all required attachments, drawings, or other requirements for each kind of application, the local government’s procedures for processing, reviewing, and approving submitted application, and the local government’s schedule of reasonable fees. A local government may not issue a building permit unless: the permit includes a statement. In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

VACATION RENTAL PREEMPTION FAILS

SB 714/HB 833 - *Vacation Rentals* by Sen. DiCeglie/ Rep. Duggan failed this session, after failing to gain traction in previous legislative sessions. The House passed a delete-everything amendment on SB 714, but the Senate did not concur and the bill died in messages.

The bill preempts licensing of public lodging and food service establishments to the state, as well as the regulation of vacation rental advertising platforms. The bill authorizes counties to establish a registration program for vacation rental properties. Counties may charge a nominal fee for registration—recent amendments by both the House and Senate sponsors would raise the cap of these registration fees to \$150 for an individual registration or \$200 for a collective one. However, the Senate language limits a collective registration to 25 units. The bill would allow counties to revoke or deny a registration for the following reasons:

- Unsatisfied county/municipal lien, following a 60-day period allowing the property owner to satisfy the lien
- Repeated violations of local law, ordinances, or regulations; the threshold for revocation is three or more such violations in the Senate bill, and two or more violations in the House version.

The bill would also allow local governments to regulate the following conditions of registration:

- Requiring proper identification by the property owner/his or her agents
- Obtaining a license to operate as a vacation rental
- Requiring proper tax documentation (Senate Only)
- Maintaining current information regarding the vacation rental property
- Parking and solid waste standards (Senate Only)
- Requiring a designated party on call to respond to complaints/immediate problems concerning the property
- A statement of maximum occupancy
- Requiring the property owner to provide information regarding public health and safety, as well as applicable laws, ordinances, and regulations. (Senate Only)

SOLID WASTE CONTRACTING PREEMPTION FAILS

SB 798/HB 975- *Solid Waste Management* by Sen. Ingoglia/ Rep. Holcomb failed this session. SB 798 was never heard this session, and HB 975 passed only one committee, House Local Administration, Federal Affairs, & Special Districts Subcommittee. The bill prohibits counties and municipalities from prohibiting or unreasonably restraining private entities from providing solid waste management services within the local government’s jurisdiction. This includes negotiating

exclusive commercial solid waste franchise agreements. Counties and municipalities may require these entities to require a permit, license, or non-exclusive franchise equivalent, though the cost may not exceed a nominal amount for administration. The bill also sunsets all active commercial solid waste franchise agreements at the conclusion of their current contract and prohibits exclusive renewal. However, local governments could continue to charge existing franchise fees in excess of administrative costs for the duration of any active contract.

RECALL OF COUNTY COMMISSIONERS FAILS

HJR 131- *Recall of County Officers and Commissioners* and HB 209- *Recall of County Commissioners* by Rep. Rudman failed this session, after passing in the House unanimously. HJR 131, the joint resolution, proposes an amendment to the State Constitution to authorize the Legislature to provide to general law for the recall of county officers and commissioners. HB 209, the implementing bill, provides that any member of a non-charter county may be removed from office by the electors of the non-charter county. While the joint resolution provided for recall of county commissioners and county constitutional officer recall, the implementing bill only specified recall of county commissioners. The Senate bill, SB 1066, stalled in its last committee, Senate Rules.

AGRICULTURAL EMPLOYEE HOUSING LEGISLATION COMES UP SHORT

HB 1343- *Agricultural Lands* by Rep. Tuck (SB 1184 – by Sen. Collins) failed this session. HB 1343 passed unanimously on the House. The Senate then passed a delete-all amendment providing additional acreage and buffer requirements for agricultural employee housing. Ultimately, the two chambers could not agree on the final version of the legislation and the bill died in messages.

Early versions of the bill would prohibit counties from levying special assessments on land classified as agricultural, with the exception of any assessment revenues that are pledged for debt service. This applies to any such bonds issued before July 1, 2023. It also clarifies that this prohibition does not apply to non-agricultural structures on the property, whether residential or not, as well as the structures' curtilage. This provision was ultimately removed from the bill and added to the Tax Package, HB 7063.

The bill provides that the construction or installation of housing for agricultural employees/migrant farmworkers is an authorized use of farm land zoned for agricultural use. The bill also provided additional criteria for construction/

installation of the housing, though the two chambers could not reach a consensus on specifics. Authorization for construction does not require approval by ordinance or resolution of the governmental entity where the land is located.

The bill prohibited a county or municipality from requiring the removal or relinquishment of an agricultural classification for land that is subject to a contract for sale that requires a development permit as a condition precedent of sale if the landowner notifies the county or municipality that the reclassification is requested as a condition precedent for a pending sale of the land.

BILL PREEMPTING LOCAL GOVERNMENTS IN BUILDING DEMOLITION FAILS

HB 1317/SB 1346- *Local Regulation of Nonconforming or Unsafe Structures* by Rep. Roach and Sen. Avila failed this session. SB 1346 passed with a vote of (33-6) in the Senate but was never taken up in House messages. The bill creates the Resiliency and Safe Structures Act (Act), providing that a local government may not prohibit, restrict, or prevent the demolition of the following structures for any reason other than public safety:

- Nonconforming structures on properties that are, or have a portion that is, seaward of the coastal construction control line and that are also within zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map issued by the Federal Emergency Management Agency.
- Any structure determined to be unsafe by a local building official; and
- Any structure ordered to be demolished by a local government that has proper jurisdiction.

The bill provides that a local government must authorize replacement structures to be developed to the maximum height and overall building size authorized by local development regulations. The bill prohibits a local government from imposing certain restrictions and limitations on a replacement structure to be built on the property where a structure was demolished. The bill provides that a local government may review an application for a demolition permit only administratively for compliance with applicable building and safety codes.

LEGISLATION EXPLORING COUNTY REALIGNMENT FAILS, NEVER HEARD

SB 740 - *Statewide Blue Ribbon Task Force on County Realignment* by Sen. Brodeur failed this session. The Senate bill was never heard, and there was no House companion.

This bill creates the Statewide Blue Ribbon Task Force on County Realignment within the Department of Economic Opportunity to study and evaluate the effectiveness, efficiency, and value of realigning, contracting, or expanding county boundaries in this state. The task force must evaluate whether realigning, contracting, or consolidating county boundaries would better serve constituent needs, and whether services offered by counties, including services offered by constitutional officers, could better serve the overall population of the state through realignment.

ORGANIC MATERIAL RIGHT TO FARM PREEMPTION FAILS

HB 1361- *Organic Materials Products* by Rep. Truenow and SB 1472- *Organic Products* by Sen. Bradley failed this session. HB 1361 passed through all committees but was never heard on the floor. SB 1472 stalled in its second committee, Senate Community Affairs. The bills were in different forms. HB 1361 adds activities related to organic material collection, storage, processing, and distribution to the types of farm operations that are protected under Florida's Right to Farm Act. SB 1472 prohibits local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit collection, storage, processing, or distribution of organic material products. Additionally, the bill provides that such activities are bona fide farm operation & lands associated with such activities are agricultural.

DREDGING AND BEACH RESTORATION PROJECTS LEGISLATION FAILS

HB 979/SB 1072- *Dredging and Beach Restoration Projects* by Rep. Gossett-Seidman and Sen. Rodriguez failed this session. The bills amend s. 403.816, F.S., to provide that, as a condition of a permit issued for maintenance dredging of deepwater ports, the Department of Environmental Protection (DEP) must require a habitat equivalency analysis to determine the adverse impacts of the dredging activity on the natural habitat. The bills require the analysis to be conducted by an independent contractor selected by the local government in a manner prescribed by DEP. Further, the independent contractor for the analysis may not be associated with any

project of the contractor performing the dredging activity for the local government. The bills direct the local government to provide written notice of its intent to conduct a habitat equivalency analysis to adjacent local governments that may be impacted by the dredging activity.

LOCAL GOVERNMENT FLAG DISPLAY PREEMPTION FAILS

SB 668/HB 1011 – *Flags* by Sen. Collins and Rep. Borrero failed to gain momentum this session. Neither bill was heard; SB 668 was on the committee agenda but ultimately postponed indefinitely. This bill prohibits certain governmental agencies and units of local government from displaying specified non-approved flags.

CONTRABAND FORFEITURE LEGISLATION FAILS

HB 1081/SB 1556- *Contraband Forfeiture* by Rep. Benjamin and Sen. Perry failed this session. HB 1081 passed only one committee stop and SB 1556 was never heard in any committee. The bill creates s. 932.7071, F.S., to prohibit a local, county, or state law enforcement agency or other seizing agency from referring, transferring, or otherwise relinquishing possession of property seized under state law to a federal agency for the purpose of forfeiting the property under federal law. The bill also limits a state or local law enforcement agency's ability to receive proceeds from a forfeiture obtained in a joint task force operation with the federal government if the forfeiture is made pursuant to federal law unless the value of the seized property is over \$100,000.

BILL ADDRESSING TICKET RESELLERS FAILS

HB 317/SB 388- *Resale of Tickets* by Rep. McFarland and Sen. Bradley failed this session. HB 317 was never heard, while SB 388 stalled in its second committee, Senate Judiciary. The bill preempts the regulation of sale or resale of tickets to the state; a local government may not impose requirements, restrictions, or conditions upon the sale or resale of tickets. The bill provides requirements for websites of ticket resellers, including donation, transfer, & resale of certain tickets. Additionally, it authorizes the original seller to request certain information from final ticket holders and prohibits the original ticket seller from taking certain actions against a person who purchases or resells a ticket.

HEAT EXPOSURE SAFETY PROGRAMS LEGISLATION FAILS

SB 706/HB 903 – *Heat Illness Prevention* by Sen. Rodriguez and Rep. Borrero failed to move in both the House and Senate. This bill requires employers who employ those regularly working in an outdoor environment to implement an outdoor heat exposure safety program approved by the Department of Agriculture and Consumer Services and the Department of Health, specifying requirements for the safety program. The bill requires responsibilities for certain employers and employees, including access to drinking water, shade, and training and enforces annual training on heat illness and providing requirements for such training, the Department of Agriculture and Consumer Services, in conjunction with the Department of Health, must adopt specified rules.

SAFE WATERWAYS ACT FAILS

SB 172/HB 177- *Safe Waterways Act* by Sen. Berman and Rep. Gossett-Seidman failed this session. SB 172 was never heard, while HB 177 made it through its first committee, House Healthcare Regulation Subcommittee. The bill provides that counties are responsible for maintaining the health advisory signs around affected beach waters (elevated levels of fecal coliform, *Escherichia coli*, or *Enterococci* bacteria in the water) and public bathing places that they own. It requires, rather than authorizes, the Department of Health to adopt and enforce certain rules.

LEGISLATION ADDRESSING THE EMPLOYMENT OF EX-OFFENDERS FAILS

HB 489/SB 1028- *Professional Licensing Requirements for Barbers and Cosmetologists* by Rep. Chambliss and Sen. Stewart failed this session. Both bills were heard in at least one committee stop but ultimately stalled. The bill prohibits a regulatory board within the Department of Business and Professional Regulation (DBPR) from considering a criminal conviction, or any other adjudication, for crimes more than three years before the date the application is received by a board, as grounds for denial of a barber or cosmetologist or cosmetology specialist license. However, this prohibition does not apply if the applicant was convicted of a crime at any time during the three-year period immediately preceding the application. Current law prohibits the DBPR's regulatory boards from considering a conviction, or any other adjudication, as an impairment to licensure for a crime more than five years before an application is received by a board.

Under current law and the bill, a DBPR regulatory board may consider a criminal background older than three years if the background includes a sexual predator crime under s. 775.21,

F.S., or a forcible felony under s. 776.08, F.S., or is related to the profession's practice.

Additionally a comparable bill, SB 1124- *Employment of Ex-offenders* by Sen. Calatayud /HB 1443 by Rep. Smith and Waldron failed this session. SB 1124 creates state-level procedures by which agencies and licensing boards must abide in their determinations whether to grant or deny a license, permit, or certification to pursue, practice, or engage in an occupation, trade, vocation, profession, or business based on an individual's criminal conviction. The bill places an enhanced burden on agencies to prove by clear and convincing evidence that the applicant has not been rehabilitated based on the applicant's current circumstances and mitigating factors set forth in the bill.

LEGISLATION REQUIRING THE INSTALLATION OF WATERWAY MARKERS FAILS, NEVER HEARD

SB 1640- *Installation of Waterway Markers* by Sen. Gruters failed this session. The bill requires all waterway markers, including waterway markers permitted on or after July 1, 2023, and information markers placed by counties, municipalities, or other governmental entities, must be affixed to a plastic breakaway structure or a floating buoy. A state or local governmental entity may not affix a waterway marker to a steel beam or wood piling. Any state or local governmental entity waterway marker affixed to a steel beam or wood piling before July 1, 2023, must be replaced with a waterway marker affixed to a plastic breakaway structure or floating buoy by January 1, 2024. There was no House companion.

BILL RESTRICTING LOCAL GOVERNMENTS WITHIN FLOODPLAIN MANAGEMENT FAILS

SB 920 – *Local Floodplain Management* by Sen. DiCeglie was never heard. This bill prohibits local governments from adopting technical amendments to the Florida Building Code to implement the National Flood Insurance Program or incentives from denying requests for specified variances or exceptions to certain local floodplain management requirements. There was no House companion.

YOUTH ATHLETIC TRAINING PACKAGE FAILS

HB 823 - *Youth Athletic Activities* by Rep. Yeager failed this session. The bill would require entities that administer or conduct high-risk youth athletic activities or training related to such activities on certain property to require athletics personnel to complete course within specified timeframe & to maintain record of personnel who complete such course for specified timeframe and provides for specific course requirements.

LEGISLATION PREEMPTING LOCAL GOVERNMENTS IN ENERGY REGULATION FAILS

HB 1217/SB 1238 – *Energy Regulation* by Rep. Melo and Sen. Rodriguez failed this session; both bills were never heard. This legislation prohibits local governmental entities from requiring or prohibiting certain building materials, vehicles, or home heating elements; including requiring that a particular component, design, or type of material be used in the construction of a building because of the energy saving or energy producing qualities of the component, design, or material; requiring a building or structure to be retrofitted with a particular device or type of material because of the energy saving or energy producing qualities of the device or material; and restricting the purchase or use of vehicles based upon the type of energy used, prohibiting the sale, installation of natural gas-powered home heating equipment. Additionally, a local governmental entity may adopt bid specifications for a public works project that includes energy savings or energy production provisions with respect to the components, design, or materials.

LEGISLATION ADDRESSING THE AGRICULTURAL PROPERTY CLASSIFICATION FAILS

HB 1529/SB 1678- *Agricultural Property Classification* by Rep. Roth/Sen. Calatayud failed this session after never being heard. This legislation authorizes certain facilities be a permitted use in specified land use categories & zoning districts. An agricultural- related facility must be a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area. A local government must notify the purchaser of his or her rights under s. 823.14, and how to comply with any flood plain management ordinance when an agricultural classification is granted under this bill.

VERTIPORTS PREEMPTION FAILS

HB 349/SB 1122- *Vertiports* by Sen. Harrell and Rep. Bankson failed this session and was never heard. This bill requires the Department of Transportation to take certain actions regarding vertiports. It provides design and layout plan requirements for vertiport owners and limitations regarding exercise of political subdivision's zoning & land use authority in regulating vertiports. A local government may not exercise its zoning and land use authority to grant or allow an exclusive right to one or more vertiport owners or operators but may use such authority to promote reasonable access to advanced air mobility operations at vertiports.

PREEMPTIONS/MANDATES- PASSED

AFFORDABLE HOUSING PACKAGE SIGNED INTO LAW

SB 102- *Housing* by Sen. Calatayud (HB 627- *Affordable Housing* by Rep. Busatta Cabrera/ Rep. Lopez(V)) was signed into law on March 29, 2023, and can be found in the Laws of Florida under Chapter 2023-17. The bill provides unprecedented funding for the State Housing Initiatives Partnership (SHIP) and State Apartment Incentive Loan (SAIL) programs. Specifically, the package appropriates \$252 million in non-recurring funds toward SHIP and \$259 million in total (recurring and non-recurring) toward SAIL. Additional provisions include:

- Eliminates the limited current statutory authority for local governments to impose rent control measures; the impact on existing ordinances appears to be limited to an Orange County rent stabilization measure approved by voters in a November referendum. The measure was struck down under recent litigation, with the Florida Supreme Court ruling in favor of the plaintiffs, namely the Florida Realtors Association and Florida Apartment Association.
- Authorizes counties to approve “mixed-use residential” development at their discretion that includes affordable housing (greater than 10% of the units within the development meet the criteria of affordable), within commercial or industrial zones.
- Requires counties to authorize multi-family and mixed-use residential as allowable uses in mixed use and commercial zones, conditional on 40% of the residential units meeting the criteria of “affordable” for 30 years. Additionally, the bill provides height and density incentives for residential development authorized under this section:
 - Prohibits counties from restricting the density of an eligible proposed affordable housing development below the highest allowed density on any unincorporated land within the county
 - Prohibits counties from restricting the height of an eligible proposed affordable housing development below the highest currently allowed within one mile of the proposed development OR three stories— whichever is higher.
- Provides an ad valorem tax exemption for land owned by a non-profit entity leased for 99+ years for the purpose of affordable housing.
- Provides an ad valorem tax exemption for newly constructed or substantially rehabilitated developments with 70+ units dedicated to providing affordable low-to moderate-income housing. Portions of the property dedicated to “moderate income” housing (between 80-120% Area Median Income) will receive a 75% exemption,

while those serving low-income residents (less than 80% Area Median Income) will receive a full exemption.

- Permits local governments to offer an additional local option ad valorem tax exemption to property owners who dedicate units to extremely-low income or very-low income residents. In order to be eligible, a property must:
 1. be used to house persons or families meeting the extremely-low-income or the very-low-income limits;
 2. within a multifamily project containing 50 or more residential units, at least 20% of which is used to provide affordable housing that meets the applicable requirements;
 3. Rent at a monthly amount meets specified requirements.Counties retain the discretion to set the percentage granted by the exemption. The language authorizes counties to deny or revoke this exemption based on repeated code violations. This would ensure that unsafe/unsanitary properties are not entitled to receive the exemption.
- Provides for a new distribution of the lesser of 8 percent of Documentary Stamp Tax revenues or \$150 million be deposited into the State Housing Trust Fund. In the event that the 8 percent Doc Stamp collection allowance exceeds \$150 million, the surplus will be deposited into General Revenue.
- Codifies the Hometown Heroes program, which provides down payment assistance and zero interest loans to eligible frontline community workforce members.

LOCAL OCCUPATIONAL LICENSING TEMPORARY FIX PASSES

HB 1383- *Specialty Contractors* by Rep. Trabulsy (SB 1570 by Sen. Hooper) passed unanimously in both chambers this session.

Background: In 2021, the Legislature passed HB 735 which preempted locally licensed occupations to the state. However, the act allowed local licensing to continue for two-years, including construction trade occupations, in those counties that licensed the occupations locally as of January 1, 2021. Section 163.211, Florida Statutes, would have expired all local occupational licenses issued to construction industry specialty contractors on **July 1, 2023**, unless this Legislature takes action.

This session, four bills were filed to address the issues created in HB 735 including HB 1383 by Rep. Trabulsy, SB 1570 by Sen. Hooper, HB 1625 by Rep. Mooney, and SB 1584 by Sen. Perry. The Legislature moved forward with HB 1383 and SB 1570, after several changes both chambers were able to agree on the following.

The bill establishes that local government licensing of occupations will now expire on **July 1, 2024**. By **July 1, 2024**, the Construction Industry Licensing Board shall establish certified specialty contractor categories for voluntary licensure for all of the following:

- Structural aluminum or screen enclosures.
- Marine seawall work.
- Marine bulkhead work.
- Marine dock work.
- Marine pile driving.
- Structural masonry.
- Structural prestressed, precast concrete work.
- Rooftop solar heating installation.
- Structural steel.
- Window and door installation, including garage door installation and hurricane or windstorm protection.
- Plaster and Lath.
- Structural carpentry.

A local government may not require a license issued by the local government or CILB to perform a job scope which does not substantially correspond to one of the state contractor or specialty contractor categories. A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before January 1, 2021.

Further, the bill allows a county in an area that is designated as an area of critical state concern, to offer a license for any job scope which requires a contractor license under this part, if the county imposed such a licensing requirement before January 1, 2021.

Lastly, a local government may not require a license as a prerequisite to submit a bid for public work projects if the work to be performed does not require a license under general law. The bill heads to the Governor's desk for final approval.

LEGISLATION REQUIRING BUSINESS IMPACT STATEMENTS ON LOCAL ORDINANCES PASSES

SB 170- *Local Ordinances* by Sen. Trumbull (HB 1515 by Rep. Brackett) passed this session, after passing on the Senate floor with a vote of 28-12 and in the House the last week of session with a vote of 82-33. The bill was substantially the same as SB 280- *Local Ordinances* that failed last session.

Current law allows civil action challenges to local ordinances on grounds that they are expressly preempted by state law, or conflict with the state constitution. SB 170 expands this

statute to include grounds that an ordinance is arbitrary or unreasonable and allows the courts to award attorney fees and costs to the prevailing complainant. An award of attorney fees or cost and damages cannot exceed \$50,000 and costs to the prevailing plaintiff. Like challenges under current law that are brought against local ordinances on express preemption grounds, the bill allows a complainant to recover damages against the local government that enacted the local ordinance. The bill requires a board of county commissioners to prepare a business impact statement before the adoption of certain ordinances. It also requires the preparation of a business impact estimate that must be published on a county's or city's website at the same time as notice of a proposed ordinance is published. Additionally, a good faith estimates of the number of businesses likely to be affected by said ordinance and any additional information the board determines necessary.

The following local ordinances are excluded from the business impact statement requirements:

- Ordinances that implement:
 - Part II of chapter 163;
 - Section 553.73;
 - Section 633.202;
 - Sections 190.005 and 190.046;
- Ordinances required to comply with federal or state law or regulation;
- Ordinances related to issuance or refinancing of debt;
- Ordinances related to the adoption of budgets or budget amendments;
- Ordinances required to implement a contract or an agreement; including but not limited to, any federal, state, local, or private grant or financial assistance accepted by a county government; or
- Emergency ordinances.

Additionally, a county must suspend enforcement of an ordinance that is subject of action if the legal action is filed no later than 90 days after the adoption of the ordinance, the complainant requests suspension in the initial complaint or petition, and the county has been served with a copy of the complaint or petition. The bill only applies to ordinances adopted on or after October 1, 2023. An amendment to an ordinance enacted after October 1, 2023, can give rise to a claim only to the extent the amendment language is the cause of the claim apart from the ordinance being amended. The county ordinance under consideration at a properly noticed meeting may continue to a subsequent meeting if, at the scheduled meeting, the date, time, and place of the subsequent meeting is publicly stated. No notice is required except the continued consideration must be listed in an agenda or similar to what was produced for the subsequent

meeting. This applies retroactively. The bill heads to the Governor's desk for final approval.

COMPREHENSIVE PLAN AND LAND PREEMPTION SIGNED INTO LAW

SB 1604- *Land Use and Development Regulations* by Sen. Ingoglia (HB 439 by Rep. McClain) was approved by the Governor on Sine Die, May 5, 2023. SB 1604 passed (75-34) in the House and (27-13) in the Senate. The bill increases the length of the required planning period from a 10-year period and a 20-year period (current law is 5 year and 10 year) and revises the comprehensive plan evaluation and appraisal process. The bill requires land development regulations adopted by a local government to establish minimum lot sizes consistent with the maximum density authorized by the comprehensive plan and to provide standards for infill residential development.

The bill allows local governments to require certain building design elements to single-family or two-family dwellings located in a planned unit development (PUD) or master planned community (MPC) created before **July 1, 2023**. This ability will not be allowed prospectively and is preempted.

Additionally in Section 3, the bill limits the application of those elements in communities with a design review board or architectural review board to those who had such a board before January 1, 2020.

Lastly, the bill precludes an independent special district from complying with the terms of any development agreement, or other agreement for which a development agreement served as consideration, that was adopted in the three-month period preceding the effective date of a law modifying the manner of selecting the governing body of that independent special district, and required the district to take certain actions within a specified period. Additionally, the bill revises the process for approving certain electric substation installations.

The bill will head to the Governor's desk for final approval.

LOCAL WORK PREFERENCES PREEMPTION PASSES

SB 346- *Public Construction* by Sen. DiCeglie (HB 383 by Rep. Griffiths, Jr.) passed this session. SB 346 passed unanimously in the Senate, and (83-29) in the House.

Background: In 2021, HB 53 was signed into law that amended the definition of "public work projects" as an activity that exceeds \$1,000,000 in value and that is paid for with any state-appropriated funds. The law preempts

existing local ordinances related to the procurement process for public works projects when any state funds are used. Additionally, the law removed the 50% threshold and applied the prohibition on local preference to all solicitations that will be paid for with funding that is state-appropriated.

This bill revises the definition of a public works project as any activity that is paid for with any state-appropriated funds, deleting any dollar threshold entirely. This will prohibit the political subdivision that undertakes the public works project that uses state-appropriated funds from imposing specified requirements on contractors.

Further, the bill establishes the reasonable time in which the parties to both local government and public entity construction contracts have to develop the punch list—allowing up to 30 days for contracts under \$10 million, and up to 45 days for contracts of \$10 million or more. Additionally, the bill allows a local government to retain up to 150% of the estimated cost to complete items on the punch list after it receives a contractor's request that the local government pay the contract balance, and clarifies that the local government must pay the withheld cost upon completion of those punch list projects—barring a good faith dispute. The bill heads to the Governor's desk for final approval.

LANDLORD/TENANT RELATIONSHIP PREEMPTION PASSES

HB 1417- *Residential Tenancies* by Rep. Esposito (SB 1586 by Sen. Trumbull) passed this session. HB 1417 passed (81-33) in the House and (29-8) in the Senate. The bill preempts local governments from any regulation of the landlord/tenant relationship. The non-exhaustive list of features that are preempted includes:

- The screening process used by a landlord in approving tenancies.
- Security deposits.
- Rental agreement applications and fees associated with such applications.
- Terms and conditions of rental agreements.
- The rights and responsibilities of the landlord and tenant.
- Disclosures concerning the premises, the dwelling unit, the rental agreement, or the rights and responsibilities of the landlord and tenant.
- Fees charged by the landlord.
- Notice requirements; a number of counties actively require varying degrees of notice before rent increases/termination of tenancy, beyond the statutory requirements
- The notice period for terminating a tenancy to no less than 30 days' or more than 60 days' notice from the tenant or the landlord.

The bill heads to the Governor's desk for final approval.

LEGISLATION PROHIBITING COUNTY CONSTITUTIONAL OFFICER POWER PASSES

HB 1373/SB 1490- *County Constitutional Officers* by Rep. Fernandez-Barquin and Sen. Garcia passed this session. HB 1373 passed in the House (113-3) and passed unanimously in the Senate. The bill prohibits a county from creating or expanding the powers or authority of any office, special district, or governmental unit if the purpose of such creation or expansion is to exercise any power or authority allocated exclusively to a county constitutional officer by the Florida Constitution or general law. Under the bill, a county commissioner who votes in favor of a proposed ordinance for such a creation or expansion of powers is guilty of misfeasance or malfeasance in office. The bill provides that if a county adopts such an ordinance, the State may withhold all or part of any distribution under local government revenue sharing, which is otherwise allocable to the county, other than any distribution exclusively for school purposes or required for existing bond debt service, during the period such ordinance is in force. Additionally, the bill authorizes a county constitutional officer or a resident of the county to bring an action in circuit court against a county that adopts such an ordinance. The bill authorizes a court to enter a judgment awarding declaratory and injunctive relief, damages, costs, and reasonable attorney fees to a prevailing county constitutional officer or resident of the county. The bill prohibits a county from including funding within its budget for any office, special district, or governmental unit that is exercising any power or authority allocated exclusively to a county constitutional officer by the Florida constitution or general law.

BILL AMENDING RESTRICTIONS ON DANGEROUS DOGS TO NON-BREED SPECIFIC PASSES

SB 942- *Authorization of Restrictions Concerning Dogs* by Sen. Calatayud (HB 941- Rep. Busatta Cabrera) passed this session with a vote in the Senate of 39-1 and unanimously in the House. The bill allows public housing authorities to adopt ordinances, rules, or policies to address dogs, however, the rule or policy may not be breed, weight, or size specific. Additionally, the bill removes the grandfather provision in Florida statute, allowing for breed specific regulations, if the ordinance was adopted prior to October 1, 1990.

This change would nullify Miami Dade County's regulations and restrictions on owners of pit bulldogs. The bill will head to the Governor's desk.

BILL REQUIRING COURTHOUSES TO PROVIDE LACTATION SPACES PASSES

SB 144- *Lactation Spaces* by Sen. Berman (HB 87 by Rep. Gantt) passed this session. The bill would require each county courthouse to provide at least one lactation space, outside of a restroom, for members of the public to breastfeed. The lactation space must be provided by January 1, 2024, with specific requirements and exceptions. Further, the bill authorizes the person responsible for the operation of the facility housing each district court of appeal to use state-appropriated funds or private funding to provide a lactation space. Counties will potentially incur costs from retrofitting county court facilities for a dedicated lactation space.

LEGISLATION PREVENTING GOVERNMENTS FROM CONTRACTING AND ACQUIRING PROPERTY FROM CHINA PASSES

SB 264- *Interests of Foreign Countries* by Sen. Collins (HB 1355 by Rep. Borrero) passed with a vote of (95-17) in the House and (31-8) in the Senate. The bill restricts both governmental entity contracting with certain foreign countries and entities of concern, as well as conveyances of agricultural lands and other interests in real property to foreign principals, the People's Republic of China, and other entities and persons that are affiliated with them. It also amends certain electronic health record statutes to ensure that such records are physically stored in the continental U.S., U.S. territories, or Canada.

Specifically, with respect to governmental entity contracting, the bill creates statutes that prohibit governmental entities from contracting with entities of foreign countries of concern and entering into contracts for an economic incentive with a foreign entity.

Additionally, the bill prohibits a foreign principal from owning or acquiring agricultural land in the state.

TEMPORARY COMMERCIAL KITCHENS PREEMPTION PASSES

SB 752- *Temporary Commercial Kitchens* by Sen. Calatayud (HB 415 by Rep. Porras) passed unanimously this session in both chambers. The bill defines the term "temporary commercial kitchen" to mean "any kitchen that is a public food service establishment, used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle-mounted, that include self contained utilities, including, but not limited to, gas, water, electricity, or liquid

waste disposal.” The bill includes a preemption of counties on the licensing, registration, permitting, and fees associated with these temporary commercial kitchens, often referred to as “ghost kitchens.”

TRANSPORTATION E-TICKETS PREEMPTION PASSES UNANIMOUSLY

HB 425-*Transportation* by Rep. Andrade (SB 64 by Sen. Hooper) passed unanimously this session. This massive transportation legislation contains a preemption that requires that, notwithstanding any law, rule, or ordinance to the contrary, a local governmental entity must accept electronic proof of delivery as an official record for a material delivery on the local governmental entity’s transportation project.

NATURAL GAS STOVE AND GRILL PREEMPTION PASSES

HB 1281 - *Preemption Over Utility Service Restrictions* by Rep. Buchanan (SB 1256 by Sen. Collins) passes this session. HB 1281 passed (98-16) in the House and (33-4) in the Senate. The bill prohibits a municipality, county, special district, or other political subdivision of the state from enacting or enforcing a resolution, ordinance, rule, code, or policy, or take any other action that restricts or prohibits, or has the effect of restricting or prohibiting, the use of an appliance, including a stove or grill, which uses the types or fuel source of energy production which may be used, delivered, converted, or supplied by:

- Investor-owned electric utilities;
- Municipal electric utilities;
- Rural electric cooperatives;
- Entities formed by interlocal agreement to generate, sell, and transmit electrical energy;
- Investor-owned gas utilities;
- Gas districts;
- Municipal natural gas utilities;
- Natural gas transmission companies; and
- Certain propane dealers, dispensers, and gas cylinder exchange operators.

The bill provides an exception for circumstances in which the political subdivision must enforce the Florida Building Code or the Florida Fire Prevention Code. The bill heads to the Governor’s desk.

LEGISLATION REQUIRING PROTECTION OF MEDICAL FREEDOMS PASSES

SB 238- *Public Records/Protection from Discrimination Based on Health Care Choices* and SB 252- *Protection from Discrimination Based on Health Care Choices* by Sen. Burton (HB 1015 and HB 1013 by Rep. Griffiths, Jr.) passed this session. SB 238 passed in the Senate (31-4) and in the House (96-19). The linked bill, SB 252, passed in the Senate (29-6) and in the House (84-31).

SB 238 amends s. 381.00318, F.S., to expand and conform its public records exemption (PRE) provisions to match with the changes made to ss. 381.00316 and 381.00319, F.S., in CS/SB 252. Specifically, the bill provides that a complaint alleging a business entity’s, governmental entity’s, or an educational institution’s violation of ss. 381.00316, 381.00317, or 381.00319, F.S., held by the Department of Legal Affairs (DLA) or the Department of Health (DOH) is confidential and exempt from public records provisions of s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution. The exemption lasts until the investigation into the complaint is completed or ceases to be active, unless releasing the information would jeopardize the integrity of another active investigation, reveal medical information about an individual, or reveal information about an individual’s religious beliefs.

Information made confidential and exempt may be released to a business or governmental entity or education institution in furtherance of the entity’s or institution’s lawful duties and responsibilities and may also be released in aggregated format. The bill provides legislative findings and extends the Open Government Sunset Review Act repeal date to October 2, 2028.

SB 252 prohibits these entities and institutions from requiring proof of a vaccination with one of the specified types of vaccinations, post-infection recovery from COVID-19, or a COVID-19 test to gain access to, entry upon, or service from the entity or institution. The bill also prohibits business and governmental entities from certain employment practices based on an employee’s, or a potential employee’s, vaccination or post-infection status or the refusal to take a COVID-19 test. The bill’s provisions relating to mRNA vaccines are repealed on June 1, 2025.

The bill prohibits business entities, governmental entities, and educational institutions from requiring a person to wear a mask, a face shield, or any other facial covering that covers the nose and mouth or denying a person access to, entry upon, service from, or admission to such entity or institution or otherwise discriminating against any person based on his or her refusal to wear a mask, face shield, or other facial

covering. If provisions are violated, discipline may include fines of up to \$5,000 for each violation.

PROTECTIONS OF MEDICAL CONSCIENCE PREEMPTION PASSES

SB 1580- *Protections of Medical Conscience* by Sen.Trumbull (HB 1403 by Rep. Rudman) passed this session. SB 1580 passed in the Senate with a vote of (28-11) and in the House with a vote of (84-34). The bill establishes rights of conscience for health care providers and payors. The bill provides legislative intent and provides that a health care provider or payor has the right to opt out of participation in or payment for a health care service on the basis of a conscience-based objection (CBO). The bill establishes notification requirements for opting-out and prohibits a payor from opting-out of paying for a service it is contractually obligated to cover during a plan year. Also specifies that CBOs are limited to specific health care services, that the bill may not be construed to waive or modify any duty a provider or payor may have for other health care services that do not violate a provider's or payor's conscience, and that nothing in the bill allows a health care provider or payor to opt-out of providing health care services to any patient or potential patient because of that patient's or potential patient's race, color, religion, sex, or national origin. The bill heads to the Governor's desk.

LEGISLATION PROHIBITING CERTAIN APPLICATIONS OF FOREIGN APPLICATIONS ON GOVERNMENT-ISSUE DEVICES PASSES

SB 258- *Prohibited Applications on Government-issued Devices* by Sen. Burgess (HB 563- *Prohibited Applications on Government-Issued Devices* by Rep. Amnesty) passed unanimously in the House and Senate this session. The bill requires governmental entities to block all prohibited applications on government-issued devices (cell phones, laptops, or other electronic devices), restrict access to prohibited applications on a government-issued devices, and remotely wipe and uninstall any prohibited application from a comprised government-issued device. Prohibited applications include any Internet application (eg. TikTok) that enables users to socially interact with one another and that is created, maintained, or owned by a foreign principal; or any Internet application deemed to present a security risk by the department. Foreign principals under the bill are defined as foreign country of concern from 288.860(1) or the political parties or members of a political party from those foreign country of concern. These include: the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic

People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic. Governmental entities may request a waiver from the Department of Management Services (DMS) to allow designated employees to access prohibited applications if the access is deemed necessary to conduct governmental or educational business. Employees of governmental entities who have already downloaded a prohibited application must remove, delete, or uninstall the application by August 1, 2023. The bill authorizes DMS to adopt rules as necessary to administer this section.

DRONE PORT PREEMPTION PASSES

SB 1068- *Drone Delivery Services* by Sen. Collins (HB 1071 by Rep. Duggan) passed this session unanimously in both chambers. The bill prohibits a political subdivision from withholding the issuance of a business tax receipt or enacting or enforcing an ordinance or resolution prohibiting a drone delivery service's operation based on the location of the delivery service's drone port, but does allow them to enforce generally applicable minimum setback and landscaping regulations. The drone ports are also exempt from the Florida Building Code and Florida Fire Prevention Code.

DATA TRANSPARENCY LEGISLATION PASSES

SB 262- *Technology Transparency* by Sen. Bradley (HB 1547 by Rep. McFarland) passed this session. SB 262 passed unanimously in the Senate unanimously and in the House (110-2). The bill prohibits employees of a governmental entity from using their position or any state resources to communicate with a social media platform to request that it remove content or accounts. Additionally, a governmental entity cannot initiate or maintain any agreements with a social media platform for the purpose of content moderation.

The bill creates a unified scheme to allow Florida's consumers to control the digital flow of their personal information. Specifically, it gives consumers the right to:

- Confirm and access their personal data;
- Delete, correct, or obtain a copy of that personal data;
- Opt out of the processing of personal data for the purposes of targeted advertising, the sale of personal data, or profiling in furtherance of a decision that produces a legal or similarly significant effect concerning a consumer;
- Opt out of the collection of sensitive data; and
- Opt out of the collection of personal data collected through the operation of a voice recognition feature.

The Act generally applies to businesses that collect Florida consumers' personal information, make in excess of \$1 billion in gross revenues, and meet one of the following thresholds:

- Derives 50 percent or more of its global annual revenues from providing targeted advertising or the sale of ads online; or
- Operated a consumer smart speaker and voice command component service with an integrated virtual assistant connected to a cloud computing service that uses hands-free verbal activation.
- Operates an app store or digital distribution platform that offers at least 250,000 different software applications for consumers to download and install.

Linked Bills

SB 1648- *Public Records/Investigations by the Department of Legal Affairs* by Sen. Bradley (HB 1549 by Rep. McFarland) passed this session. The bill creates a public records exemption for information received by the Department of Legal Affairs (DLA) pursuant to a notification of a violation under s. 501.173, F.S., or received pursuant to an investigation made by the DLA or a law enforcement agency. The bill permits the DLA to disclose this confidential and exempt information during an active investigation under specific circumstances.

PUBLIC SAFETY EMERGENCY COMMUNICATIONS BILL PASSES

HB 1575- *Public Safety Emergency Communications Systems* by Rep. Brackett (SB 1614 by Sen. Rodriguez) passed unanimously this session in both the House and Senate. The bill creates a limitation on when a Local Authority Having Jurisdiction (LAHJ) can require installation of an enhancement system, as follows:

Assessment:

- Unless the building undergoes significant renovation or poses a safety threat, the LAHJ may only require an assessment no more often than:
 - Every three years for high-rise buildings or buildings exceeding 12,000 square feet; or
 - Every five years for all other buildings.

Post-assessment:

- If an enhancement system is required after assessment of a new building, a contractor must submit a design to the LAHJ for an enhancement system and the LAHJ must require installation of the system within 180 days after the issuance of temporary certificate of occupancy.
- If an LAHJ requires an existing building to retrofit its enhancement system, it must give the building owner at least one year to do so.
 - Establishes that certain structures are not required to meet radio signal strength requirements at any time.

IMMIGRATION LEGISLATION PASSES

SB 1718- *Immigration* by Sen. Ingoglia (HB 1617 by Rep. Michael) passed this session. SB 1718 passed in the Senate (27-10) and in the House (83 - 36). Among many other provisions, the bill prohibits a county or municipality from providing funds to any person, entity, or organization for the purpose of issuing an identification card or other document to an individual who does not provide proof of lawful presence in the United States. The bill heads to the Governor's desk for final approval.

HEALTH, SAFETY, JUSTICE- PASSED

NATURAL EMERGENCIES LEGISLATION PASSES

SB 250 – *Natural Emergencies* by Sen. Martin (HB 7057 by House Commerce) passed this session after a series of amendments throughout the process.

The bill provides that counties and municipalities may not prohibit the placement of a temporary shelter (including but not limited to a recreational vehicle, a trailer, or similar structure on a residential property for up to 36 months or until a certificate of occupancy is issued on the permanent structure on the property, whichever occurs first, following a declared natural emergency as defined in s. 252.34(8). The latest language would have this bill apply only in a declared natural emergency.

The bill also prohibits a county within 100 miles of the landfill area of either Hurricane Ian or Nicole from adopting comprehensive plan amendments or land use regulations more burdensome or restrictive than allowed in s.163.3164, F.S.

The bill also extends the period within which an independent fire control district may file its final report of the performance review no later than 15 months from the beginning of the district's fiscal year if the special district is within an area for which a declared state of emergency for a natural disaster was declared or 24 months for a category 3 hurricane or higher

The bill also:

- Requires the Division of Emergency Management to post on its website no later than 6/1/2023 a model debris removal contract AND

- Prioritize technical assistance and training to fiscally constrained counties on the aspects of safety measures, preparedness, prevention, response, recovery, and mitigation relating to declared natural disasters and emergencies
- Revises the tolling of permits following a declared natural disaster from 6 months to 24 months and to up to 48 months if multiple declared natural emergencies occur
- Encourages Counties, Municipalities, and School Districts to develop an emergency financial plan for major natural disasters
- Encourages intergovernmental cooperation and creation of inspection teams
- Revises the Bridge loan program and appropriates an additional \$50 M
- Allows registered contractors to work outside of an area where they are registration within their field for up to 24 months if they are working within a declared disaster area
- Directs local governments to offer an expedited permitting process for projects that require minimal technical review, following a declared natural disaster event.

LEGISLATURE PASSES E911 REVISIONS

SB 1418 – *Emergency Communications* by Sen. Bradley (HB 745 by Rep. McFarland) passed this session.

The bill revises the distribution formula for the Emergency Communications System Fund. To fund E911 systems around the state, voice communications service providers charge a fee to their subscribers. These fees are deposited into the Emergency Communications System Fund, before being distributed to counties, among other entities. Under current law, counties receive 76% of the distributions for the wireless category of voice communication services. The bill would increase this allocation to 95% for counties.

Additionally, the bill modifies the powers, duties, and composition of the E911 Board, which is renamed as the Emergency Communications Board, and expands the list of items that may be funded with E911 fee disbursements. Under current law, the board consists of a system director and ten members appointed by the Governor, five of whom are county representatives. The bill would reduce these numbers to eight appointees, four of whom represent county interests.

Late amendment language to the bill would also require Changes, modifications, or upgrades to the emergency communication systems or services be made in cooperation and coordination with the head of each public safety agency, or their designee, served by the primary public safety answering point in each county.

PUBLIC SAFETY TELECOMMUNICATOR RENEWAL BILL PROCESS

HB 341- 911 *Public Safety Telecommunicator Certifications* by Rep. Amnesty (SB 980 by Sen. Brodeur) passed this session.

The bill allows the certification of a 911 Public Safety Telecommunicator to automatically revert to inactive status for up to six years if not renewed at the end of the two-year certification period. As a result, a certificate holder will no longer have to request their certification be placed on inactive status or pay the applicable \$50 fee required by current law. Additionally, the bill provides retroactive applicability to certificates that have expired or are set to expire in the six-year period preceding the effective date of the bill. This allows a prior certificate holder whose certificate expired between July 1, 2017, and the effective date of the bill to reactivate their certificate.

COUNTY DETENTION FACILITY VISITATION LEGISLATION PASSES

HB 119- *Visiting County and Municipal Detention Facilities* by Rep. Benjamin (SB 1510 by Sen. Pizzo) passed unanimously this session. The bill authorizes specific personnel to visit county and municipal detention facilities, including:

- Members of the governing body of the county or municipality,
- Members of the Legislature,
- State court judges,
- The state attorney,
- The public defender, and
- The regional counsel.

LEGISLATURE ESTABLISHES SCHOOL EMERGENCY RESPONSE MAPPING PROGRAM, PROVIDES FUNDING

HB 301 – *Emergency Response Mapping Data* by Rep. Alvarez (SB 212 by Sen. Collins) passed this session. To assist local first responders in responding to emergencies in public schools, the bill requires the Department of Education (DOE) to create a School Mapping Data Grant Program, in which public schools, including charter schools, can apply to receive funds for mapping each school in the district. The bill does not require school districts to use emergency response mapping data. However, should a school district elect to do so, the district could procure a vendor to provide such data and apply for funding through the School Mapping Data Grant Program. The bill requires the mapping data to be provided in an electronic or a digital format to assist first responders in responding to emergencies at schools and specifies minimum requirements for the data. A vendor selected by a school district under the grant program is responsible for providing the data to the district and local law enforcement

and public safety agencies for use in responding to emergencies and for conducting required active assailant drills. The bill appropriates \$ 14 million to the DOE for the School Mapping Data Grant Program established by this bill.

LEGISLATURE PASSES NEW PROTECTIONS FOR VULNERABLE SENIORS

SB 232 – *Exploitation of Vulnerable Persons* by Sen. Garcia (HB 603 by Rep. LaMarca) passed this session.

The bill creates s. 817.5695, F.S., which punishes exploitation of a person 65 years of age or older by:

- Obtaining or using, through deception or intimidation, the property of a person 65 years of age or older with the intent to temporarily or permanently:
 - Deprive that person of the use, benefit, or possession of the property; or
 - Benefit someone other than the property owner;
- Obtaining or using, through deception or intimidation, the property of a person 65 years of age or older through the intentional modification, alteration, or fraudulent creation of a plan of distribution or disbursement expressed in a will, trust instrument, or other testamentary device of the person 65 years of age or older; or
- Depriving, with the intent to defraud and by means of bribery or kickbacks, a person 65 years of age or older of his or her intangible right to honest services provided by an individual who has a legal or fiduciary relationship with such person.

If the funds, assets, or property involved in the exploitation are valued at:

- \$50,000 or more, the offender commits a level 7 first degree felony.
- \$10,000 or more, but less than \$50,000, the offender commits a level 6 second degree felony.
- Less than \$10,000, the offender commits a level 4 third degree felony.

It does not constitute a defense to a prosecution for any violation of this section that the accused did not know the age of the victim.

BILL ADDRESSING MALICIOUS HARASSMENT SIGNED BY GOVERNOR

HB 269 – *Public Nuisances* by Rep. Caruso (SB 994 by Sen. Calatayud) passed the legislature this session before being promptly signed into law by the Governor as Ch. 2023-24, L.O.F.

The bill makes several changes relating to public nuisances:

- Prohibits a person from intentionally dumping litter onto

private property for the purpose of intimidating or threatening the owner, resident, or invitee of such property, punishable as a first degree misdemeanor. If such litter contains a credible threat, a person commits a third degree felony.

- Prohibits a person from willfully and maliciously harassing, threatening, or intimidating another person based on the person's wearing or displaying of any indicia relating to any religious or ethnic heritage, punishable as a first degree misdemeanor. If a person commits such a violation and in doing so makes a credible threat, the person commits a third degree felony.
- Prohibits displaying or projecting an image onto a building, structure, or other property without the written consent of the owner of the building, structure, or property, punishable as a first degree misdemeanor. If a person displays or projects such an image containing a credible threat, the person commits a third degree felony.
- Creates a new trespass offense if a person who is not authorized, licensed, or invited willfully enters the campus of a state university or Florida College System institution for the purpose of threatening or intimidating another person, and is warned by the state university or Florida College System institution to depart and refuses to do so. A violation is punishable as a first degree misdemeanor.

CONTROLLED SUBSTANCE REFORM PASSES

HB 365 – *Controlled Substances* by Rep. Plakon (SB 280 by Sen. Brodeur) passed this session.

CS/CS/HB 365 amends s. 782.04(1)(a)3., F.S., to revise the causation requirement for death caused by the unlawful distribution of a controlled substance to require that such distribution is proven to "have caused, or is proven to have been a substantial factor in producing the death of the user." "Substantial factor" is defined to mean the "use of the substance or mixture alone is sufficient to cause death, regardless of whether any other substance or mixture used is also sufficient to cause death."

The bill creates s. 893.131, F.S., to prohibit a person 18 years of age or older from distributing heroin, alfentanil, carfentanil, fentanyl, sufentanil, fentanyl derivatives, or an analog or mixture containing such substances, when such substances cause or are a substantial factor in causing an injury or overdose to the user. A person commits a violation regardless of whether the distribution is made directly or indirectly through another person to the person who was injured or who overdosed. A violation is punishable as a second degree felony. A second or subsequent conviction is punishable as a first degree felony.

The administration of medical care by an emergency responder, including, but not limited to, a law enforcement officer, a paramedic, or an emergency medical technician, or the administration of an emergency opioid antagonist by such emergency responder is prima facie evidence that the person receiving medical care was injured or overdosed.

The bill amends s. 921.0022(3)(f), F.S., to rank the offense of distributing a controlled substance that results in injury or overdose, a second degree felony, as a Level 6 offense on the offense severity ranking chart. The enhanced penalty for a second conviction for distributing a controlled substance that results in injury or overdose which is a first degree felony is unranked, and as such, the first degree felony defaults to a Level 7 offense.

SUICIDE PREVENTION PROGRAM LEGISLATION PASSES

SB 914 – *Suicide Prevention* by Sen. Garcia (HB 655 by Rep. Trabulsy) passed this session.

The bill modifies statutory provisions governing confidentiality for peer support communications between a first responder and a first responder peer. The bill allows certain first responder organizations to designate first responder peers and clarifies that first responder peers include active, volunteer, and retired first responders. The bill also permits diagnosis of post-traumatic stress disorder in first responders via telehealth for the purposes of obtaining worker's compensation benefits.

The bill renames the Commission on Mental Health and Substance Abuse (the Commission), adjunct to the Department of Children and Families (the DCF), as the Commission on Mental Health and Substance Use Disorder, and directs the Commission to conduct a study examining services and programs relating to suicide prevention.

The bill adds a representative of the statewide Florida 211 network appointed by the Governor to the Commission membership. The bill also requires the Commission to evaluate and make recommendations regarding skills-based training that teaches participants about mental health and substance use disorder issues, including, but not limited to, Mental Health First Aid models.

CRIMINAL RECORD EXPUNCTION REFORM PASSES

HB 605 – *Expunction of Criminal History Records* by Rep. Smith (SB 504 by Sen. Rodriguez) passed this session.

Under the bill, a person who receives a court-ordered expunction for an offense committed when the person was

a juvenile will be treated the same way as a person who received a juvenile diversion expunction, automatic juvenile expunction, or early juvenile expunction when seeking a subsequent court-ordered expunction. The court still retains discretion on whether to expunge a criminal history record and the state attorney is still provided with notice of a petition to expunge and the opportunity to object to such a petition, which is unchanged from current law.

The bill also makes a person ineligible for a court-ordered expunction if the case giving rise to the criminal history record was dismissed by a court because the defendant was found incompetent to proceed under s. 916.145, F.S., or s. 985.19, F.S.

CONCEALED CARRY EXPANSION SIGNED BY GOVERNOR

HB 543- *Public Safety* by Rep. Brannan (SB 150 by Sen. Collins) passed the legislature this session, before getting the Governor's seal of approval as Ch. 2023-18, L.O.F.

Under current law, a person is prohibited from carrying a concealed weapon or concealed firearm (CWCF) on or about his or her person unless he or she has a valid license to carry a concealed weapon (CWL). Carrying a concealed weapon without a CWL is a first degree misdemeanor. Carrying a concealed firearm without a CWL is a third degree felony.

The bill allows for concealed carry of a weapon or firearm without a concealed weapons license, so long as they have a valid identification, obey prohibitions against carrying weapons in specified locations, and meet other specified criteria for concealed carry.

The bill contains the following additional school safety provisions:

- Amends s. 1001.212, F.S., to:
 - Require the Department of Education (DOE) to implement new behavioral threat management operational processes, a threat assessment instrument, and a threat management portal; and
 - Update the membership and responsibilities of school district and charter school threat assessment teams, and rename such teams threat management teams to align with new threat management processes.
- Amends s. 1002.42, F.S., to authorize private schools to implement safe-school officers.
- Requires the DOE to adopt emergency rules establishing which School Environmental Safety Incident Reporting incidents require referral to law enforcement.

LEGISLATURE PASSES NEW OPIOID OVERDOSE RESPONSE GUIDELINES

HB 783 – *Emergency Opioid Antagonists* by Rep. Caruso (SB 704 by Sen. Boyd) passed after a number of amendments.

The bill revises the definitions of the terms “authorized health care practitioner,” and “caregiver,” in the context of emergency opioid antagonist administration. The changes broaden the definitions of these terms to eliminate unintended restrictions on how and by whom emergency opioid antagonists may be dispensed and administered. The bill creates the Statewide Council on Opioid Abatement within the Department of Children and Families for the purpose of enhancing the development and coordination of state and local efforts to abate the opioid epidemic and to support the victims of the opioid crisis.

BAKER ACT HANDBOOK REVISIONS PASSES

HB 829 – *Operation and Administration of the Baker Act* by Rep. Silvers (SB 938 by Sen. Davis) passed this session in its original form. The bill requires DCF to annually update the Baker Act handbook and to maintain a FAQ repository.

PUBLIC HEALTH LEGISLATION PASSES, PROHIBITS HIGH RISK RESEARCH

HB 1387 – *Department of Health* by Rep. Porras passed this session. The bill prohibits research concerning “potential pandemic pathogens” from being conducted in the state. The bill also requires researchers applying for state or local funding must disclose in the application for funding whether the research involves enhanced PPPs.

GOVERNOR SIGNS OFF ON PRIORITY PHARMACEUTICAL REFORM MEASURE

SB 1550 – *Prescription Drugs* by Sen. Brodeur (HB 1509 by Rep. Chaney) passed this session, and has been signed by the Governor as Ch. 2023-29, L.O.F.

The sections of interest to counties would:

- Prohibit a Pharmacy Benefits Manager (PBM) from incentivizing the use of any affiliated pharmacy as part of a Pharmacy Benefits Plan. Prohibited incentives include referrals to affiliates, limited networks for prescription drug coverage, or disproportionate marketing/promotion of affiliates.
- Prohibit similar incentives for mail-order prescriptions, including offering discounts for mail-order prescriptions over retail pharmacies.

The bill is expected to have a cost impact on county health plans using a PBM.

COUNTIES REQUIRED TO USE ELECTED SHERIFF UNDER NEW LAW

HB 1595 – *Law Enforcement Operations* by Rep. Yarkosky (SB 1588 by Sen. Burgess) passed this session.

The Florida Constitution provides that each county shall have a sheriff elected by the electors of the county to a four-year term. A county charter may not abolish the office of sheriff or provide an alternative method for selecting the sheriff, with the exceptions of Miami-Dade and Broward counties. This bill extends this requirement to all counties, effective January 7, 2025.

The bill codifies the jurisdictional powers of the sheriff, to clarify that the sheriff has exclusive policing jurisdiction in the unincorporated areas of each county and concurrent jurisdiction with municipal or special district law enforcement agencies in the jurisdictions of those agencies. The bill also provides for the transfer of policing responsibility and authority to the sheriff in counties that do not currently have an elected sheriff.

LEGISLATURE TRANSFERS CHILD PROTECTIVE RESPONSIBILITIES BACK TO DCF

HB 7061 - *Sheriffs Providing Child Protective Investigative Services* by Rep. Koster passed, after being substituted for the Senate companion, SB 7056, a committee bill by HHS appropriations.

Currently, the Department of Children and Families (DCF) performs child protective investigative services in 60 counties and local sheriffs’ offices do so in the other seven, comprising nearly 25% of the child protective investigations in the state at a cost of \$59 million. Four sheriff’s offices are required by statute to perform child protective investigations, while three others have voluntary agreements with DCF to do so. HB 7061 requires the transfer of child protective investigation services by sheriffs back to DCF, making DCF the sole entity performing child protective investigations in Florida. The bill specifies the timeframe and framework for the transfer, including employees’ ability to transition to DCF and the handling of records, use of facilities, final grant accounting, and disposition of assets. The bill also makes conforming changes to statutes to remove references to sheriff’s offices conducting child protective investigations.

BILL REPEALING THE PREEMPTION OF REGULATION OF TOBACCO AND NICOTINE PRODUCTS FAILS

HB 519/SB 530- *Preemption of the Regulation of Tobacco and Nicotine Products* by Rep. Edmonds and Sen. Polsky failed this session. The bill repeals preemptions relating to tobacco and nicotine products, specifically, s.569.0025, F.S. (the establishment of the minimum age for purchasing or possessing, and the regulation for the marketing, sale, or delivery of, tobacco products preempted to the state) and s.569.315, F.S. (the establishment of the minimum age for purchasing or possessing, and the regulation for the marketing, sale, or delivery of, nicotine products preempted to the state). Neither bill was considered in committee.

CASH BOND REFORM STALLS IN BOTH CHAMBERS

HB 65/SB 582 – *Withholding Funds for the Return of Cash Bonds* by Rep. Andrade/Sen. Grall failed this session, after moving through a single committee of reference in each chamber. The bill limits the withholding of costs, fines and fees from a cash bond posted on behalf of a criminal defendant to only apply when the bond was posted by the defendant or his or her spouse. Under current law, upon final disposition of a criminal case the clerk withholds costs, fines and fees from the return of any cash bond posted in the criminal case.

HUMAN TRAFFICKING AND PROSTITUTION LEGISLATION FAILS

HB 59/SB 166 - *Human Trafficking and Prostitution* by Rep. Skidmore and Sen. Berman both failed to gain traction in any of their committees of reference. This legislation clarifies that the instances of “coercion” in current statute are non-exhaustive. In order to prohibit the facilitating or enabling receiving of persons into any place, structure, building, or conveyance for purpose of prostitution, lewdness, or assignation or facilitating or enabling any person to remain in such place; prohibits knowingly engaging in specified activities for purpose of prostitution. Provides increased criminal penalties for specified prohibited acts. Prohibits facilitating or enabling the receiving of persons into any place, structure, building, or conveyance for the purpose of prostitution, lewdness, or assignation. Prohibits knowingly engaging in specified activities for the purpose of prostitution and thereby benefiting financially or receiving anything of value. Provides increased criminal penalties for specified prohibited acts relating to lewdness, assignation, or prostitution.

CHILD WATER SAFETY REQUIREMENTS LEGISLATION FAILS

SB 74 - *Child Water Safety Requirements* by Sen. Rodriguez failed in the senate. This legislation provides that certain organizations that care for or supervise children must require parents or legal guardians to attest certain information in writing before taking children under their care or supervision to public bathing places or public swimming pools. Provides requirements for such organizations when they conduct certain activities in public bathing places or public swimming pools. Provides for disciplinary action against such organizations for certain violations. Authorizing the Department of Health to adopt rules.

CRIMINAL REHABILITATION/ SENTENCING REFORM MEASURE FAILS

HB 115/SB 206 - *Criminal Rehabilitation* by Rep. Hart and Sen. Rouson failed through the House and Senate. This legislation specifies that one of primary purposes of sentencing is to rehabilitate offender to transition back to community successfully. The bill reduces the minimum sentence that must be served by defendant from 85 to 65 percent of their term. The bill also revises provisions concerning gain-time, good behavior time, & rehabilitation credits and revises limits on award of gain-time.

FIRST RESPONDER COUNSELING PROGRAM FAILS

HB 169/SB 314 – *Licensed Counseling for First Responders* by Rep. Lopez (V) and Sen. Rodriguez has failed to be pushed through the House and Senate. This legislation focuses on employers of first responders having to pay for mental health counseling following certain qualifying events. Eligible first responders include law enforcement officers, firefighters, paramedics, and EMT's.

Specifically, the first responder is eligible for mental health counseling in the event that they witness, in the scope of their duties:

- A deceased minor
- A decedent whose death or injuries shock the conscience
- Or an event of grievous bodily harm that shocks the conscience

A first responder is eligible for 12 hours of initial treatment following the qualifying event, and an additional 24 hours of treatment if a licensed mental health professional determines

that additional treatment is likely necessary to improve the first responder's condition. Counseling initiated under this statute must be completed within one calendar year of the qualifying event. A committee substitute for the Senate bill expands the list of eligible first responders to include correctional officers, as well as caps the hourly rate for counseling at \$500. Additionally, CS/SB 314 requires the employing entities to submit a report to the CFO detailing participation in the program, as well as the program's relationship to worker's compensation claims.

LEGISLATION REVISING SENTENCING STRUCTURE FAILS

HB 211 / SB 440 - *Sentencing of Prison Releasee Reoffenders* by Rep. Daniels, Rep. Hart, and Sen. Rouson revises the required sentencing structure for prison releasee reoffenders. The bill provides legislative intent and applies the revised sentencing structure to certain persons under certain circumstances. It also provides resentencing requirements and deletes a provision that requires a state attorney to explain a sentencing deviation in writing in certain circumstances.

BILL PREVENTING THE POSSESSION OF A FIREARM IN SENSITIVE LOCATIONS FAILS

HB 215 / SB 456 - *Possession or Use of a Firearm in a Sensitive Location* by Rep. Rayner-Goolsby and Sen. Berman failed in both House and Senate. This legislation would have prohibited possession or use of firearm in sensitive location, including healthcare facilities, certain government buildings-polling locations, courthouses, or law enforcement agencies, parks or recreational facilities operated or controlled by a county, place of worship, public libraries/parks, etc.

CHILDREN'S BILL OF RIGHTS FAILS

HB 217 / SB 584 - *Rights of Children* by Rep. Rayner-Goolsby and Sen. Book failed through both the House and Senate. This bill would create the "Children's Bill of Rights"; providing for the rights of children, and protections of such rights. It also: revises name of the children's commission; revises provisions relating membership and duties of commission; provides for staff appointments, information gathering, & rulemaking authority.

VACCINATION STATUS MEASURE FAILS

SB 222/HB 305 - *Medical Freedom* by Sen. Gruters and Rep. Barnaby was not heard in either chamber this session. The bill prohibits business & governmental entities from requiring individuals to provide proof of vaccination to gain access to, entry upon, or service from such entities. The bill also prohibits employers from refusing employment to, or discharging, disciplining, demoting, or otherwise discriminating against, individual on basis of vaccination or immunity status.

PUBLIC SAFETY TELECOMMUNICATOR REBRANDING FAILS

HB 291/SB 436 - 911 *Public Safety Telecommunicators* by Rep. Holcomb, Rep. Hawkins, and Sen. Rodriguez was not heard this session. The legislation would revise the definition of the term "first responder" to include 911 public safety telecommunicators, as well as revise the training criteria required for 911 public safety telecommunicator certification.

LEGISLATION TO EXPAND RICO CHARGES FOR HUMAN TRAFFICKING FAILS

SB 326/ HB 651 - *Human Trafficking* by Sen Osgood and Rep. Robinson (F) failed this session. This legislation revises criminal penalties to include fines of certain amounts; requires prosecution of specified offenses under Florida RICO; requires DOE & DOH, in conjunction with Statewide Council on Human Trafficking, to establish an awareness training program; requires each state attorney to ensure prosecutors receive certain mandatory training; requires each state attorney to adopt pro-prosecution policy for human trafficking offenses.

ANTI-EXPLOITATION MEASURE FAILS

SB 472 - *Protection of Exploited Persons* by Sen. Garcia failed this session. This legislation would provide criminal penalties for the failure to verify and maintain specified documentation of an adult theater employee or contractor. This would also require a mandatory minimum term of incarceration for a person convicted of solicitation of prostitution, lewdness, or assignation. This bill will require a commercial entity that publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material to perform reasonable age verification, etc.

BILL EXPANDING THE DEFINITION OF DANGEROUS CRIME FAILS

SB 482/ HB 569 - *Pretrial Detention* by Sen. Powell and Rep. Gossett-Seidman was not heard in either the House or the Senate. This bill would include extortion and written threats to kill, etc. under the umbrella of "dangerous crimes."

LEGISLATION REPEALING REGULATION OF TOBACCO & NICOTINE PRODUCTS FAILS IN BOTH HOUSE AND SENATE.

HB 573 - *Costs of Supervision or Care of Children* by Rep. Barnaby fail. This legislation would of removed provisions for fee for costs of care or supervision of certain children & for assessment & collection of such fees. Also, it would have provided such fees may not be ordered, balances owed for such fees may not be collected, unpaid civil judgments for such fees are void & unenforceable, warrants issued solely based on alleged failure to pay such fees are void & any person whose driver license was suspended for failure to pay such fees shall be eligible for reinstatement.

DETENTION REFORM FAILS TO BE HEARD

SB 840 - *Prosecuting Children as Adults* by Sen. Powell was not heard in any of its committees of reference. This legislation would prohibit a jail or other facility intended for the detention of adults from holding a minor before a determination that the child should be prosecuted as an adult. The bill would also delete provisions requiring a state attorney to request a court to transfer and certify a child for prosecution as an adult or to provide written reasons to the court for not making such request, or to proceed under specified provision as well as requiring that the child or the child's parent or guardian receive a due process evidentiary hearing; requiring the judge to conduct the hearing within a certain timeframe, etc.

"OFFICER'S BILL OF RIGHTS" AMENDMENT FAILS

HB 927 - *Rights of Law Enforcement Officers and Correctional Officers* by Rep. Alvarez was never heard in its committees of reference. Meanwhile, its Senate companion, SB 1086 by Sen. Gruters, passed its first committee, before being TP'd in Senate Governmental Oversight and never heard again.

The bill amends s. 112.532, F.S., to provide that if an agency undertakes disciplinary action, suspension, demotion, or dismissal against a law enforcement officer or a correctional officer, the officer must receive notice of the investigation

within 180 days after the agency receives notice of the alleged misconduct when none of the specified tolling exceptions 2 apply. If the agency does not comply with the notice provision, and an officer is disciplined, suspended, demoted, or dismissed, the bill provides that the officer may appeal the issuance of the disciplinary action administratively or in a court of competent jurisdiction.

Additionally, the bill amends s. 112.534, F.S., to convey upon the officer a right to appeal administratively or in a court of competent jurisdiction if a violation of s. 112.534, F.S., is discovered after an interview or interrogation, or if the agency fails to abide by the Law Enforcement Officer's Bill of Rights, and related provisions.

MEDICAL MARIJUANA PROTECTIONS BILL FAILS

SB 972/HB 1065- *Protections for Public Employees who Use Medical Marijuana as Qualified Patients* by Sen. Polsky and Rep. Nixon failed to garner any consideration by its committees of reference. This bill prohibits a public employer from taking adverse personnel action against an employee or a job applicant who is a qualified patient for his or her use of medical marijuana. The bill also provides exceptions and a cause of action.

MANAGING ENTITIES REVIEW DIES IN COMMITTEE

SB 1016/HB 1095 - *Mental Health and Substance Abuse* by Sen. Rouson and Rep. Smith has failed to pass through both House and Senate. The bill requires the state's Managing Entities (ME's) to collaborate with county emergency operation centers to identify organizations that ensure access to, and coordinate delivery of, behavioral health services to responders and survivors and survivor's family members of a public emergency as critical public health infrastructure. The bill requires MEs to develop and submit needs enhancement plans to the DCF by June 1 of each year, rather than September 1, and specifies that the MEs must collect acute care services utilization data only on contracted public receiving facilities situated within the respective geographic region of each ME.

SAFE EXCHANGE LOCATION LEGISLATION FAILS

HB 1031 - *Designated Safe Exchange Locations* by Rep. Rudman passed the House, before ultimately stalling in the Senate. The Senate companion, SB 1286 by Sen. Book, passed its first committee of reference but was not heard again.

The bill pertains to “parenting plans” between two separated parents sharing custody of a minor child. Specifically, it amends s. 61.13, F.S., to require a court to consider whether it is in the best interests of the minor child and the parties to require the use of a safe exchange location for periodic timesharing exchanges. The bill also identifies minimum requirements that each designated safe exchange location must meet, including a purple light in the parking lot and a camera surveillance system.

JUVENILE JUSTICE EXPUNCTION EXPANSION FAILS

HB 1273- *Juvenile Justice* by Rep. Davis failed this session. This bill permits a juvenile with one prior sealing or expunction to obtain court-ordered expunction. The bill also provides a court may retain post disposition jurisdiction until child reaches age 21 for certain youth on post-commitment probation and revises provisions relating to disposition hearings. It also provides for tolling of probation period when notice of affidavit of violation is filed until allegation is resolved and revises the maximum amount of time juvenile may be committed to juvenile corrections facility. It revises age ranges of juveniles who may be committed to such facilities and revises offenses that permit juveniles to be committed to such facilities.

HEALTH WORKER PROTECTION MEASURE FAILS

HB 1365/SB 1466 – *Healthcare Provider Accountability* by Rep. Rayner-Goolsby and Sen. Book failed this session. This bill would provide immunity to health care workers of hospitals & nursing home facilities who carry out directives of supervising health care practitioner or entity. It also requires AHCA to provide reports on success of personal care attendant program and requires nursing home facilities to report to agency common ownership relationships they or their parent companies share with certain entities. Furthermore, it requires agency to submit report of such reported common ownership relationships to Governor & Legislature as well as revises rate methodology for agency’s long-term care reimbursement plan; requires agency to add quality metric to its Quality Incentive Program for specified purposes.

HEALTH EMERGENCY MEASURES FAIL

HB 1487 – *Declarations of a Public Health Emergency* by Rep. Rudman passed its first committee before ultimately failing. The bill revises the Governor’s authority to renew a declaration of a public health emergency. The Governor may renew a statewide declaration of a public health emergency for 30 days without the approval of the Legislature. Any subsequent renewal is valid for 60 days and requires approval by two-thirds vote of each chamber of the Legislature. The Governor may renew public health declarations that are not statewide without the approval of the Legislature. Any such renewal is valid for 60 days.

The bill also authorizes an individual to refuse examination, testing or treatment for reasons of health, religion or conscience by submitting a refusal in writing to the State Health Officer. Such individuals may be subjected to isolation or quarantine. SB 1618 by Sen. Yarborough shared this language and also failed to pass.

COMMUNITY AND URBAN AFFAIRS- PASSED

BILL EXPANDING THE FLORIDA SHARE-USE NONMOTORIZED (SUN) TRAIL NETWORK SIGNED INTO LAW

SB 106- *Florida Share-Use Nonmotorized Trail Network* by Sen. Brodeur (HB 915 by Rep. Botana) was signed into law on April 11, 2023. The bill discusses the development of “regionally significant trails” which are defined as trails crossing multiple counties; serving economic and ecotourism development; showcasing the state’s wildlife areas, ecology, and natural resources; and serving as main corridors for trail connectedness across the state. The bill authorizes FDOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage, and related amenities. Further, the bill expands the existing Shared-Use Nonmotorized (SUN) Trail Network and increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the SUN Trail Network.

LEGISLATION CREATING THE HISTORIC CEMETERIES PROGRAM PASSES

HB 49- *Abandoned and Historic Cemeteries* by Rep. Driskell (SB 430 by Sen. Powell) passed unanimously this session. The bill creates the Historic Cemeteries Program within the Division of Historical Resources of DOS and appoints a State Historic Preservation Officer to oversee the program. The Officer is tasked with assisting state and federal agencies, local governments, and other stakeholders with inquiries related to abandoned cemeteries. The Historic Cemeteries Program can provide grants following legislative appropriation to local governments for the purpose of repairing, restoring, and maintaining abandoned African-American cemeteries. The bill creates the Historic Cemeteries Program Advisory Council within the Division to provide guidance and recommendations to the Division regarding the duties and responsibilities of the Historic Cemeteries Program.

MILESTONE INSPECTION REQUIREMENTS FOR CONDOMINIUM AND COOPERATIVE LEGISLATION PASSES

SB 154- *Condominium and Cooperative Associations* by Sen. Bradley (HB 1395 by Rep. Lopez (V)) passed unanimously in both chambers this session. The bill revises the milestone inspection requirements for condominium and cooperative buildings that are three or more stories in height to:

Limit the milestone inspection requirements to buildings that include a residential condominium or cooperative;

- Provide that the milestone inspection requirements apply to buildings that in whole or in part are subject to the condominium or cooperative forms of ownership, such as mixed-ownership buildings;
- Clarify that all owners of a mixed-ownership building in which portions of the building are subject to the condominium or cooperative form of ownership are responsible for ensuring compliance and must share the costs of the inspection;
- Require a building that reaches 30 years of age before December 31, 2024, to have a milestone inspection before December 31, 2024;
- Delete the 25-year milestone inspection requirements for buildings that are within three miles of the coastline;
- Authorize the local enforcement agencies that are responsible with enforcing the milestone inspection requirements the option to set a 25-year inspection requirement if justified by local environmental conditions, including proximity to seawater;
- Authorize the local enforcement agency to extend the inspection deadline for a building upon a petition showing good cause that the owner or owners of the building have entered into a contract with an architect or engineer to perform the milestone inspection services and the milestone inspection cannot reasonably be completed before the deadline;
- Permit local enforcement agencies to accept an inspection and report that was completed before July 1, 2022, if the inspection and report substantially comply with the milestone requirements;
- Provide that the inspection services may be provided by a team of design professionals with an architect or engineer acting as a registered design professional in responsible charge; and
- Clarify that an association must distribute a copy of the summary of the inspection reports to unit owners within 30 days of its receipt.

DISPOSAL OF PROPERTY BILL PASSES UNANIMOUSLY

SB 678- *Disposal of Property* by Sen. Powell (HB 763 by Rep. Edmonds) passed unanimously this session. SB 678 provides that the Florida Department of Transportation may convey property to a governmental entity without consideration if the property is to be used for affordable housing.

CHALLENGES TO LOCAL GOVERNMENT COMPREHENSIVE PLANS PASSES

SB 540- *Local Government Comprehensive Plans* by Sen. DiCeglie (HB 359 by Rep. Duggan) passed this session. The bill passed in the House with a vote of (87-30) and in the Senate with a vote of (29-10). The bill provides that in challenges to the comprehensive plan and plan amendments, including small scale plan amendments, the prevailing party is entitled to recover attorney fees and costs, including reasonable appellate attorney fees and costs.

The bill revises the statute regulating land development regulations, to provide that land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions. Lastly, the bill clarifies the scope of review for a local government decision to grant or deny a development order by providing that the order may only be challenged if it would materially alter the use, density, or intensity of the property in a manner not consistent with the comprehensive plan. The bill heads to the Governor's desk.

LOCAL BUILDING PLANS LEGISLATION PASSES

HB 89- *Building Construction* by Rep. Maggard (SB 512 by Sen. Hooper) passed unanimously in both chambers this session. HB 89 passed (114-2) in the House and unanimously in the Senate. The bill prohibits a local government from making substantive changes to plans after a permit has been issued unless such changes are required under the Building Code, or Fire Prevention Code.

- Requires any changes a local government makes to plans after a permit has been issued to identify the specific parts of the plan that do not conform to the applicable code in writing.
- Requires a building official or inspector who asks another person or employee other than a building official, plans examiner, or inspector to review the building plans to notify the local government if such person or employee determines the plans do not comply with the Building Code.
- Requires a local fire official to notify the permit applicant of specific reasons why plans do not comply with the Fire Prevention Code.
- Allows a plans examiner, inspector, building official, or fire safety inspector to have their certificate disciplined for failure to notify the appropriate person of the reasons for making substantive changes to building plans.

The bill heads to the Governor's desk for final approval.

MY SAFE FLORIDA PROGRAM EXPANSION LEGISLATION PASSES UNANIMOUSLY

HB 881- *My Safe Florida Home Program (MSFH)* by Rep. LaMarca (SB 748 by Sen. Boyd) passed this session. This bill makes various changes to the statutory framework for the MSFH Program, including changes to inspection and grant eligibility requirements, program management, and technical, conforming, and statutory structure. The bill requires that eligible properties be homesteaded. The bill removes the designation of a specific portion of the grant funds for low-income recipients, but increases the overall grant award for low-income recipients from \$5,000, to \$10,000. The bill makes the MSFH Program statewide instead of limited to homes in the wind-borne debris region. The bill also eliminates two types of home improvements from the list of those home improvements for which MSFH Program grant funds may be used because they are no longer recognized by the Florida Building Code. The bill heads to the Governor for final approval.

MUNICIPALITY CONTRACTION BILL PASSES

SB 718- *Local Government* by Sen. Yarborough (HB 653 by Rep. Canady) passed this session. SB 718 passed with a vote of (35-4) in the Senate and (91-26) in the House. The bill requires a municipality to conduct a feasibility study before conducting an annexation or contraction. The bill removes a requirement that the owners of more than fifty percent of the parcels of land in the area proposed to be annexed consent to the annexation when an area does not have any registered electors. The bill removes the requirement that a municipality provide specific findings when rejecting a contraction petition.

The bill also revises municipal contraction procedures to require that if more than 70 percent of the acreage to be contacted is owned by entities that are not registered electors, the area may not be contracted unless the owners of a majority of the acreage in the area consent to the contraction. The consent must be obtained by the parties proposing the contraction before the referendum.

TREES AND VEGETATION WITHIN THE RIGHTS-OF-WAY LEGISLATION FAILS

SB 108- *Trees and Vegetation Within the Rights-of-way of Certain Roads and Rail Corridors* by Sen. Rodriguez (HB 55 by Rep. Garcia) failed this session. SB 108 passed unanimously on the Senate floor; however HB 55 was never taken in House messages. The bill revises provisions relating to a prohibition against removal, cutting, or destruction of any trees or other vegetation within the rights-of-way of roads located on the State Highway System. The bill provides that the prohibition does not apply if the Florida Department of Transportation (FDOT) suspends such prohibition pursuant to a declared state of emergency. The FDOT is required to adopt informational guidelines related to the removal process for debris from an emergency that is subject to an emergency declaration, including, but not limited to, a hurricane or a tropical storm.

AFFORDABLE HOUSING EXEMPTION IN AREA OF CRITICAL CONCERN FAILS

HB 1293/SB 1212- *Affordable Housing in Areas of Critical State Concern* by Rep. Mooney, Jr. and Sen. Rodriguez failed this session. HB 1393 stalled in its last committee, House State Affairs, and SB 1212 was never heard. The bill exempts a county or municipality whose land has been designated by the Legislature as an area of critical state concern within the past five years, and for which the Legislature has declared an intent to provide affordable housing, from a requirement to specified portions of the local housing assistance trust fund to provide assistance to very-low-income and low-income persons. The bill provides that the exemption expires July 1, 2028, and applies retroactively.

BILL AMENDING ADMINISTRATIVE PROCEDURES ACT FAILS

HB 713/SB 742- *Administrative Procedures and Permitting Process Review/Administrative Procedures* by Rep. McFarland and Sen. Grall. HB 713 passed all committees but was never heard on the House floor, and SB 742 stalled in its last committee, Senate Fiscal Policy. The bill amends the Administrative Procedures Act to increase transparency in rulemaking, provides a process for agencies to reduce unnecessary rules, requires certain agencies to review coastal permitting and other permitting processes, and ensures that regulatory cost impacts are considered for every rule.

Specifically, the bill:

- Requires each agency to review its rules for consistency with the powers and duties granted by the agency's enabling statutes. If, after reviewing a rule, the agency determines substantive changes to update a rule are not required, the agency must repromulgate the rule.
- Authorizes agencies to hold workshops to gather information to aid in the preparation of the Statement of Estimated Regulatory Cost.
- Requires an agency, in all notices of rulemaking that include material incorporated by reference, to submit the incorporated material in the prescribed electronic format to the Department of State with the full text available for free public access through an electronic hyperlink.
- Requires the agency annual regulatory plan to identify and describe each rule-by-rule number or proposed rule number that the agency expects to develop, adopt, or repeal for the 12-month period beginning October 1 and ending September 30, and to include a declaration by the agency head and general counsel.
- Allows submitting a lower cost regulatory alternative after publication of a notice of change.
- Defines the term "technical change" and requires documenting technical changes in a rule's history.
- Requires at least seven days between the publications of a notice of rule development and of a notice of proposed rule.
- Requires the Department of Environmental Protection and each water management district to review and report on their permitting processes.

VACATION RENTAL REQUIRED CONTACT LEGISLATION FAILS

SB 92/HB 105 - *Vacation Rentals/ Preemption of the Regulation of Vacation Rentals* by Sen. Garcia and Rep. Basabe failed to be heard this session. The legislation would provide that local laws, ordinances, or regulations requiring vacation rental owners or operators to maintain and coordinate with a local government the name and contact information of the party responsible for responding to complaints and problems associated with the rental by phone are not prohibited or preempted to the state.

PARKING PREEMPTION REPEAL FAILS

HB 617/SB 694- *Private Property for Motor Vehicle Parking* by Rep. Busatta Cabrera and Sen. Gruters. HB 617 passed a ll committee stops but was never heard on the floor, and SB 694 stalled at its last stop, Senate Rules. The bills remove a provision that prohibited counties from enacting an ordinance or regulation restricting or prohibiting the right of a private property owner or operator for motor vehicle parking. It requires owners or operators to follow specific rules, such as establishing fines and penalties equivalent to those set for municipal parking.

DHSMV DEPARTMENT BILL FAILS

SB 1252-*Department of Highway Safety and Motor Vehicles* by Sen. DiCeglie (HB 1085 by Rep. Maney) failed this session. HB 1085 passed (99-15) in the House, however, SB 1252 was retained on the calendar and never taken up the last week of session. The bills are the Department of Highway Safety and Motor Vehicles (DHSMV) agency bills. It expressly states that the DHSMV is charged with the administration and enforcement of specified federal laws relating to CMVs.

UNIVERSAL OCCUPATIONAL LICENSING FAILS

SB 1336/SB 1346- *Interstate-Mobility and Universal-Recognition Occupational Licensing Act* by Sen. Collins (HB 1333 by Rep. Koster) failed this session. Both the House and Senate bills were never heard on 2nd reading. The bill addresses occupational license portability in the United States by requiring Florida licensing boards that issue occupational licenses or government certifications to individuals under ch. 455, F.S., relating to the regulations of professions by the Department of Business and Professional Regulation (DBPR), or ch. 456, F.S., relating to the regulation of professions by the Department of Health (DOH), to issue an occupational license or government certification (universal license) to eligible applicants, under certain circumstances (universal licensing requirement).

The bill provides that the universal licensing requirement does not apply to occupations regulated by the Florida Supreme Court or certified public accountants. Certain contractors must successfully complete a licensure examination, continuing education courses, or both, and certain occupations regulated by the DOH must meet certain licensure requirements in current law. SB 1366 authorizes licensing boards that issue licenses pursuant to the Interstate Mobility and Universal-Recognition Occupational Licensing Act (act), to charge a fee to applicants for an occupational license or government certification, in order to recoup a board's costs, not to exceed \$100 for each application.

BUILDING PERMITS EXEMPTION LEGISLATION FAILS

SB 570 - *Building Permits* by Sen. Powell failed this session and was never heard. This bill would have exempted local governments that are certified by and in good standing with the Certified Local Government Program under the Division of Historical Resources of the Department of State from provisions relating to prohibiting or restricting private property owners from obtaining certain building permits. There was no House companion.

WORKFORCE HOUSING LEGISLATION FAILS

HB 665 - *Workforce Housing Communities* by Rep. Roth failed this session as it was never heard. This bill authorizes governmental entities to create workforce housing communities by creating HOAs & entering contracts with infrastructure services companies. There was no Senate companion bill.

CHALLENGES TO DEVELOPMENT ORDERS BILLS FAIL

SB 816/HB 843 - *Challenges to Development Orders* by Sen. Polsky and Rep. Cross failed and were never heard. This legislation requires a prevailing party to show that the challenges to a development order are frivolous before the prevailing party is entitled to recover reasonable attorney fees and costs. It prohibits a prevailing party in a challenge to a comprehensive plan from an award of reasonable attorney fees and costs.

PUBLIC CONSTRUCTION WORKS CONTRACT BILL FAILS

SB 830- *Competitive Award of Public Construction Works Contracts* by Sen. Hooper failed this session. This legislation revises the applicability of a requirement that certain government entities must competitively award certain public construction works contracts. There was no House companion.

LEGISLATION PROTECTING OLDER COMMUNITIES FROM RENT INCREASES FAILS

HB 1261/SB 1698 - *Rent and Security Deposits in Communities for Adults Aged 55 or Older* by Rep. Gantt and Sen. Jones failed this session. Both bills were never heard. A landlord of a community designed for adults aged 55 or older may not increase the rent of a dwelling more than 12 percent of the initial rental fee over a 5-year period and a rent increase may not exceed 55 percent of the average fixed

income of the renters in the community. Additionally, a landlord may not charge a security deposit that is more than 1 month's rent in such community.

AFFORDABLE HOUSING LAND BANK LEGISLATION FAILS

HB 1499 - *Affordable Housing* by Rep. Skidmore failed and was never heard. The bill authorizes municipalities to create community land bank programs to sell eligible real property by private sale for purposes of affordable housing & provides requirements for such programs. It authorizes Florida Housing Finance Corporation (FHFC) to allocate tax credit to certain projects; and provides FHFC with certain powers & responsibilities relating to Affordable Housing Construction Loan Program.

WATER AND ENVIRONMENTAL SUSTAINABILITY- PASSED

WATER QUALITY LEGISLATION PASSES

HB 1379- *Environmental Protection* by Rep. Overdorf (SB 1632 by Sen. Brodeur) passed this session. The bill passed unanimously in both chambers.

The bill is the Department of Environmental Protection overhaul for this session; it makes significant changes to the Onsite Sewage Treatment and Disposal Systems (OSTDSs) siting process, changes to the Wastewater Grant Program, updates to the Comprehensive Plan Capital Improvement Element, establishes the Indian River Lagoon Protection Program, and more. Specifically, the bill:

- Requires any county or municipality with a basin management action plan (BMAP) within its jurisdiction to include within the capital improvement element of its comprehensive plan a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP.
- The bill requires the future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection element of comprehensive plans to:
 - Address coordinating the treatment or upgrade of facilities providing such services and to prioritize advanced waste treatment;
 - Include an element to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon to any group of more than 50 built or unbuilt residential lots with a density of more than one OSTDS per acre; and
- Identify the name of the intended wastewater facility receiving sanitary sewer flows after connection, the capacity of the facility and any associated transmission facilities, the projected wastewater flow at the facility for the next 20 years including septic-to-sewer conversions and new construction, and a timeline for the construction of sanitary sewer service.
- Each comprehensive plan must be updated to include this element by July 1, 2024, and as needed thereafter to account for future applicable developments. This provision does not apply to a local government designated as a RAO.
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area adopted under s. 403.067, F.S., a reasonable assurance plan, or a pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available. In addition, on lots of 1 acre or less within such areas where a publicly owned or investor-owned sewerage system is not available, the bill requires the installation of enhanced nutrient-reducing OSTDSs or other wastewater treatment systems that achieve at least 65 percent nutrient reduction.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that: are not attaining nutrient or nutrient-related standards; have an established total maximum daily load (TMDL); or are

located within a BMAP area, a reasonable assurance plan area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.

- Requires DEP, relevant local governments, and relevant local public and private wastewater utilities, as part of a BMAP that includes an Outstanding Florida Spring, to develop an OSTDS remediation plan for a spring if DEP determines OSTDSs within a BMAP contribute at least 20 percent of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the TMDL.
- Establishes the Indian River Lagoon Protection Program within DEP.
- Dedicates \$100 million annually to DEP from the Land Acquisition Trust Fund for the acquisition of lands through the Florida Forever Program.
- Increases the contract price for a land acquisition agreement that requires approval by the Board of Trustees of the Internal Improvement Trust Fund and increases the threshold for when two appraisals are required.
- Requires appraisal reports to be disclosed to private land owners during negotiations for acquisition.

BIOSOLIDS LEGISLATION PASSES

HB 1405- *Biosolids* by Rep. Tuck (SB 880 by Sen. Brodeur) passed this session. The bill passed unanimously in both chambers.

The bill establishes a biosolids grant program within DEP and provides that, subject to the appropriation of funds by the Legislature, DEP may provide grants to counties, special districts, and municipalities to support projects that:

- Evaluate and implement innovative technologies and solutions for the disposal of biosolids; or
- Construct, upgrade, expand, or retrofit domestic facilities that convert wastewater residuals to Class AA biosolids, nonfertilizer uses or disposal methods, or alternatives to synthetic fertilizers.

The bill encourages applicants to form public-private partnerships with private utilities and firms.

The bill provides that projects eligible for funding by the biosolids grant program may include, but are not limited to, projects that reduce the amount of nutrients in biosolids, projects that reduce the amount of emerging contaminants in biosolids, or projects that provide alternatives to the land application or landfilling of biosolids as a method of disposal. The bill requires DEP, in allocating grant funds, to prioritize projects by considering the environmental benefit that a project may provide. The bill requires DEP to administer the biosolids grant program so that, of the funds made available each year for the program, 10 percent of those funds are reserved for projects located within an area designated a rural area of opportunity.

CLEAN WATERS ACT RATIFYING DEP WASTEWATER RULES PASSES UNANIMOUSLY, STORMWATER RULE NOT CONSIDERED

HB 7027- *Ratification of Rules of the Department of Environmental Protection* by Rep. Overdorf (SB 7002) passed this session. In 2020, the Legislature passed the Clean Waterways Act (Act) to address a number of environmental issues relating to water quality improvement. In pertinent part, the Act expanded requirements for onsite sewage treatment and disposal systems (OSTDSs) by requiring a remediation plan to be included in the development of a basin management action plan for nutrient-impaired water bodies if: OSTDSs contribute at least 20 percent of the nutrient pollution; or The Department of Environmental Protection (DEP) determines that remediation is necessary to achieve the total maximum daily load. The Act also created new regulations for wastewater treatment facilities related to the prevention of sanitary sewer overflows and underground pipe leaks.

The Act required DEP to promulgate rules to administer the requirements of the OSTDS remediation plan (rule 62-6.001, F.A.C.) and to implement requirements of the Act related to reducing domestic wastewater treatment facility overflows and pipe leakages through pipe repair action plans, power outage contingency plans, and reports relating to expenditures on pollution mitigation and prevention (rules 62-600.405, 62-600.705, and 62600.720, F.A.C.).

The bill ratifies the DEP rules, rules 62-6.001, 62-600.405, 62-600.705, and 62-600.720, F.A.C. The bill serves no other purpose and will not be codified in the Florida Statutes. The bill specifies that after becoming law, its enactment and effective dates will be noted in the Florida Administrative Code, the Florida Administrative Register, or both, as appropriate.

The Legislature failed to consider the proposed Stormwater rule ratification.

LEGISLATION ALLOWING DEPARTMENT OF TRANSPORTATION TO STUDY USE OF PHOSPHOGYPSUM PASSES

HB 1191- *Use of Phosphogypsum* by Rep. McClure (SB 1258 by Sen. Trumbull) passed this session. HB 1191 passed with a vote of (81-25) in the House and (34-4) in the Senate. The bill authorizes the Department of Transportation (DOT) to undertake demonstration projects using Phosphogypsum (PG) from phosphate production in road construction aggregate material. The bill requires DOT to conduct a study to evaluate the suitability of using PG as a construction aggregate

material. DOT may consider any prior or ongoing studies of PG's road suitability in the fulfillment of this duty. The study and a determination of suitability must be completed by January 1, 2024. Upon DOT's determination of suitability, PG from phosphate production may be used as a construction aggregate material in accordance with the EPA's approval for use. The bill provides that PG used in accordance with an allowed use expressly specified in EPA regulations, or pursuant to an express EPA approval for the specific use, is not solid waste and is an allowed use in this state. The bill also provides that PG may be placed in a PG stack permitted by the Department of Environmental Protection.

FLOATING DOCKS PREEMPTION AND VESSEL REGULATION PASSES

HB 847- *Vessel Regulations* by Rep. Stark (SB 1082 by Sen. DiCeglie) passed this session. HB 847 passed in the House with a vote of (113-2) and in the Senate with a vote of (39-0). The bill revises the ERP permitting exemption for floating vessel platforms and floating boat lifts to specify local governments may only require a one-time registration for a floating vessel platform where the owner of such platform self-certifies compliance with the ERP exemption criteria to ensure compliance with ordinances, codes, state-delegated or state-mandated plans or programs, which may not be applied more stringently than, or inconsistent with, the ERP exemption criteria for certain floating vessel platforms.

The bill also contains the provisions of HB 1103/SB 1314- *Boating-restricted Areas* by Rep. Tramont and Sen. Wright which allow a municipality or county to adopt an ordinance that establishes a slow speed, minimum wake boating-restricted area, if the area is within 500 feet of a sewage pumpout station at any public or private nonresidential marina if the sewage pumpout station is within 100 feet of the marked channel of the Florida Intracoastal Waterway.

WATER UTILITY WORKER RECIPROCITY BILL PASSES

SB 162- *Water and Wastewater Facility Operators* (HB 23 by Rep. Bell) passed unanimously in both chambers this session. Under current law, Florida is the only state to not allow reciprocal licensing of water utility operators licensed in other federal, state, or territorial jurisdictions. The bill requires the Department of Environmental Protection (DEP) to issue reciprocal licenses to water utility workers licensed in other jurisdictions and other license applicants who meet certain requirements. The bill directs the DEP to award education and operational experience credits to license applicants who have performed comparable duties in the United States Armed Forces but who do not meet some other requirements for a

reciprocal license. The DEP must also adopt rules for licensure by reciprocity.

The bill also provides that, during a declared state of emergency under s. 252.36, F.S., the DEP:

- May issue a temporary license to applicants who otherwise meet the requirements for licensure reciprocity; and
- Must waive the application fee for a temporary operator license.

SEA LEVEL RISE CONSTRUCTION STUDY LEGISLATION PASSES

HB 111- *Flooding and Sea Level Rise Vulnerability Studies* by Rep. Hunschofsky (SB 1170 by Sen. Calatayud) passed this session unanimously. The bill expands the requirement for public entities to conduct a sea level impact projection (SLIP) study before commencing construction of certain state-financed coastal structures to apply the requirement to certain structures that are within any area that is at risk due to sea level rise, not just areas within the coastal building zone. The structures subject to this requirement are any "potentially at-risk structures or infrastructure," which include certain critical assets or historical or cultural assets that are within an area at risk due to sea level rise. The bill expands the Resilient Florida Grant Program to provide funding to:

- Municipalities and counties for feasibility studies and permitting costs for nature-based solutions that reduce the impact of flooding and sea level rise; and
- Water management districts to support local government adaptation planning.

The bill heads to the Governor's desk.

OSBORNE REEF RESTORATION BILL PASSES UNANIMOUSLY

HB 641- *Restoration of Osborne Reef* by Rep. LaMarca (SB 546 by Sen. Avila) passed this session unanimously. The Osborne Reef, an artificial reef, is located off the coast of Fort Lauderdale and is overrun with old tires. Beginning in 2007, efforts have been made to remove the tires; however, due to the magnitude of the project and its projected cost, not all of the tires have been removed. The bill requires the Department of Environmental Protection (DEP) to submit a report to the President of the Senate and the Speaker of the House of Representatives on the status of the Osborne Reef cleanup and tire removal project by December 1, 2023. By July 1, 2024, the bill requires DEP to develop a comprehensive coral reef restoration plan for Osborne Reef to be commenced, subject to appropriation, upon the completion of the cleanup and tire removal project.

SANITARY SEWER LATERAL INSPECTION PROGRAMS LEGISLATION FAILS

HB 661/SB 1420- *Sanitary Sewer Lateral Inspection Programs* by Rep. Truenow and Sen. Rodriguez failed this session. HB 661 was temporarily postponed in its first committee and never heard, while SB 1420 only passed one committee. The bill revises the discretionary minimum program requirements for counties and municipalities that establish an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties. For counties and municipalities that identify a defective sanitary sewer lateral and initiate a program to eliminate extraneous flow, the bill:

- Requires notice by certified mail by the county or municipality to the property owner, specifying that the county or municipality intends to access the owner's property within 14 days to address the sanitary sewer lateral;
- Provides that the county or municipality is responsible for any repair work done on the private property and is required to ensure that the property is restored to at least its pre-work conditions after the repair is complete;
- Specifies methods for the repair and inspection of sanitary sewer laterals by a county or municipality; and
- Authorizes the county or municipality to consider economical methods to repair or replace a defective, damaged, or deteriorated sanitary sewer lateral.

The bill authorizes counties or municipalities to use state or local funds allocated for the purpose of environmental preservation or the protection of water quality for a sanitary sewer lateral program. The bill also authorizes counties and municipalities to establish and implement an alternative evaluation and rehabilitation program to identify and reduce extraneous flow from leaking sanitary sewer laterals.

BILL ESTABLISHING STATEWIDE ELECTRONIC RECYCLING PROGRAM FAILS

HB 691/SB 1030-*Recycling of Covered Electronic Devices* by Rep. Basabe/Sen. Trumbull failed this session. Both bills stalled in their second committee stops. The bill establishes the statewide Covered Electronic Device Recovery Program (Program) within DEP and authorizes DEP to use funds from the Solid Waste Management Trust Fund to administer the Program. The purpose of the Program is to create a statewide plan for the recycling of covered electronic devices.

By January 1, 2025, the bill requires each county to submit a plan to DEP for ensuring the county will appropriately dispose of covered electronic devices at a permitted reclamation facility. Effective January 1, 2026, any person who owns or operates an industrial, institutional, or commercial facility in the state must dispose of that facility's covered electronic devices in a permitted reclamation facility. Effective January 1, 2028, the bill makes it unlawful for any person to dispose of covered electronic devices anywhere that is not a permitted reclamation facility.

REPEAL OF STATE REGULATION OF RECYCLABLE AND POLYSTYRENE MATERIALS FAILS

SB 498- *Preemption of Recyclable and Polystyrene Materials* by Sen. Stewart failed this session with no committee hearings. The bill deletes the state preemption of the regulation of disposable plastic bags including auxiliary containers and wrappings and repeals the state preemption of the use or sale of polystyrene products to FDACS. There was no House companion.

MANGROVE RESTORATION BILL FAILS

SB 100/HB 561 - *Mangrove Replanting and Restoration* by Sen. Garcia and Rep. Mooney, Jr. failed this session. SB 100 stalled in its last committee, Senate Rules, but HB 561 was never heard in any committee. The bill requires the Florida Department of Environmental Protection (DEP) to adopt rules for mangrove replanting and restoration. The bill requires the rules to address significant erosion in areas of critical state concern, protect barrier and spoil islands, assist Everglades restoration and Biscayne Bay revitalization efforts, promote public awareness, and identify vulnerable properties along the coastline and encourage partnerships with local governmental entities to create mangrove protection and restoration zone programs. The rules must also protect and maintain access to the navigation of the marked channel and the right-of-way of the Florida Intracoastal Waterway.

LEGISLATION REQUIRING NOTICE OF CONTAMINATED WATER SYSTEMS FAILS

HB 207/SB 592- *Notice of Contaminated Water Systems* by Rep. Edmonds and Sen. Powell failed this session. The

bill requires DOH and county health departments to have additional responsibility to notify the public via text message to each owner or occupant of affected residences in which health hazards exist due to contamination from pollutants or hazardous substances. The notice by text message must include the date of the findings of contamination, the levels of contamination found, and the date of restoration of potable water.

INDIAN RIVER LAGOON PROJECT GRANT LEGISLATION FAILS

SB 320/HB 547-*Land Acquisition Trust Fund* by Sen. Harrell and Sirois failed this session. SB 320 stalled in its second committee, Senate Appropriations on Agriculture, Environment, and General Government, and HB 547 was never heard. The bill appropriates from the Land Acquisition Trust Fund a minimum of the lesser of 7.6 percent of the funds remaining after debt service or \$50 million annually for projects dedicated to the conservation of the Indian River Lagoon. The Department of Environmental Protection (DEP) will use the funds to provide grants for projects that implement the 2008 updated Indian River Lagoon Comprehensive Conservation and Management Plan. Priority must be given to projects for ecosystem monitoring and habitat restoration, septic to sewer conversion, and management of stormwater, freshwater, and agricultural discharges. Grants for septic to sewer conversion and discharge management projects must require a minimum 50 percent local match.

LEGISLATION IMPACTING WATER RESOURCES FAILS

HB 371/SB 910- *Management and Storage of Surface Waters* by Rep. Killebrew and Sen. Burton failed this session. HB 371 was never heard, while SB 910 by Sen. Burton stalled in its second committee, Senate Community Affairs. The bill adds exemptions to the management and storage of surface waters statutes for measures or practices implemented primarily for environmental habitat creation or enhancement activities on lands specifically classified as agricultural or government-owned lands. It removes language that limits this exemption to measures or practices determined to have a minimal or insignificant individual and cumulative adverse impact on the water resources of the state. The bill provides that the measures or practices stated above may alter the topography of the land, including activities and improvements that divert the flow of surface waters or impact wetlands on the land, if the activities result in a net increase in wetland resource functions. They must be planned, designed, and implemented to result in a wetland habitat that resembles the characteristics of a functional wetland habitat in the same region. If the measures or practices result in a violation of water quality standards, they will not qualify for the exemption.

The bill removes language requiring the Department of Environmental Protection (DEP) or the water management districts (WMDs) to notify in writing whether the proposed activity qualifies for the exemption within 30 days after receipt of an exemption request. The bill also removes language requiring provision of the written notice prior to commencement of the activity. The bill requires the owner of the property where the measures or practices will be implemented, or their designee, to provide written notification to DEP or the WMD within 30 days before commencing work. If the measures or practices will implement a mitigation bank or an offsite regional mitigation area, the property owner must show DEP or the WMD evidence of the required permit.

WASTEWATER GRANT BILL FAILS

SB 458 /HB 827- *Wastewater Grant Program* by Sen. Rodriguez and Rep. Basabe passed this session. SB 458 stalled in its second committee, Senate Appropriations Agriculture, Environment, and General Government Committee, and HB 827 was never heard. The bill expands the wastewater grant program to include funding for projects intended to restore a waterbody or waterbody segment listed as impaired.

RECYCLING PLAN UPDATE LEGISLATION FAILS

SB 506/HB 1427-*Comprehensive Waste Reduction and Recycling Plan* by Sen. Stewart and Rep. Casello failed this session. SB 506 stalled in its last committee, Senate Fiscal Policy, and HB 1427 was never heard in any House committees. The bill directs the Department of Environmental Protection (DEP) to develop a comprehensive waste reduction and recycling plan by July 1, 2024, and to convene a technical assistance group within the DEP to help develop the plan. The bill provides minimum criteria for the plan and directs the DEP to provide a report to the President of the Senate and the Speaker of the House of Representatives upon its completion.

HEARTLAND HEADWATER APPROPRIATION BILL FAILS

HB 557/SB 602- *Land Acquisition Trust Fund* by Rep. Bell/Sen. Burton failed this session. SB 602 was heard in one committee, while HB 557 was never heard. The bill appropriates \$20 million from the Land Acquisition Trust Fund to the Department of Environmental Protection to implement the Heartland Headwaters Protection and Sustainability Act (Act). However, in the recommended FY 23-24 budget (SB 2500), an appropriation of \$8.5 million for the Polk Region Water Cooperative Heartland Headwater is included. The funds are appropriated to the Department of Environmental Protection for the Polk Regional Water Cooperative Heartland Headwaters Protection and Sustainability are provided for the purpose

of entering into financial assistance agreements with the Polk Regional Water Cooperative and must be distributed in accordance with the projects identified in the Annual Comprehensive Water Resources Report submitted to the Legislature pursuant to section 373.463, Florida Statutes, to finance the cost of designing or constructing projects that protect, restore, or enhance the headwaters of the river systems located in Polk County.

BILL REVISING FLORIDA FOREVER BONDS AND PROCEEDS FAILS

HB 559/SB 928- *Land Acquisition Funding* by Rep. Cross/Sen. Stewart failed this session. Both bills were never heard. The bill extends the retirement date of Land Acquisition Trust Fund (LATF) bonds issued to fund the Florida Forever Act to 2054 from 2040. Additionally, the bill revises the Florida Forever Act LATF distributions within 259.105(3). It requires a minimum annual appropriation of the lesser of 40% or \$350 million to the Florida Forever Trust Fund.

SALTWATER INTRUSION VULNERABILITY ASSESSMENTS LEGISLATION FAILS

SB 734/HB 1079- *Saltwater Intrusion Vulnerability Assessments* by Sen. Polsky and Rep. Cross failed this session. HB 1079 was never heard, while SB 734 passed unanimously on the Senate floor. The bill amends the Resilient Florida Grant Program to authorize the Department of Environmental Protection (DEP) to provide grants to coastal counties to conduct vulnerability assessments analyzing the effects of saltwater intrusion on their water supplies and the counties' preparedness to respond to such threats, including water utility infrastructure, wellfield protection, and freshwater supply management.

Each vulnerability assessment must include:

- The county's primary water utilities;
- Maps of the county's freshwater wellfields and latest saltwater intrusion impact lines;
- Projections of saltwater intrusion over the next decade; and
- An analysis of the costs necessary to relocate freshwater wellfields anticipated to be impacted.

The bill requires the DEP to use the information from counties' saltwater intrusion vulnerability assessments to update the Comprehensive Statewide Flood Vulnerability and Sea Level Rise Data Set. The DEP must also make any appropriate information from the vulnerability assessments available to the public on its website. The bill requires the DEP to provide 50 percent cost-share funding, up to \$250,000, for each grant

awarded. A county with a population of 50,000 or less is not required to contribute to the cost share.

RENEWABLE ENERGY COST RECOVERY LEGISLATION FAILS

HB 821/SB 1162- *Renewable Energy Cost Recovery* by Rep. Yeager and Sen. DiCeglie failed this session. HB 821 stalled in its last committee, House Commerce, and SB 1162 passed unanimously on the Senate floor. The bill amends s. 366.91, F.S., relating to Florida's renewable energy policy, in the following ways:

- The bill allows all public utilities under ch. 366, F.S., not only natural gas companies, to be approved for cost recovery for renewable natural gas (RNG) contracts where the pricing of the natural gas exceeds the market price of conventional natural gas
- The bill revises the test for the approval of the provision from "prudent and reasonable" to meeting the goals as stated in s. 366.91(1), F.S., "by promoting the development or use of renewable energy resources in this state and providing fuel diversification and the contract is otherwise reasonable."
- The bill also allows public utilities to recover, through an appropriate cost-recovery mechanism administered by the Florida Public Service Commission, reasonable incurred costs for certain renewable natural gas and hydrogen fuel infrastructure projects.
- The bill specifies limitations and approval requirements for cost recovery for renewable natural gas or hydrogen-based fuel infrastructure projects.

FLOOD DAMAGE PREVENTION ACT LEGISLATION FAILS

HB 859/SB 1018- *Flood Damage Prevention* by Rep. Basabe/Sen. Trumbull failed this session.

HB 859 was never heard, while SB 1018 stalled in its last committee, Senate Rules. The bill provides that voluntary freeboard may not be used in the calculation of the maximum allowable height in the applicable zoning district for certain new and substantially improved structures. The bill provides that the maximum voluntary freeboard is nine feet within coastal high-hazard areas and four feet in all other areas. Freeboard, in the context of flood elevation requirements, generally refers to elevating a building's lowest floor above the base flood elevation and is usually expressed in terms of feet. Voluntary freeboard means the additional height above the freeboard required by the floodplain management regulations and the Florida Building Code.

The bill authorizes a local government to adopt by ordinance minimum freeboard requirements or a maximum voluntary

freeboard that exceeds the requirements in the bill or the Florida Building Code. In addition, the bill directs the Florida Building Commission to develop and adopt minimum freeboard requirements by November 1, 2023, and incorporate such requirements into the next edition of the Florida Building Code. Beginning January 2028, and every 5 years thereafter, the commission must review the freeboard requirements in the Florida Building Code and make recommendations to the Legislature regarding any necessary revisions to such requirements.

EXCISE TAX ON WATER EXTRACTED FOR COMMERCIAL OR INDUSTRIAL USE BILL FAILS

SB 930 - *Excise Tax on Water Extracted for Commercial or Industrial Use* by Sen. Stewart failed this session and was never heard. This bill would create a part III of ch. 211, F.S., entitled "Tax on Water Extracted for Commercial or Industrial Use"; imposing an excise tax upon persons extracting water from waters of the state for commercial or industrial use, except under certain circumstances. This would require that tax proceeds be separately accounted for and be used for certain purposes by the Department of Environmental Protection. The bill authorizes the Department to prescribe certain forms by rule and provides criminal penalties for certain violations. There was no House companion bill.

STATE RENEWABLE ENERGY GOALS FAIL

HB 957/SB 970 – *State Renewable Energy Goals* by Rep. Eskamani and Sen. Berman failed this session and was never heard. This legislation would prohibit drilling or exploration for, or production of, oil, gas, or other petroleum products & permitting & construction of certain related structures. The bill requires statewide renewable energy electricity & carbon emission reductions by 2050 and by 2051 the state will have net zero carbon emissions statewide.

BILL ESTABLISHING RESILIENCE DISTRICTS FAILS

HB 1147/SB 1200 – *Resilience Districts* by Rep. Buchanan and Sen. Grall failed this session. The bill authorizes the establishment of infrastructure resilience districts & condominium resilience districts. The legislation would also provide requirements related to the establishment of such districts, including petitions, public hearings, resolutions, size, boards, & budgets.

MUNICIPAL UTILITIES OVERHAUL FAILS

HB 1331/SB 1712- *Municipal Utilities* by Rep. Busatta Cabrera/Sen. Jones failed this session. HB 1331 stalled in its last committee, while SB 1712 stalled in its second committee. The bills create an exception to the maximum rates that may be charged to municipal water and wastewater utility customers that are outside of the corresponding municipality's boundaries. The bills provide that if a municipal electric utility provides water and sewer services to another municipality and serves that other municipality using a facility or water or sewer plant within that other municipality, the utility must charge its customers within that other municipality the same rates, fees, and charges as those customers within its own municipal boundaries.

LEGISLATION PROHIBITING CERTAIN VESSELS TO ANCHOR FAILS

HB 1385/SB 1502-*Vessel Owner and Operation Requirements* by Rep. Basabe and Sen. Rodriguez failed this session. HB 1385 was never heard in any committees, while SB 1502 stalled in its second committee. The bill prohibits a person from anchoring a vessel in certain listed anchoring limitation areas for more than four hours per day. This is an expansion of current law, which limits anchoring in these areas between one-half hour before sunrise and one-half hour after sunset. The bill adds sections of Biscayne Bay in Miami-Dade County to the list of anchoring limitation areas.

ONSITE SEWAGE INSPECTION PROCESS FAILS

HB 1425- *Onsite Sewage Treatment and Disposal System Inspections* by Rep. Caruso failed this session and was never heard. This legislation would require owners of certain onsite sewage treatment & disposal systems to have periodic inspections and pay specified costs. Directs FDEP to administer inspection program and provides an implementation schedule, qualified contractors, exemptions, assessment & inspection procedures, fees, notices, disciplinary actions, & penalties.

BROADBAND REGULATIONS FOR RURAL ELECTRIC COOPERATIVES PASSES

HB 1221- *Broadband Internet Service Providers* by Rep. Tomkow (SB 626 by Sen. DiCeglie) passed unanimously this session.

The bills provide explicit authority for rural electric cooperatives in Florida to provide specified communications services in the following circumstances:

- The cooperative provides broadband Internet service directly or in partnership with a third party; or
- The cooperative receives broadband grant funding pursuant to the Florida Broadband Opportunity Program or from any other federal or state program offering grants to expand broadband Internet service to unserved areas of the state.

Under the bill, if a cooperative provides a communications service under these terms, all poles owned by the cooperative are subject to the Public Service Commission's (PSC) pole attachment regulations on the same terms as poles owned by investor-owned electric utilities. Thus, the financial and legal responsibilities of parties to rural electric cooperative pole attachment arrangements may substantially change depending on the PSC's implementation of its authority over pole attachment rates, charges, terms, and conditions.

The bill applies to a rural electric cooperative that engages in the provision of broadband, either directly, through an affiliate, or under agreement with a third party. The bill grants access to books and records of a rural electric cooperative and provides for the continued confidential treatment of certain records under existing public record exemptions and provides that the bill may not be construed to impair the contract rights of a party to a valid pole attachment agreement in existence before July 1, 2023.

BILL PROVIDING PUBLIC RECORDS EXEMPTION ON CERTAIN BROADBAND PROJECTS PASSES

SB 552- *Public Records/Broadband Opportunity Program* by Rep. Hooper (HB 1437 by Rep. Esposito) passed unanimously this session. The bill makes confidential and exempt from public record inspection and copying requirements certain information relating to communications services locations, project proposals, and challenges submitted to the Department of Economic

Opportunity (department) under the Broadband Opportunity Program, or pursuant to a federal broadband access grant program implemented by the department.

The bill provides that the exemption does not apply to the department's requirement to publish a description of proposed unserved areas to be served and proposed broadband Internet speeds of the areas to be served on the department's website. The exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2028, unless reviewed and reenacted by the Legislature.

LEGISLATION EXTENDING PUBLIC RECORDS EXEMPTION FOR FIRSTNET PASSES

SB 7006- *OGRS/Nationwide Public Safety Broadband Network by Senate Governmental Oversight and Accountability* (HB 7001 by Rep. Yarkosky) passed this session. The bill saves from repeal the current public records exemption which makes information relating to the Nationwide Public Safety Broadband Network (FirstNet) held by an agency confidential and exempt from public inspection and copying requirements. Unless saved from repeal by the Legislature, the exemption for information relating to FirstNet is scheduled to repeal on October 2, 2023. This bill removes the scheduled repeal to continue the confidential and exempt status of information held by an agency that relates to FirstNet.

FirstNet is a nationwide broadband network dedicated to emergency responders and the public safety community.

OTHER TECH- PASSED

VEHICLE PURCHASING LEGISLATION PASSES

SB 284- *Energy* by Sen. Brodeur (HB 1025 by Rep. Caruso) passed unanimously this session. The bill revises the vehicle procurement requirements for the state purchasing plan. Specifically, the bill requires vehicles of a given use class to be selected for procurement based on the lowest lifetime ownership costs, including costs for operations, maintenance, and fuel when fuel economy data is available, rather than on the greatest fuel efficiency available, when fuel economy data is available. The current exemption to this requirement is continued for emergency response vehicles. The bill requires, when available, the use of ethanol and biodiesel blended fuels and natural gas fuel when a state agency purchases a vehicle with an internal combustion engine. The bill requires the Department of Management Services to make recommendations before July 1, 2024, regarding the procurement of electric vehicles and natural gas fuel vehicles and other vehicles powered by renewable energy.

The recommendations must include best practices for integrating these vehicles into existing fleets. The bill expands the definition of “single-trade inspection” for purposes of building code inspection services to include inspections of the installation of electric vehicle charging stations and solar energy and energy storage installations or alterations. This allows the property owner to contract with a private provider for the inspection services rather than rely solely on the local government code inspectors. The bill heads to the Governor for final approval.

DRONE OPERATION LEGISLATION PASSES

HB 645- *Unmanned Aircraft Systems Act* by Rep. Brackett (SB 908 by Sen. Rodriguez) passed unanimously in both chambers this session. HB 645 amends s. 330.41, F.S., to expand the definition of “critical infrastructure facility” to include:

- A water intake structure, water treatment facility, wastewater treatment plant, or pump station;
- A liquid natural gas or propane gas terminal or storage facility, regardless of capacity;
- A refinery;
- A gas processing plant including a plant used in the processing, treatment, or fractionation of natural gas;
- A seaport;
- An inland port or other facility serving as a point of intermodal transfer of freight;
- An airport;

- A spaceport territory;
- Certain military installations and armory; and
- A dam or other structures such as locks, floodgates, or dikes, which are designed to maintain or control the level of navigable waterways.

The bill removes the requirement that a person or governmental entity seeking to restrict or limit the operation of drones in close proximity to infrastructure or facilities must apply to the Federal Aviation Administration for such designation under s. 2209 of the FAA Extension, Safety, and Security Act of 2016. The bill removes the provision that a drone operating in transit for commercial purposes can operate over a critical infrastructure facility.

CYBERSECURITY LEGISLATION FAILS

HB 1511/SB 1708- *Cybersecurity* by Rep. Giallombardo and Sen. DiCeglie failed this session. Both HB 1511 and SB 1708 were heard in only one committee stop. Among many revisions, the bill modifies state agency and local government incident reporting requirements timeframe for notification from 48 hours to 4 hours for cyber incidents and reduces timeframe for notification from 12 hours to 2 hours for ransomware.

- A county or municipality that substantially complies with s. 282.3185 (training, standards, & incident notification) shall gain a presumption against liability in connection with a cybersecurity incident.
- Failure of a county, municipality, or commercial entity to substantially implement a cybersecurity program that is in compliance with this section is not evidence of negligence and does not constitute negligence per se. Section does not: “establish a private cause of action.
- Additional presumption for private entities if certain programs/standards adopted:
 - Sole proprietorship, partnership, corporation, trust, estate, cooperative, association, or other commercial entity.
 - Commercial entities must comply with industry standards for cybersecurity compliance including the payment card industry data security standard.

STATE CYBERSECURITY OPERATIONS TRANSFER FAILS

The Senate Appropriations Committee considered a transfer of the state’s cybersecurity operations during the initial budget deliberations. SB 2508 transfers the Cybersecurity Operations Center (CSOC) and its associated duties, responsibilities, contracts, unexpended balances of appropriations, allocations, and positions from the Florida Digital Service (FDS) within the Department of Management Services (DMS) to the Florida Department of Law Enforcement (FDLE) via a type two transfer. The FDS maintains primary responsibility for establishing enterprise cybersecurity policies and guidelines in consultation with the state chief information security officer. The FDS is also tasked with assessing and monitoring agency compliance with the cybersecurity governance framework. In accordance with the recommendations of the February 1, 2021, Florida Cybersecurity Task Force Final Report, the bill also requires

state agencies to conduct comprehensive risk assessments on an annual basis instead of once every three years. Ultimately, the provisions were later considered in the budget conference but failed to be included as a budget conforming bill.

SIDE-BY-SIDE VEHICLE LEGISLATION FAILS

SB 578/HB 1371 - *Side-by-side Vehicles* by Rep. McClain and Sen. Grall failed this session and neither was heard in any committees. This legislation authorizes the operation of side-by-side vehicles under certain circumstances. The bill prohibits individuals under a certain age from operating a side-by-side vehicle on a public road or street. The bill authorizes local governments to enact certain ordinances pertaining to side-by-side vehicles. The bill defines the terms “side-by-side vehicle” and “UTV”, etc.” as a motor vehicle designed for operation off-road which has a minimum of two seats positioned side by side and which is operated by foot controls and a steering wheel.

AGRICULTURE AND RURAL AFFAIRS- PASSED

RURAL DEVELOPMENT PACKAGE PASSES

HB 1209- *Economic Development* by Rep. Shoaf (SB 1482 by Sen. Simon) passed this session. HB 1209 passed unanimously in both chambers. The bill specifies that an agency agreement that provides state or federal financial assistance to local government entities within a rural area of opportunity (RAO) must allow the agency to provide for the payment of invoices to the county or municipality for verified and eligible performance that has been completed in accordance with the terms and conditions in the agreement. This provision is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and must be exercised by the agency when a county or municipality demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments.

Changes to the Rural Infrastructure Fund include:

- Allows DEO to award grants for up to 75 percent of the total infrastructure project cost, an increase from 50 percent.
- Allows DEO to award grants for up to 100 percent of the total infrastructure project cost for a project located in a rural community or a rural area of opportunity, if the county is also fiscally constrained.
- Removes the requirement related to infrastructure feasibility studies and other infrastructure planning activities that grants awarded be limited to 30 percent of the total project cost.
- Removes the currently permitted use of funds for improving access, availability, and improvement of broadband Internet service.
- Increase the maximum grant for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation activities to \$300,000 for all projects and removes the limitation that the grant does not exceed 30 percent of the total project cost.

BILL ELIMINATING ENTERPRISE FLORIDA PASSES

HB 5- *Economic Programs* by Rep. Esposito (SB 1664- *Economic Development* by Sen. Hooper) passed this session. The bill eliminates the Enterprise Florida, Inc. (EFI), and provides that all duties, functions, records, existing contracts, administrative authority, and unexpended balances of appropriations and allocations relating to the programs in

EFI are transferred by a type two transfer to the Department of Commerce, which the bill creates by the renaming of the Department of Economic Opportunity (DEO). Duties related to international trade and development are transferred to a new direct-support organization under the department. The transition must be complete by December 1, 2023. The bill appropriates \$5 million to the new international trade direct support organization; \$5 million and 20 FTE to DEO; and \$2 million to EFI to implement the transition.

The bill repeals the following obsolete or expired economic development incentive programs: Entertainment Industry Tax Credit; Corporate income tax credits for spaceflight projects; Qualified defense contractor and space flight business tax refund program; Tax refund for qualified target industry businesses; Economic Gardening Business Loan Pilot Program; Economic Gardening Technical Assistance Pilot Program; Quick Action Closing Fund; Innovation Incentive Program; Florida Small Business Technology Growth Program; New Markets Tax Credit; Microfinance Loan Program; Quick Action Closing Fund; Golf Hall of Fame; and International Game Fish Association World Center facility. Existing contracts authorized under programs remain in force; new certifications or agreements may not be made.

The bill also renames the Division of Strategic Business Development as the Division of Economic Development, and eliminates the Film Advisory Council. The bill requires the Florida Sports Foundation (recreated in the bill) and VISIT Florida to contract with the department as direct-support organizations of the department.

HEALTHY FOOD PROGRAM LEGISLATION FAILS

SB 292/HB 307 - *Healthy Food Financing Initiative Program* by Sen. Jones and Rep. Bartleman failed this session. SB 292 stalled in its last committee, Senate Fiscal Policy, while HB 307 was never heard in any committee. This legislation would revise the requirements for the administration of and participation in the Healthy Food Financing Initiative program as well as providing program eligibility requirements for nonprofit organizations and revising eligibility requirements for community development financial institutions. It requires the Office of Program Policy Analysis and Government Accountability to review the program and collected data after a specified timeframe and provide the Legislature with a specified report; specifying that program funding is subject to and provided from certain appropriations.

RURAL FINANCIAL ASSISTANCE FAILS, HOWEVER PROVISIONS PASS IN HB 1209

HB 413- *Financial Assistance for Rural Communities* by Rep. Abbott and SB 1628- *Financial Assistance for Rural Areas of Opportunity* by Sen. Simon failed this session, however, there are certain provisions in the bill in HB 1209- *Economic Development* by Rep. Shoaf. The bill requires that an agency agreement to provide state or federal financial assistance to a rural community or a rural area of opportunity, include a provision that allows the agency to provide for the payment of invoices to the county or municipality for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement

FOOD RECOVERY INCENTIVE PROGRAM BILL FAILS

HB 399/SB 674- *Food Recovery* by Rep. Roth and Sen. Harrell failed after gaining some traction in both chambers. HB 399 stalled in its last committee, while SB 674 stalled in its second committee. The bills would direct the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a pilot program to provide incentives to agricultural companies to sell fresh food products to food recovery entities. It also authorizes food recovery entities to negotiate the price for fresh food products and reimburse agricultural companies for certain costs. Lastly,

it provides shipping requirements and requires the department to reimburse food recovery entities for certain costs.

FOOD INSECURE AUTHORIZATION BILL FAILS

HB 727/SB 778- *Food Insecure Areas* by Rep. Rayner- Goolsby and Sen. Rouson failed this session. Both bills were never heard. This legislation authorizes local government to enact land development regulations to permit land use for small-footprint grocery stores located in food insecure areas, and require mandatory reporting of information from small-footprint grocery stores.

FLORIDA RETIREMENT SYSTEM PACKAGE PASSES, DOES NOT INCLUDE COST OF LIVING ADJUSTMENT

SB 7024 – *Retirement* by Appropriations passed in the House (113-0) and in the Senate (39-0). The bill makes several substantive changes to the Florida Retirement System (FRS) and provides the 2023-24 Contribution rates by class. The total County impact of SB 7024 will be \$325 M, compared to an estimated \$1.187B in HB 239, the House companion.

The \$325 M impact includes:

- Impact of Normal Rate Adjustment
- Impact of Unfunded Liability Adjustment
- Impact of Reduced Special Risk Retirement Date
- Impact of additional 2% Contribution for Investment Plan Participants
- Impact of DROP eligibility extension from 60 to 96 months
- Impact of Removal of Restrictive DROP Window
- Impact of increased interest rate on DROP funds from 1.3% to 4%
- Increased Health Insurance Subsidy
- Does not include the Cost of Living Adjustment of 3% (Was not included in final language)

ANNUAL TAX PACKAGE PASSES ON FINAL DAY

HB 7063, the Ways and Means' committee's comprehensive tax package, passed both chambers unanimously. The bill contains the following provisions pertaining to counties:

- Limits county authority to levy special assessments on land classified as agricultural, with the exception of bonded assessment revenues. This prohibition does not apply to non-agricultural structures on the property.
- Requires counties to go to referendum to impose additional tourist development tax levies. It also extends statutory authority to use a percentage of tourist development revenues for public safety/law enforcement purposes to all fiscally constrained counties.
- Increases the discrepancy thresholds for a property appraiser to challenge a value adjustment board (VAB) decision in circuit court.
- Requires that any referendum for specified taxes must coincide with a general election, and may only take place once within 48 months prior to reenactment/increase of the tax.
- "Freezes" local communications services tax (CST) rates

at their current level until January 1, 2026.

- Provides additional guidelines for property owners to receive a property tax refund following a catastrophic event rendering their residence uninhabitable.
- Appropriates \$35 million to offset the reductions in local property tax revenues from complying with s. 197.3181, F.S., directing counties to issue prorated property tax refunds to property owners whose homes were rendered uninhabitable by Hurricane Ian or Nicole.
- A number of sales tax holidays of varying impacts to local government revenues.

BASEBALL MINIMUM WAGE LEGISLATION PASSES WITHOUT LOCAL WAGE PREEMPTION

SB 892-*State Minimum Wage* by Sen. Martin (HB 917 by Rep. Yeager) passed this session, without the language that included a wage preemption in the House version (HB 917). The bill passed unanimously in the Senate and with a vote of (86-30) in the House. The bill amends s. 448.110, F.S., the Florida Minimum Wage Act (FMWA), to incorporate the federal Fair Labor Standards Act (FLSA) "as amended." This will incorporate two exemptions from the FLSA's minimum wage requirements that became law after the Florida Legislature adopted the FMWA, and were therefore not incorporated as part of the FMWA. This bill will exempt border patrol agents and salaried baseball players from the Florida Minimum Wage Act.

Amendment language in HB 917 attempted to prohibit a political subdivision from affecting the wages or employment benefits provided by its vendors, contractors, service providers, or other party doing business with a political subdivision, through evaluation factors, qualification of bidders, or award preferences on the basis of wages or employment benefits. Local governments would not be able to consider wage or benefit standards within their procurement processes. Ultimately, the Senate bill that passed maintained the bill's original intent to carve out minor league baseball players and border patrol agents from the state minimum wage and did not include this wage provision. The bill heads to the Governor's desk for final approval.

BROAD ELECTION PACKAGE PASSES

SB 7050- *Elections* by Senate Ethics and Elections Committee (HB 7067 by House State Affairs) passed this session. SB 7050 passed (28-12) in the Senate and (76-34) in the House. The 96-page bill makes changes to campaign finance deadlines, speeds up when local officials must scrub voter

rolls for deceased and ineligible voters and increases fines on voter registration groups if they break the law. The bill also revises required frequency for campaign finance reports from monthly to quarterly and preempts local governments from enacting reporting schedules that differ from those provided in statute. The broad election bill includes the provision that repeals the exemption to Florida law requiring anyone seeking office to resign from one they already hold after qualifying as a candidate. Only an officeholder running for U.S. president or vice president would not have to resign.

BILL GOVERNING STATE AND LOCAL INVESTMENT CONDUCT AND PROCUREMENT SIGNED INTO LAW

HB 3- *Government and Corporate Activism* by Rep. Rommel (SB 302 by Sen. Grall) passed this session. On May 2, 2023, the bill was approved by the Governor.

The bill dictates that investment decisions, including written policies and the exercise of shareholder rights, for any funds invested by state or local governments must be driven solely by pecuniary factors, and may not sacrifice investment return to promote non-pecuniary factors. Social, political, and ideological interests are expressly precluded from consideration. Likewise for public procurement, state and local governments are prohibited from considering social, political, or ideological beliefs when evaluating prospective vendors.

Additionally, the bill prohibits both the state Division of Bond Finance and specified public bond issuers from issuing an Environmental, Social, and Governance (ESG) bond, paying for the services of another to verify or certify a public bond as an ESG bond, or contracting with rating agencies that use ESG scores in a manner that directly impacts the issuer's bond ratings. The Attorney General is authorized to bring civil or administrative actions to enforce provisions of the bill.

LOCAL REDISTRICTING RESIDENCY BILL PASSES

HB 411 / SB 444 *Residency of Local Elected Officials* by Rep. Steele/Sen. Ingoglia passed (87-25) and (29-7) respectively.

The bill prohibits changes to county commissioner district boundaries 270 days before a regular general election. Additionally, the bill prohibits the consideration of the residential addresses for incumbents and candidates during the district-drawing process for boards of county commissioners. The provisions also apply to city commissioners and school board members.

Similar legislation, SB 1080/HB 7069 – Local Redistricting by Sen. Yarborough/House State Affairs failed this session. The bill had the following provisions relating to county government:

- Prohibits county commission districts from being drawn with the intent to favor or disfavor a candidate for county commission or an incumbent county commissioner based on the candidate's or incumbent's residential address.
- Replaces the term "possible" with the word "practicable" with regard to equalizing population.

CLERKS OF COURT FUNDING RESTRUCTURE PASSES

HB 977- *Clerks of Court* by Rep. Botana (SB 1130 by Sen. Hutson) passed unanimously in both chambers this session.

CS/HB 977 makes several changes to Florida law to close the funding gap between the clerks' current revenues and anticipated expenditures so that they can provide essential court-related functions.

Specifically, the bill redistributes funds from specific sources that would otherwise be deposited into the General Revenue Fund and directs them to be deposited into the Fine and Forfeitures Trust Fund. These revenue sources include:

- The \$37.50 filing fee for a petition for dissolution of marriage;
- The General Revenue Fund's allotted share of various probate proceeding filing fees;
- A portion of the General Revenue Fund's allotted share of the foreclosure filing fees for certain claims valued at over \$50,000;
- The \$10 summons surcharge.

The bill provides for the redirection of specified revenue from the General Revenue Fund totaling approximately \$25.6 million annually over the next five years for deposit into specified trust funds for use by the clerks in performing court-related functions. The bill heads to the Governor for final approval.

EIGHT YEAR SCHOOL BOARD TERM LIMITS PASSES

HB 477- *Term Limits for District School Board Members* by Rep. Rizo passed this session. HB 477 passed in the House (79-29) and in the Senate (30-7). The bill revises district school board members' term limits from 12 to 8 years.

BUILDING PLANS, SCHEMATICS, OR BLUEPRINTS PUBLIC RECORD EXEMPTION PASSES

SB 7008 - *OGSR/Building Plans, Blueprints, Schematic Drawings, and Diagrams* by the Governmental Oversight and

Accountability (HB 7009 by Holcomb) passed unanimously this session.

SB 7008 saves from repeal the current public records exemption for building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel.

PUBLIC ETHICS MEASURE PASSES

SB 774 – *Ethics Requirements for Public Officials* by Sen. Brodeur (HB 37 by Rep. Roach) passed this session.

The bill makes the following changes to ethics requirements for public officials:

- Requires specified local officers to file a Form 6 financial disclosure, beginning January 1, 2024, instead of the Form 1 they are currently required to file.
 - Mayors
 - Elected members of the governing body of a municipality
 - Members of the Commission on Ethics
- Maintains and makes permanent requirements for e-filing of financial disclosures as specified in the current year implementing bill, by
 - Maintaining the requirement that Form 6 filers submit their financial disclosures via the Commission on Ethics electronic filing system beginning January 1, 2023, and requiring Form 1 filers to submit their disclosures electronically beginning January 1, 2024.
 - Allowing filers to submit federal tax returns for purposes of showing income.
- Allows the Commission on Ethics to dismiss complaints or investigations for certain minor infractions.
- Increases the maximum civil penalty for violations of the Code of Ethics to \$20,000 from \$10,000.
- Adds commissioners of a community redevelopment agency to the list of officers exempt from having to complete ethics training in the year they begin their term, if the term begins after March 31.
- Clarifies that a candidate may submit a verification or receipt of a previous financial disclosure filing to the qualifying officer in lieu of the full financial disclosure.
- Permits the Commission a narrow rulemaking exemption for the bill's implementation.

PUBLIC ETHICS BILL AIMED AT SPECIAL DISTRICT LEADERSHIP PASSES

HB 199 - *Ethics Requirements for Officers and Employees of Special Tax Districts* by Rep. Daley (SB 620 by Sen. DiCeglie) passed this session.

The bill clarifies the exception for public officers or employees of a water control district or a special tax district created by general or special law that is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the agency has jurisdiction, by specifying that conduct that constitutes a misuse of public position or violates the prohibition on disclosing information that is not otherwise available to the public for their own personal benefit would be considered an impermissible conflict of interest.

The bill also requires four hours of annual ethics training for elected local officers of independent special districts, provides requirements for such training, specifies training content, and provides a schedule for when such training must be completed.

FIRE INSPECTION DEREGULATION MEASURE PASSES

HB 327 – *Fire Sprinkler System Projects* by Rep. Bell (SB 408 by Sen. Perry) passed this session.

The bill allows for an expedited permitting process of fire sprinkler system projects, wherein a contractor would no longer need to submit plans or specifications in order to receive a permit for the project. Local estimates suggest up to 30% of plans are initially disapproved. The bill also requires such contractors to maintain a copy of plans and specifications at the worksite, similar to the requirements for alarm system projects.

PRE-TRIAL INTERVENTION EXPANSION PASSES

SB 508 – *Problem Solving Courts* by Sen. Rouson (HB 1227 by Rep. Maney) passed this session.

The bill revises three statutes that govern admission to, and participation in, the state's "problem-solving courts." The problem-solving courts are pre-trial intervention court programs that afford a defendant the opportunity to participate in getting the help he or she needs and avoid a criminal conviction. This bill expands eligibility for pretrial intervention programs, creates consistency within the criteria of the programs, and revises data reporting requirements for the programs.

NEW LIBRARY GRANT OPPORTUNITIES NOW ON THE BOOKS

SB 726 – *Library Cooperative Grants* by Sen. Rodriguez (HB 643 by Rep. Porras) passed this session.

Current law authorizes that the administrative unit of a library cooperative may receive a grant of up to \$400,000 from the state for the purpose of sharing library resources. The bill removes this cap.

PUBLIC EMPLOYMENT STANDARDS MEASURE PASSES

SB 1310 - *Substitution of Work Experience for Postsecondary Education Requirements* by Sen. DiCeglie (HB 1109 by Rep. Barnaby) passed during the final week.

The bill requires public employers (state agencies and branches, state universities and public colleges, counties, cities, special districts, school boards, and all other governmental entities) to prioritize direct work experience over postsecondary education in their hiring considerations. Postsecondary education may be considered in hiring decisions only (a) as an alternative for direct work experience or (b) if the position requires advanced accreditation or licensure that is available only to a person holding a specific postsecondary degree. The bill grants authority to the Department of Management Services to enforce the new requirements either (a) through appeals by applicants who allege the lack of a postsecondary degree is the sole basis for the applicant not being hired by the public employer or (b) notices from any person that a job posting for a public sector job required a postsecondary degree without including information justifying the requirement for the degree.

LEGISLATURE APPROVES TITLE FRAUD PROTECTIONS

HB 1419 – *Real Property Fraud* by Rep. Robinson (SB 1436 by Sen. Bradley) passed unanimously in both chambers this session. The bill:

- Requires the clerks of the circuit court to create, maintain, and operate a free recording notification service on or before July 1, 2024, to provide property owners who register for the service with early notice that a land record, such as a deed, has been filed on their property.
- Prescribes the form for a quitclaim deed.
- Modifies Florida law relating to quiet title actions to expressly state that a quiet title action may be based on a title fraud allegation; require the clerks to provide a simplified form for the filing of such action; entitle a petitioner bringing such action to expedited summary procedure timeframes; and require a court hearing such action to quiet title in and award a prevailing plaintiff with the same title and rights to the land that the plaintiff enjoyed before the title fraud.

- Modifies requirements to record instruments affecting real property.
- Creates the Title Fraud Prevention Through Identity Verification Pilot Program, in which the Lee County, Florida, clerk may require the production of a government-issued photographic identification card in connection with the filing of a deed or other qualifying instrument in specified circumstances.

PUBLIC UNION REFORM SIGNED BY GOVERNOR

SB 256 - *Employee Organizations Representing Public Employees* by Sen. Ingoglia (HB 1445 by Rep. Black) passed this session, and was promptly signed into law by the Governor. The bill formally establishes Florida as a Right-to-Work state and enacts several new requirements of the employee organizations that represent public employees in collective bargaining. Specifically, the bill:

- Requires employees eligible for union representation to sign a membership authorization form in order to be a member of an employee organization beginning July 1, 2023. Permits members to revoke their membership to an employee union at any time through written request.
- Prohibits a union employer from requiring an employer to deduct dues and assessments from a public employee's salary.
- Requires an employee organization, at the time of its renewal of registration, to submit information regarding its membership and whether employees eligible for representation pay dues to the employee organization. If this information shows that less than 60 percent of the employees eligible for representation paid dues to the employee organization certified as the bargaining agent during its last registration period, the employee organization must petition PERC for recertification as the bargaining agent. This section does not apply to a bargaining agent representing law enforcement officers, correctional officers, probation officers, or firefighters
- Authorizes the Public Employee Relations Commission to initiate an investigation to confirm the validity of the information submitted in the registration or renewal of registration. This section does not apply to a bargaining agent representing law enforcement officers, correctional officers, probation officers, or firefighters
- Prohibits an employee organization from:
 - Offering anything of value to a public officer which the public officer is prohibited from accepting.
 - Offering any compensation, payment, or thing of value to a public officer which the public officer is prohibited from accepting.

- Waives the following requirements for mass transit employees should the Department of Labor determine that the requirements of 49 U.S.C. s. 5333(b) are not met and would jeopardize the eligibility to receive Federal Transit Administration funding:

- The prohibition on dues and assessment deductions provided in s. 447.303(1).
- The requirement to petition the commission for recertification.
- The revocation of certification provided in s. 447.305(6) and (7).

FINANCE, TAX, ADMINISTRATION-FAILED

SOVEREIGN IMMUNITY LEGISLATION FAILS

HB 401/SB 604- *Sovereign Immunity* by Rep. Beltran/Sen. Gruters failed this session. HB 401 was temporarily postponed in its second committee, House Appropriations and never heard again, while SB 604 was not heard in any committees. The House bill, HB 401, waives sovereign immunity for tort claims brought against the state, its agencies, or subdivisions, by increasing the per person limit amount from \$200,000 to \$2.5 million and increasing the current per incident limit of \$300,000 to \$5 million. Additionally, the bill eliminates the statute of limitations for filing sexual battery actions against the state, its agencies or subdivisions, if the victim was younger than age 16 at the time of the sexual battery. However, the bill does not resuscitate any such claim which would have been time-barred as of July 1, 2010. The bill applies to claims accruing on or after October 1, 2024. The Senate bill, SB 604, waives sovereign immunity for tort claims brought against the state, its agencies, or subdivisions, by increasing the per person limit amount from \$200,000 to \$400,000 and increasing the current per incident limit of \$300,000 to \$600,000. The bill authorizes the Department of Financial Services to annually adjust the cap beginning July 1, 2024, to reflect the changes in the Consumer Price Index for the Southeast or a successor index as calculated by the U.S. Department of Labor.

SAVE OUR HOMES CAP REVISION FAILS

SB 120/122- *Homestead Assessments/ Revised Limitation on Increases of Homestead Property Tax Assessments* by Sen. Avila and HB 469/471 Rep. Fernandez- Barquin failed this session. The Senate bills stalled in the second committee, Senate Finance and Tax, and the House bills stalled in House Local Administration, Federal Affairs, & Special Districts Subcommittee.

The bills place a Constitutional amendment on the ballot reducing the state's Save Our Homes assessment cap. Under current law, a homestead property is assessed for just value

in its initial exemption year. In subsequent years, the assessed value on their property tax bill is then "capped" by the lesser of 3% or CPI growth. This bill would lower the cap further, to the lesser of 2% or the change in the CPI. In years of higher CPI growth, where the assessment is bound by the statutory limit, the reduction from 3% to 2% would result in lost revenues for local governments. The Revenue Estimating Conference determined the impact to be negative indeterminate, though they acknowledged that the impact could be significant in years where the proposed cap is binding.

DIAPER TAX EXEMPTION PASSES IN TAX PACKAGE

HB 29 – *Tax Exemptions for Diapers and Incontinence Products* by Rep. Eskamani (SB 114 by Sen. Book) did not pass as a standalone bill this session. However, the bill's main provision was included within the Legislature's tax package, HB 7063.

The language exempts diapers and other incontinence products from sales tax.

BILL IMPACTING LOCAL EMPLOYMENT CONTRACTS FAILS

SB 696- *Local Officials* by Sen. Ingoglia and HB 729- *Local Officials' Employment Contracts* by Rep. Holcomb failed this session. SB 696 was temporarily postponed in its last stop, Senate Rules and HB 729 was never heard in any committees. The bill provides that certain local government employee contracts shall not be renewed or extended within 8 months of a November general election for members of the applicable governing body. The bill provides an exemption if an employee produces a competing offer from another governmental entity. This bill applies to:

- County administrators;
- County general counsels;
- Municipal chief executive officers;
- Municipal general counsels;
- School superintendents; and
- School board general counsels.

PUBLIC RECORDS EXEMPTION FOR COUNTY ATTORNEYS FAILED

SB 216/HB 525- *Public Records/Current and Former County and City Attorneys* by Sen. Burgess and Rep. Arrington failed this session. SB 216 passed unanimously on the Senate floor, but HB 525 stalled in its second committee, House Ethics, Elections & Open Government Subcommittee and was never taken in House messages. The bill creates a public records exemption for the personal information of current county attorneys, deputy county attorneys, assistant county attorneys, city attorneys, deputy city attorneys, and assistant city attorneys. Personal information relating to their spouses and children is exempt. The specific personal information made exempt from public records disclosure requirements includes:

- Home addresses, telephone numbers, places of employment, and dates of birth;
- Names, home addresses, telephone numbers, places of employment, and dates of birth of the spouses and children; and
- Names and locations of schools and day care facilities attended by the children.

The exemption, however, does not apply to a current county attorney, deputy county attorney, or an assistant county attorney who qualifies as a candidate for election to public office. A statement of public necessity is included in the bill as required by the State Constitution.

AD VALOREM REVISION ON TIMESHARES FAILS

HB 451/SB 1450-*Valuation of Timeshare Units* by Rep. Fine and Sen. Gruters failed this session. HB 451 failed to be heard on the House floor, while SB 1450 stalled in its second committee, Senate Finance and Tax.

The bill revises the methodology for valuing timeshare units for the purposes of ad valorem taxation. Current law directs a property appraiser to look to the resale market to determine the valuation of a property. If the Property Appraiser determines there are an insufficient number of resales, they may use the original sale price, minus the administrative costs of the sale. Under this bill, the property appraiser would be directed to defer to the property owner as to the methodology for valuation—whether the resale market or the original purchase price. It is important to note that valuations from the resale market range from 40-75% lower than those of the purchase price valuation. This is likely due to the number of “distressed sales” arising from timeshare properties—as property owners seek to get out of often rigid timeshare contracts. The Revenue Estimating Conference forecasted a \$208 million impact to local government revenues for FY2023-24.

BILL ESTABLISHING ELECTRIC VEHICLE REGISTRATION FEES FAILS

SB 1070- *License Taxes* by Sen. Hooper failed this session, after passing unanimously on the Senate floor but was never considered in the House. There was no House companion bill. The bill imposes an additional annual registration fee on electric vehicles and plug-in hybrid vehicles.

The bill removes “an electric vehicle” from current law providing that the license tax for such is the same as that prescribed in s. 320.08, F.S., for a vehicle that is not electrically powered, leaving that provision applicable only to a low-speed vehicle. Instead, the bill imposes the following annual license taxes:

- For electric vehicles, in addition to the license tax prescribed in s. 320.08, F.S., an annual license tax of \$200, increasing to \$250 beginning January 1, 2028.
- For plug-in hybrid electric vehicles, in addition to the license tax prescribed in s. 320.08, F.S., an annual license tax of \$50, increasing to \$100 on January 1, 2028.

This represents an effort to replace lost revenue from local fuel taxes with more non-fuel vehicles on the road. The Revenue Estimating Conference forecast local government revenues to increase by \$9.2 million in fiscal year 2023-2024 and by \$20.9 million recurring if signed into law.

BILL REDUCING STATUTE OF LIMITATIONS FAILS

HB 7059 - *Timeframes for Bringing Certain Actions* by Rep. Gregory failed this session. HB 7059 passed with a vote of (80-29) but got stuck in Senate messages. HB 7059 amends s. 768.28, F.S., to reduce the statute of limitations from four years to two years for a negligence claim against the state or an agency or subdivision of the state. The bill also reduces the presuit notice period from three years to 18 months for such claims. The bill decreases from six months to four months the amount of time a government entity has to make a final disposition of a claim during the pre-suit process within s. 768.28(6), F.S., after which time the plaintiff may bring a lawsuit. There was no Senate companion.

SURVIVING SPOUSE TAX EXEMPTION STALLS LATE, PASSES IN TAX PACKAGE

HB 101/SB 184 – *Homestead Exemption for First Responders* by Rep. Woodson/Sen. Polsky stalled out in Senate Messages after passing the House.

The bill revises an existing homestead exemption for the surviving spouses of first responders who died in the line of duty. Currently, the spouse of a late first responder may receive a full homestead exemption assuming they were

permanent Florida residents as of January 1 of the year in which the first responder died in the line of duty. Eligible first responder groups include law enforcement officers, correctional officers, firefighters, paramedics, or EMT's. This bill would expand the eligibility to include federal law enforcement officers as well. The Revenue Estimating Conference projected an insignificant impact on local revenues, noting the rarity of such an event.

PRIVATE INVESTIGATOR TAX EXEMPTION FAILS, PASSES IN TAX PACKAGE

SB 116/HB 205 – *Taxation of Investigative Services* by Sen. Rodriguez/Rep. Gossett-Seidman failed to pass despite moving through several committees on the Senate side.

The bill exempts from the sales and use tax private investigation services provided by a small private investigative agency. The bill defines the term "small private investigative agency" as a licensed private investigator that employs three or fewer full-time or part-time employees and, during the previous calendar year, performed private investigation services in which the charges for the services performed were less than \$150,000.

SENIOR HOMESTEAD EXEMPTION FALLS SHORT

SB 126/HB 159 – *Homestead Tax Exemption for Certain Senior, Low-income, Long-term Residents* by Sen. Avila/Rep. Borrero fell short of passing this session. The House bill passed its chamber but stalled out in Senate messages.

The bill proposes an amendment to the Florida Constitution to raise the eligible real estate value for the optional full homestead exemption on long-term, low-income seniors from \$250,000 to \$300,000. If adopted by the Legislature, the proposed amendment will be submitted to Florida's electors for approval or rejection at the next general election in November 2024. If approved by at least 60 percent of the electors, the proposed amendment will take effect on January 1, 2025.

PET ADOPTION PUBLIC RECORDS EXEMPTION FAILS

HB 157/SB 518 – *Pub. Rec./Animal Foster or Adoption* by Rep. Holcomb/Sen. DiCeglie failed this session. The Senate bill was heard in two committees of reference before stalling.

The bill provides an exemption from public records requirements for personal identifying information of those who adopt or foster from an animal shelter or animal control agency operated by a local government. The bill provides a statement of public necessity. The public records exemption stands repealed on

October 2, 2028, unless it is reenacted by the Legislature under the Open Government Sunset Review Act.

ENTERTAINMENT TAX INCENTIVE MEASURE GOES UNHEARD

HB 251/SB 476 – *Entertainment Industry Tax Credit Program* by Rep. Trabulsy/Sen. Gruters were not heard in any committees of reference this session.

The bill would create the Florida First Production Partnership Program within DEO, as well as provide tax credit award for entertainment industry projects in the state.

TDT REVISION FAILS TO BE HEARD; INCLUDED WITHIN FINAL TAX PACKAGE

HB 309/SB 640 – *Tourist Development Taxes* by Rep. Shoaf/Sen. Simon failed to be heard in any committees of reference this session. However, the bill's main provision was included in the tax package, HB 7063.

The language extends statutory authority to use up to 10% of tourist development revenues for public safety/law enforcement purposes to all fiscally constrained counties. The bill clarifies that such reimbursement may not be used to supplant normal operating expenses of local law enforcement agencies.

CIVIL CLAIMS LIMIT GOES UNHEARD

HB 315/SB 738 – *Civil Remedies for Unlawful Employment Practices* by Rep. Andrade/Sen. Brodeur was not heard by any committees of reference. The bill provides limits (at least \$50,000 but may not exceed \$1 million) on a judgment for punitive and compensatory damages for certain claims. Authorizes an aggrieved party to bring a civil action for certain claims within a specified timeframe, regardless of the determination made by the Florida Commission on Human Relations.

TINY HOMES LEGISLATION FAILS

HB 321/SB 1404 – *Movable Tiny Homes* by Rep. Stevenson/Sen. Trumbull failed this session. The House version passed the Transportation and Modals subcommittee, before stalling out. The Senate version was never heard.

The bill amends the statutory definition of the term "park trailer" to incorporate the permanent nature of some movable tiny homes by allowing park trailers to be used as permanent living quarters if specified building conditions are met. The bill provides minimum construction standards for these park trailers including standards for insulation, doors and windows, electrical systems, and wall framing. The bill also requires that

each movable tiny home have a sticker or other documentation certifying that it was inspected by a licensed engineer or by a qualified inspector for compliance with the required construction standards.

AUTOMOBILE SALES TAX REVISION STALLS

SB 396/HB 1093 – *Sales Tax on Motor Vehicle Leases and Rentals* by Sen. Rodriguez/Rep. Caruso could not get across the finish line this session. The House version was heard in one committee before dying.

The bill allows motor vehicle leasing companies to pay sales tax on the original purchase of vehicles, in lieu of collecting sales tax on rental or lease payments when the vehicle is later subject to a long-term lease or rental agreement when the renter or lessee will use the motor vehicle in their trade or business.

PUBLIC TRANSPARENCY MEASURE GOES UNHEARD

HB 397 – *Public Meetings* by Rep. Tuck was not heard this session.

The bill provides that certain public entities may meet in private with their attorneys to discuss claims concerning private property rights; the bill specifies what may be discussed during such meetings and requires all meetings to be transcribed. Meeting transcripts must be made public record within a specified timeframe.

PROPERTY TAX REFORM FAILS

SB 474/HB 1131 – *Property Tax Administration* Sen. Garcia/Rep. Fernandez-Barquin failed to pass this session after some early movement in both chambers. The House version passed each of its committees of reference but was never heard on the floor.

The bill makes various changes to the process of determining assessments of property for the purpose of collecting ad valorem taxes. The bill:

- Amends the timeline for a property appraiser to appeal a decision of the Value Adjustment Board;
- Provides that a property owner may not be assessed back taxes, penalty, or interest in the event of an improperly granted homestead exemption. Further, a property appraiser's error which grants an improper homestead exemption will also not result in back taxes, penalty, or interest.
- Reduces the amount a property owner may owe when assessment errors occur;
- Excludes an additional type of change in ownership that

would reset a property's assessment to just value;

- Increases the types of appeals a Value Adjustment Board may hear; and
- Raises the threshold for a property appraiser to challenge a decision of the Value Adjustment Board in circuit court. This language was ultimately attached to the tax package.

NATURAL GAS FUEL TAX DELAY FAILS

SB 322/HB 529 – *Natural Gas Fuel Taxes* by Sen. Gruters/Rep. Mooney failed this session. The Senate bill passed two committees of reference, while its House counterpart passed its first committee.

The bill delays the imposition of Florida's natural gas fuel tax from January 1, 2024, to January 1, 2026, and conforms related statutory provisions.

ELECTRONIC TRANSACTION INTERCHANGE FEES FAILS

SB 564/HB 677 – *Interchange Fees on Taxes* by Sen. Hutson/Rep. Caruso failed after making it through its respective committees in each chamber.

The bill creates, effective October 1, 2024, s. 501.0119, F.S., which prohibits an issuer, a payment card network, an acquirer bank, or a processor from charging an interchange fee on any tax that is separately itemized on a sales invoice, sales slip, or other evidence of sale in any electronic payment transaction if the merchant informs a specified entity of such tax amount as part of the authorization or settlement process for such transaction. The merchant must transmit the tax amount data as part of the authorization or settlement process to avoid being charged interchange fees on the tax amount. Section 501.0119, F.S., does not create liability for a payment card network regarding the accuracy of the tax data reported by the merchant.

BEREAVED PARENT PROTECTIONS GO UNHEARD

SB 576/HB 663 – *Employment Protections* by Sen. Book/Rep. Cassel was not heard in any of its referenced committees. The bill prescribes parental leave protections for parents whose birth of a child resulted in a stillbirth.

The bill also prohibits a public employer or an employment agency from engaging in certain activities relating to wages and salary.

DROP EXPANSION DOES NOT PASS; INCLUDED IN RETIREMENT PACKAGE

HB 613/SB 1034 - *Deferred Retirement Option Program for Correctional Officers* by Rep. Garcia/Sen. Rodriguez did not pass as a standalone bill this session. The Florida Retirement System legislation, SB 7024, included a similar provision expanding DROP eligibility.

The bill allows a correctional officer participating in the Florida Retirement System Pension Plan to extend participation in the Deferred Retirement Optional Program (DROP) up to 36 months beyond the general 60-month limitation. To be eligible to extend for the additional 36 months, the correctional officer must in be the DROP on or after July 1, 2023, and before June 30, 2028.

VETERAN'S EMPLOYMENT INCENTIVES FAILS

SB 632/HB 687 – *Veterans' Preference in Promotion* by Sen. Powell/Rep. Daniels was not heard in any committees this session.

The bill requires the state and any political subdivisions to give preference in promotion to eligible veterans and requires the Department of Veterans' Affairs to adopt certain rules to ensure veterans are given special consideration in the promotion process. The bill also provides for an investigation and administrative hearing of a complaint regarding not being awarded a promotion according to veterans' promotion preference.

PACE PROGRAM ACCOUNTABILITY AND EXPANSION FAILS

HB 669/SB 950 – *Improvements to Real Property* by Rep. Fine/Sen. Rodriguez bounced back and forth between the two chambers before ultimately stalling out in the final week of session. The Senate version was temporarily postponed on the House floor and never heard again.

The bill amends the "Property Assessed Clean Energy" or "PACE" program, which allows property owners to make qualifying improvements to real property and finance the cost through annual non-ad valorem tax assessments. Qualifying improvements are those that enhance energy efficiency, renewable energy, wind resistance, and newly added by the bill wastewater treatment, flood and water damage mitigation, and sustainable building improvements. The bill enhances certain protections for consumers entering into PACE contracts, and oversight for contractors that install improvements. The bill updates the legislative intent of the PACE statute to reflect the

expanded scope of the program, and introduces definitions used to clarify the language of the statute.

A late amended version of the bill struck all accountability and expansion provisions to provide clarity that a separate legal entity created by interlocal agreement has jurisdiction only within the boundaries of the members participating in the interlocal agreement. That is, an entity created in one county by an interlocal agreement does not have authority to act in any other area but that one county.

BILL CODIFYING HOMESTEAD TRANSFER FOR VETERANS/FIRST RESPONDERS STALLS, PASSES IN TAX PACKAGE

SB 672/HB 717 – *Property Tax Exemptions* by Sen. Avila/Rep. Amesty failed after significant movement. The House version ultimately stalled in Senate Messages.

The bill clarifies that veterans, first responders, and surviving spouses receiving homestead exemptions related to disability or death sustained in the line of duty who purchase a new homestead property are entitled to transfer and retain the amount of the exemption. The bill also similarly clarifies that, upon establishing a new homestead, a person who applies for and receives such an exemption is entitled to receive a refund for the taxes paid on the homestead property in the year of acquisition. The bill does not substantively change the procedure for applying for or being granted such an exemption or refund.

SALES TAX EXEMPTION FOR SECURITY SERVICES NOT HEARD

HB 681/SB 686 - *Sales Tax Exemption for Certain Investigation and Security Services* by Rep. Plasencia/Sen. Brodeur was not heard in any committees of reference. The bill creates a sales tax exemption for certain investigation and security services. It exempts charges for investigation and personal background check services, security guards and patrol services, and armored car services from sales tax.

AIRCRAFT TAX REFORM FAILS

HB 695 – *Determinations for Tax Exemptions* by Rep. Hawkins was not heard in any of its committees of reference this session.

The bill revises conditions under which eligible aircraft operations are deemed to serve a public purpose. The bill also deletes a requirement for the property appraiser relating to applications for an exemption for leasehold interests in government property.

LOCAL TAX REFERENDA LIMITATIONS FAIL, INCLUDED IN TAX PACKAGE

SB 698/HB 731 – *Local Tax Referenda Requirements* by Sen. Ingoglia/Rep. Temple failed. However, the bill's language was attached to the tax package, HB 7063. The bills require that any referendum for specified taxes must coincide with a general election, and may only take place once within 48 months prior to reenactment of the tax. The bill pertains to the following taxes:

- Tourist development tax:
- Tourist impact tax:
- Local government discretionary sales surtax:
- Ninth-cent fuel tax:
- 1-5 cent local option fuel tax:
- Children's Services Independent District millage.

This potentially limits a county's capacity to raise revenue on a timely basis.

AIRCRAFT SALES TAX LIMITATION FAILS

HB 711 – *Aircraft Taxes* by Rep. Overdorf failed this session. The bill was heard in its first committee of reference, House Ways and Means, but was not heard again. The bill limits the total sales and use tax collected on the sale of any aircraft to \$18,000

VETERANS' HOMESTEAD REFORM STALLS

HB 747/SB 762 - *Property Tax Exemption for Surviving Spouses of Veterans* by Rep. Woodson/Sen. Wright stalled after early movement on the Senate side. The bill passed its first two Senate committees, but was not heard again.

The bill clarifies that if a veteran predeceases the issuance of a letter of total and permanent disability from the United States Department of Veterans Affairs, the veteran's surviving spouse may produce the letter to the property appraiser to establish eligibility for the homestead exemption for surviving spouses of permanently and totally disabled veterans. The bill does not substantively alter the requirements or procedure for applying for or receiving such an exemption.

BILL REVISING SALES TAX ON PRIVATE LABEL CREDIT CARD BAD DEBT FAILS

HB 791 - *Taxes on Purchases Made Through Private-label Credit Card Programs* by Rep. Brackett failed this session. The bill passed its first two committees of reference before stalling out in House Commerce.

Currently, a dealer can take a credit or obtain a refund of up to 64.4 percent for the taxes remitted on the unpaid balance of a worthless or uncollectible private-label credit card account.¹ "Private-label credit cards" are defined as a charge card or credit card that carries, refers to, or is branded with the name or logo of a dealer and can be used for purchases from the dealer whose name or logo appears on the card or for purchases from the dealer's affiliates or franchises.

The bill removes the 64.4 percent limit on the maximum amount of tax that can be recovered on the unpaid balance of a worthless or uncollectible private label credit card account.

VEHICLE-FOR-HIRE RECIPROCITY MEASURE FAILS

HB 807/SB 1700 - *License or Permit to Operate Vehicle for Hire* by Rep. Borrero/Sen. DiCeglie failed to get across the finish line. The bill passed each of its referenced House committees but was not heard on the floor. The Senate bill was not heard in committee.

The bill:

- Prohibits a county or municipality from requiring a person to obtain an additional license from such county or municipality when that person holds a valid, active license or permit to operate a vehicle for-hire in any other county or municipality if the person:
 - Holds a valid, active license or permit to operate a vehicle for-hire in the county or municipality in which the person permanently resides.
 - Has not had a license or permit to operate a vehicle for hire suspended or revoked within the preceding 5 years.
- Provides that public-use airports are exempted from the provisions of the bill.
- Provides that certain persons who hold a valid, active license or permit to operate a vehicle-for-hire are exempted from the provisions of the bill when such person provides transportation of persons:
 - While on stretchers or wheelchairs, or
 - Whose handicap, illness, other incapacitation makes it impractical to be transported by a regular common carrier such as a bus, taxi, non-taxi, limousine, or other vehicle-for-hire.

PACE PROGRAM REGULATION MEASURE FAILS

SB 810/HB 1151 – *Financing Improvements to Real Property* by Sen. Gruters/Rep. Amesty stalled after passing three House committees.

The bill makes several changes to Florida’s PACE law as it relates to commercial real property. In particular, the bill:

- Defines “commercial property;”
- Expands the types of improvements to commercial property that are eligible for PACE financing;
- Modifies the requirements for commercial property owners to be eligible for PACE financing, including the addition of a requirement for mortgage holder consent;
- Provides that a PACE financing agreement on commercial property may be executed before a certificate of occupancy or similar evidence of substantial completion of new construction or improvement is issued;
- Authorizes progress payments, or payments made before completion, for commercial property;
- Limits fees imposed on PACE assessments on commercial property; and
- Authorizes the use of PACE financing on government property leased for commercial uses.

HOMESTEAD EXEMPTION FOR DISABLED PERSONS DOES NOT PASS

SB 820 - *Homestead Tax Exemption for Totally and Permanently Disabled Persons* by Sen. Rodriguez was not heard in any of its committees of reference this session. The bill provides eligibility for the exemption to totally and permanently disabled persons with intellectual disabilities and removes a condition that totally and permanently disabled persons must use a wheelchair for mobility or be legally blind to qualify for the exemption. The bill provides that an applicant for the exemption may apply before receiving necessary documentation from the Social Security Administration.

BILL LIMITING LAND ACQUISITION BY A FOREIGN NATION GOES UNHEARD

HB 835/SB 924 - *Purchase or Acquisition of Real Property and Strategic Assets by People’s Republic of China* by Rep. Waldron/Sen. Berman was not heard in any of its committees of reference. The bill prohibits People’s Republic of China from purchasing or acquiring real property & strategic assets in the state. Similar legislation, SB 264 passed the legislature and now heads to the Governor for final approval.

CODE VIOLATION RECORDS EXEMPTION FAILS

SB 842 - *Public Records/Reports of County or Municipal Code Violations* by Sen. Harrell was not heard at all this session.

The bill provides an exemption from public records requirements for personal identifying and location information of persons reporting a potential violation of a county or municipal code or ordinance; provides for retroactive application; provides for future legislative review and repeal of the exemption.

NATURAL GAS MACHINERY TAX EXEMPTION STALLS, PASSES IN TAX PACKAGE

SB 844/HB 867 - *Sales Tax Exemption for Renewable Natural Gas Machinery and Equipment* by Sen. Yarborough/Rep. Griffiths failed this session. The Senate bill passed its first two committees of reference, but was not heard in Senate Appropriations.

The bill exempts from the sales and use tax machinery and equipment used at a fixed location for the production, storage, transportation, compression, or blending of renewable natural gas. The bill provides that purchasers of machinery and equipment qualifying for the exemption must furnish the vendor with an affidavit stating that the item to be exempted will be used for purposes specified in the exemption, unless the purchaser has self-accrual authority. The bill incorporates existing penalties for submitting a fraudulent claim for exemption.

LOCAL INFRASTRUCTURE TAX MEASURE GOES UNHEARD

SB 882/HB 885 – *Local Government Infrastructure Surtax* by Sen. Brodeur/Rep. Plasencia was not heard this session.

The bill provides that revenue from a local infrastructure surtax may be used for maintenance of local infrastructure, as well as associated operating expenses.

PUBLIC DEPOSIT EXPANSION FAILS

HB 987/SB 1360 – *Public Deposits* by Rep. Botana/Sen. Ingoglia failed after passing its referenced House committees. The bill was ultimately not heard on the House floor. Under current law, state and local governments are required to deposit public funds in a qualified public depository (QPD) pursuant to the Florida Security for Public Deposits Act, ch. 280, F.S.

The bill:

- Allows state-chartered and federally-chartered credit unions to become QPDs and custodians for another QPD's pledged collateral;
- Provides criteria a credit union must meet before the CFO can designate the credit union as a QPD;
- Creates separate mutual responsibility and contingent liability provisions for credit union QPDs to prevent banks from sharing liability with credit unions in the event of a credit union QPD's default or insolvency, and vice versa; and
- Requires the CFO to segregate and separately account for any collateral proceeds, assessments, or administrative penalties attributable to a credit union from those attributable to any banks, savings bank, or savings association.

CHILDCARE PROGRAM STALLS

SB 990/HB 1021 – *Child Care and Early Learning Providers* by Sen. Grall/Rep. McFarland failed this session. The bill passed its first two committees of reference but was not heard again. The bill provides programmatic and financial supports for child care facilities and early learning providers. Specifically the bill:

- Modifies requirements for Voluntary Prekindergarten (VPK) classroom instructors, program and child assessments, and implementation of the accountability measures for VPK programs.
- Establishes a program to deliver intensive reading interventions to VPK students with substantial deficiencies in early literacy.
- Modifies requirements for obtaining and maintaining the Gold Seal Quality Care designation.
- Directs early learning coalitions to support the Teacher Education and Compensation Helps (T.E.A.C.H.) Scholarship Program by assisting with co-pays for providers.
- Modifies requirements related to licensing of child care facilities by the Department of Children and Families.
- Provides an exemption from licensing for child care facilities owned by certain corporations.
- Clarifies cancellation and coverage from residential property insurance for large family child care homes.

TAX CERTIFICATE REFORM FAILS TO BE HEARD

SB 1132/HB 1369 – *Tax Certificate Sales* by Sen. Gruters/Rep. Anderson fails to be heard this session. The bill provides that any person may register to bid and participate in tax certificate sales and prohibits tax collectors from prohibiting a person's registration or bidding for specified reasons.

COMMUNICATIONS SERVICES TAX GUIDELINES FAIL, ONE SECTION INCLUDED IN TAX PACKAGE

HB 1153/SB 1432 – *Communications Services Tax* by Rep. Steele/Sen. Trumbull failed this session. The Senate version was heard in one committee before stalling in Senate Community Affairs.

The bill prescribes the following revisions to communication services tax statute:

- Decreases the state tax rate on the retail sale of communications services, including that of direct-to-home satellite service;
- Specifies that the local discretionary communications services tax, authorized under s. 212.19, F.S., may not be increased until January 1, 2026. This language was ultimately added to the tax package, HB 7063.
- Specifies that the local discretionary communications services tax under s. 212.19, F.S., shall replace other revenue sources for counties and municipalities and includes specified taxes, charges, fees, and other impositions to the extent that the respective local taxing jurisdictions were authorized to impose those taxes, charges, fees and other impositions before July 1, 2000, and after January 1, 2023; and
- Specifies that any increases to discretionary sales tax, levied pursuant to s. 212.055, F.S., may not be added to the local communications services tax under s. 202.19, F.S., before January 1, 2026

ELECTION REFORM MEASURE FAILS

SB 1206/HB 1469 – *Elections* by Sen. Thompson/Rep. Joseph was not heard this session. The bill would require that the Florida Secretary of State be elected rather than appointed. The bill also makes a number of changes to voter registration guidelines.

LIMITED ENGLISH PROFICIENCY VOTER ASSISTANCE MEASURE NOT HEARD

HB 1249/SB 1560 - *Limited English-proficient Voter Assistance* by Rep. Lopez/Sen. Torres was not heard in any committees of reference. The bill requires supervisor of elections or political subdivision that administers election to provide language-related assistance to limited English-proficient voter; requires supervisor or political subdivision to provide election materials in covered language; requires supervisor to operate & provide public notice of language assistance hotline; requires governmental entity responsible for redistricting to provide translation services; authorizes limited

English-proficient voter to bring actions against supervisor or political subdivision for non-compliance with this act.

ELECTRONIC PAYMENT LEGISLATION FAILS

SB 1264 – *Electronic Payment of Public Records Fees* by Sen. Rouson was not heard this session. The bill requires an agency subject to ch. 119, F.S., to provide an electronic option for payment of fees associated with a public records request.

ADDITIONAL VACATION RENTAL GUIDELINES FAIL

HB 1399/SB 1422 – *Public Lodging and Public Food Service Establishments* by Rep. Cassel/Sen. Pizzo was not heard in any committees of reference this session. The bill requires an applicant for a vacation rental license to provide Division of Hotels & Restaurants of DBPR with certain information; revises penalties for operator who fails, neglects, or refuses to obtain license or pay required license fee.

GOVERNMENT RECORDS LEGISLATION FAILS

SB 1516/HB 1527 – *Accessibility of Government Records* by Sen. Pizzo/Rep. Joseph failed to be heard in any committees of reference. The bill requires governmental entities to make requested records available to members of the Legislature, the Attorney General, the Chief Financial Officer, or the Commissioner of Agriculture, respectively, upon request.

LEGISLATURE DOES NOT CONSIDER BUILDING CODE FEE REFORM

HB 1535/SB 1682 - *Fees for Enforcement of Florida Building Code* by Rep. Rizo/Sen. Rodriguez was not heard in any of its committees of reference. The bill authorizes local governments to carry forward certain percentage of unexpended funds from building code inspections; provides that such funds may be used for purposes other than construction of buildings or structures.

SFY 2023-24 GENERAL APPROPRIATIONS ACT

On May 5th , 2023, the Florida House of Representatives and the Florida Senate agreed to the budget for the State Fiscal Year (SFY) 2023-2024. The budget is the culmination of many rounds of budget negotiations throughout the legislative session. The Florida Legislature is constitutionally required to pass a state budget, officially titled the General Appropriations Act, or SB 2500, during the annual regular session. The Legislature completed the budget on time and early, passing SB 2500 and adorning Sine Dine at 11:01 A.M.

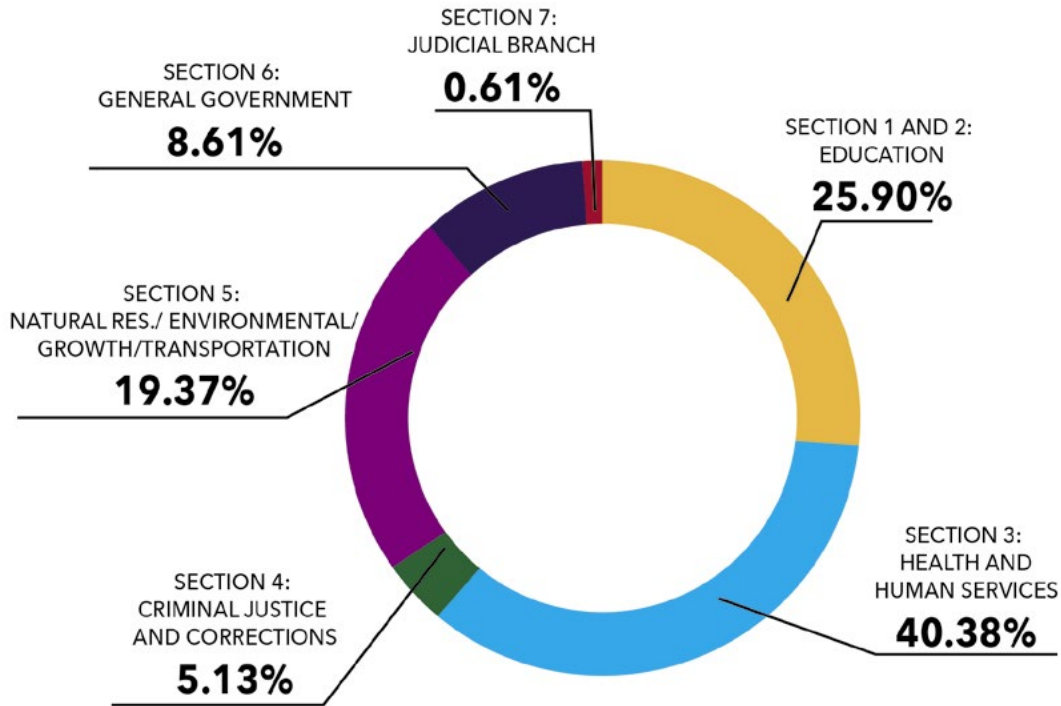
The House and Senate's budget for State Fiscal Year 2023-2024 totals approximately \$ 117 billion, and represents a 4.42% increase from the previous SFY 2023 General Appropriations Act. The chart below summarizes a comparison of this year's SFY 2024 budget and the budget approved from SFY 2023.

Budget Comparison by Section	FY 2023 GAA	FY 2024 GAA	\$ Difference SFY 2023 vs. SFY 2024	% Difference SFY 2023 vs. SFY 2024	% of Total
Section 1. Education	\$ 2,817,456,263	\$ 3,156,143,737	\$338,687,474	12.02%	2.70%
Section 2. Education	\$ 26,450,922,960	\$27,148,331,524	\$697,408,564	2.64%	23.20%
Section 3. Health and Human Services	\$48,909,546,871	\$47,260,202,276	\$(1,649,344,595)	-3.37%	40.38%
Section 4. Criminal Justice and Corrections	\$6,257,148,587	\$6,007,616,760	\$(249,531,827)	-3.99%	5.13%
Section 5. Natural Resources/Environment/Growth/Transportation	\$19,367,675,516	\$22,669,753,979	\$3,302,078,463	17.05%	19.37%
Section 6. General Government	\$ 7,565,508,833	\$10,071,975,277	\$2,506,466,444	33.13%	8.61%
Section 7: Judicial Branch	\$ 702,774,972	\$712,723,994	\$ 9,949,022	1.42%	0.61%
Total Budget	\$112,071,034,002	\$117,026,747,547	\$ 4,955,713,545	4.42%	100%

Health and Human Services received the largest portion of funding for the budget in SFY 2023-2024, totaling approximately \$47.3 billion. This represents a 3.37% decrease in appropriation from the current year. All educational programs and services combined received the second-largest amount of funding, totaling approximately \$30.3 billion. This represents an increase of approximately 3.5% from the current fiscal year.

Finally, Natural Resources, Environmental Issues, Growth Management and Transportation Expenditures represent the third largest portion of the budget in SFY 2023-2024 with funding equaling approximately \$22.7 billion. This represents an increase of approximately 17.05% from the current fiscal year.

SFY 2024 GENERAL APPROPRIATIONS ACT: % OF TOTAL BUDGET



General Revenue expenditures for the SFY 2023-2024 budget equal approximately \$46.5 billion, while trust fund expenditures total approximately \$70.5 billion. The chart below compares expenditures between the SFY 2023-2024 budget and the previous year's budget for SFY 2022-2023 by fund type.

Budget Comparison by Fund Type	FY 2023 GAA	FY 2024 GAA	\$ Difference SFY 2023 vs. SFY 2024	% Difference SFY 2023 vs. SFY 2024
General Revenue	\$43,717,505,227	\$46,504,607,631	\$2,787,102,404	6.38%
Trust Funds	\$68,353,528,775	\$70,522,139,916	\$2,168,611,141	3.17%
All Funds	\$112,071,034,002	\$117,026,747,547	\$ 4,955,713,545	4.42%

COUNTY FUNDING HIGHLIGHTS

HEALTH AND HUMAN SERVICES

Shared County/State Juvenile Detention: The SFY 2023-2024 budget estimates the counties' portion of total Shared County/State Juvenile Detention to be \$70,389,066. This represents an estimated increase of \$7,787,506 from the current year's budget, or approximately 12%.

Community Substance Abuse and Mental Health Services: Funded at approximately \$1.517 billion in the budget.

Community Action Treatment (CAT) Teams: The SFY 2023-2024 budget allocates \$41.6 million, directed to DCF to contract with providers throughout the state for the operation of CAT teams, which provide community-based services for children (aged 11 to 21) with mental health and/or substance abuse diagnoses, this is the same budget as the previous fiscal year.

Public Safety, Mental Health, and Substance Abuse Local Matching Grant Program: The SFY 2023-2024 budget allocates \$9 million for the program, which supports county programs that serve adults or youth who are in behavioral crisis and at risk of entering the criminal justice system. This represents the same budget year funding as the previous fiscal year.

Crime Labs: The SFY 2023-2024 budget allocates slightly over \$69.8 million in grants and aids to local governments for criminal investigations, which represents an 11% increase over the previous fiscal year.

Homeless Programs Challenge Grants: The SFY 2023-2024 budget allocates approximately \$20 million, to DCF for challenge grants, which are awarded to lead agencies of homeless assistance continuums of care. Specifically, \$16.8 million in recurring funding is provided to support the Challenge Grant program through rapid rehousing and homelessness prevention services to vulnerable populations. This additional funding represents an increase from previous budget years.

Sheriff's Funding in Fiscally Constrained Counties: The SFY 2023-2034 budget allocates \$20.7 million is provided for salary increases for deputy sheriffs and correctional officers employed by sheriff's offices or boards of county commissioners in fiscally constrained counties.

AGRICULTURAL & ENVIRONMENT

Water Quality Highlights:

- **Septic-to-Sewer/Stormwater Improvements:** The SFY 2023-2024 budget allocates \$200 million, provides wastewater grant program for projects to construct, upgrade or expand wastewater facilities, to provide advanced wastewater treatment and to convert from septic to sewer, as established in section 403.0673, F.S.
- **Water Quality Enhancement and Accountability:** The budget allocates \$12.8 million for provided for increased water quality monitoring, the creation of a water quality public information portal, and for the establishment of the Blue-Green Algae Task Force. Funds may be used for administration and planning costs. The task force will support key funding and restoration initiatives to expedite nutrient reduction in Lake Okeechobee and the St. Lucie and Caloosahatchee estuaries. The task force will identify priority projects for funding that are based on scientific data and build upon Basin Management Action Plans (BMAPs) to provide the largest and most meaningful nutrient reductions in key waterbodies, as well as make recommendations for regulatory changes. The budget specifically allocates \$4,000,000 in nonrecurring funds is provided to the Department of Environmental Protection to continue to expand statewide water quality analytics for the nutrient over-enrichment analytics assessment and water quality information portal.
- **Water Quality Improvement Grant Program:**
 - Allocates \$50 million for reductions in harmful discharges to the Caloosahatchee and St. Lucie Estuaries (Everglades).
 - Allocates \$104.9 million for water quality improvement projects within the proximity of the Indian River Lagoon.
 - Allocates \$20 million for septic to sewer and wastewater projects, that will improve the water quality of Biscayne Bay.
- **Total Maximum Daily Loads:** The SFY 2023-24 budget allocates \$40 million for Total Maximum Daily Loads. Respectively to DEP for innovative water treatment projects that demonstrate the ability to most rapidly achieve department verified phosphorous and/or nitrogen load reductions consistent with the nutrient load reduction goals and total maximum daily loads established by the department. The department may also provide cost-share funding for innovative nutrient removal projects.

- **Harmful Algal Blooms:** The SFY 2023-24 budget allocates \$35.6 for innovative technologies and short-term solutions for addressing harmful algal blooms in fresh waterbodies; funds may also be used for the red tide emergency grant program and to support local government efforts in cleaning beach and coastal areas. Funds may also be used to implement water quality treatment technologies, identified by the department, near water control structures in Lake Okeechobee.
- **Springs Restoration:** The SFY 2023-24 budget allocates \$50 million from the Land Acquisition Trust Fund for land acquisition to protect springs and for capital projects that protect the quality and quantity of water that flow from springs.
- **Alternative Water Supply:** The SFY 2022-23 budget allocates \$60 million, to the water supply and water resource development grant program to help communities plan for and implement conservation, reuse and other water supply and water resource development projects. The House includes language to provide priority funding to regional projects in the areas of greatest need and for projects that provide the greatest benefit. The department shall identify and research all viable alternative water supply resources and provide an assessment of funding needs critical to supporting Florida's growing economy.

Florida Forever: \$100 million

Florida Recreation Development Assistance Grants: \$11.2 million.

Florida Communities Trust: \$15 million

Beach Management Funding Assistance

Program: The SFY 2023-24 budget allocates \$50 million provided to the Department of Environmental Protection for distribution to beach and inlet management projects consistent with any component of the comprehensive long-term management plan developed in accordance with section 161.161, Florida Statutes. Funds may be used in accordance with section 161.101, Florida Statutes, for projects on annual ranked lists, storm repair projects, or projects on lands managed by the state.

Additionally, \$106 million for beach erosion recovery projects related to Hurricanes Ian and Nicole, to fully fund DEP's Hurricanes Ian and Nicole Recovery Plan for Florida's Beach and Dune Systems.

Resilient Florida Trust Fund and programs: The SFY 2022-23 budget allocates \$300 million respectively to the allocated Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan, years one through three, as submitted to the

Governor, the President of the Senate, and the Speaker of the House of Representatives on December 1, 2022, pursuant to section 380.093(5), Florida Statutes. In the event that projects included in the plan are unable to continue or if excess funds are identified by completed projects, the department may reallocate funds to projects on its Statewide Flooding and Sea Level Rise Resilience Plan to the next project on the ranked list or to projects already funded in year one that have identified funding needs in subsequent years.

Additionally, an allocation of \$20 million is granted for planning grants to fund pre-construction activities.

Mosquito control programs: The SFY 2023-24 budget allocates \$2.7 million.

Piney Point - \$85 million appropriated to the department of Environmental protection to continue the stabilization, water treatment, and closure of the Piney Point facility.

Everglades Restoration: \$565 million

Florida Wildlife Corridor: In FY 23-24, \$850 million is appropriated to the Department of Environmental Protection to purchase lands for the Florida Wildlife Corridor, subject to appraisals and subject to the provisions of chapter 253, Florida Statutes, through the acquisition of the Caloosahatchee Big Cypress Land Acquisition Project (SF 3211) in whole or in part, and the acquisition of lands that are partially or wholly within the Ocala to Osceola (O2O) Wildlife Corridor within Alachua, Baker, Bradford, Clay, Columbia, Duval, Hamilton, Lake, Marion, Putnam, Union and Volusia counties. Lands purchased within the O2O Wildlife Corridor may only include lands that have been identified on the 2023 Florida Forever priority list approved by the Board of Trustees of the Internal Improvement Trust Fund on March 13, 2023.

TRANSPORTATION AND ECONOMIC DEVELOPMENT

Affordable Housing:

- **State Housing Initiatives Partnership (SHIP) program:** The Legislature appropriated \$252 million respectively, for the State Housing Initiatives Partnership (SHIP), as part of the affordable housing package signed into law, SB 102.
- **State Apartment Incentive Loan Program (SAIL):** The Legislature appropriated \$259 million for the State Apartment Incentive Loan Program (SAIL), as part of the affordable housing package signed into law, SB 102.

- **Hometown Heroes Housing Program:** \$100 million makes homeownership affordable for eligible frontline community workers such as law enforcement officers, firefighters, educators, healthcare professionals, childcare employees, and active military or veterans, as part of the affordable housing package signed into law, SB 102.

Job Growth Grant Fund: The SFY 2023-2024 budget allocates \$75 million.

Visit Florida: The SFY 2023-24 budget allocates \$80 million.

Small County Outreach Program (SCOP): The SFY 2023-24 budget allocates \$87.4 million. Specifically, \$9,000,000 is provided for transportation projects in municipalities pursuant to section 339.2818(7), F.S.

Small County Road Assistance Program (SCRAP): The SFY 2023-24 budget allocates \$28.4 million

TRANSPORTATION

Transportation Disadvantaged Grants and Aids: The SFY 2023-24 budget allocates approximately \$62.4 million. Specifically, \$6,000,000 is provided to the Transportation Disadvantaged Commission for a competitive grant program to provide innovative and efficient transportation service delivery. Funds shall be used to provide competitive grants to community transportation coordinators for innovative service delivery that is more cost efficient for the program and time efficient for the users. Grants may be for projects in which a community transportation coordinator works with a non-traditional service provider, such as a transportation network company or other entity that provides door-to-door, on-demand, or scheduled transportation services. A county may submit one project that encompasses multiple goals or a single goal, such as providing cross-county mobility or reducing service gaps between existing routes and the user's final destination. A county may not receive more than one award and may receive a maximum award of \$750,000. Multiple counties may partner for a grant of up to \$1,500,000 provided that the project includes a goal of providing regional mobility in addition to any other goals. A ten percent local match is required for all grants. All funds shall be used to provide direct services to transportation disadvantaged clients.

Aviation Development Grants: \$404.3 million

Public Transit Development Grants: \$551.9 million
Seaport Funding, Economic Development, Access Program, Grant Program, Investment Program: \$149.3 million

Rail Development Grants: \$239.4 million

Intermodal Development Grants: \$43.5 million

Transportation Planning Grants: \$74.6 million

Electric Vehicle Grant Program- Department of Transportation Work Program: \$61.4 million

County Transportation Programs: \$62.8 million

RURAL ECONOMIC DEVELOPMENT

- **Broadband:** The SFY 2023-24 budget allocate \$100 million for Florida's Broadband Equity, Access, and Deployment program (BEAD), which funds broadband Internet planning, deployment, mapping, equity, and adoption activities with a goal of providing high-speed, reliable broadband Internet service access to all Florida communities.
- **Digital Equity Grant Programs:** The SFY 2023-24 budget allocates \$12.9 million for the Digital Capacity grant to help support Local Technology Planning Teams for broadband Internet and public awareness for digital literacy efforts.
- **Rural Infrastructure Fund:** The SFY 2023-24 budget allocates \$30 million to support local rural infrastructure projects such as broadband, roads, storm and wastewater systems, and telecommunications facilities. Specifically, \$5,000,000 is provided as grant funding for the following Florida panhandle counties to facilitate the planning, preparing, and financing of infrastructure projects in these rural communities: Calhoun, Gadsden, Holmes, Jackson, Liberty, and Washington Counties. Eligible uses of these funds include roads or other remedies to transportation impediments; stormwater systems; water or wastewater facilities; and telecommunications facilities and broadband facilities. Grant funds are provided pursuant to section 288.0655(7), Florida Statutes.

GENERAL GOVERNMENT

Library Grants and Library Cooperatives: The SFY 2023-24 budget allocates \$21.5 million.

Fiscally Constrained County Funding: The SFY 2023-24 budget allocates \$58.1 million, to offset the impacts of previously approved constitutional amendments.

\$1.3 million is allocated to fiscally constrained conservation lands.

\$862,000 is provided to the Department of Management Services to cover the local match share of E-Rate for Fiscally Constrained Counties.

\$20.1 million for mitigating deficits in the Fiscally Constrained Counties and Fiscally Constrained Counties Conservation Lands.

Emergency Distributions: The SFY 2023-24 budget allocates \$33.8 million in emergency distributions revenue sharing for small counties from the Local Government Half-Cent Sales Tax Clearing Trust Fund.

Hurricane Ian and Nicole Relief: \$350 million respectively to provide resources to fund gaps in: mitigation of local and county revenue losses and operating deficits; infrastructure repair and replacement, including road, sewer, and water facilities; beach renourishment; and debris removal for hurricane and recovery of Hurricane and Nicole.

Cybersecurity: Allocates \$40 million in local government cybersecurity technical assistance grants. Department of Management Services will administer a competitive cybersecurity grant program that transfers nonrecurring financial assistance to local governments for the development and enhancement of cybersecurity risk management programs. Grants may include funding to establish cybersecurity risk management programs, adopt cybersecurity standards, and implement vulnerability mitigation. No funding is provided for the department to procure or manage cybersecurity capabilities on behalf of local governments.

IMPLEMENTING & CONFORMING BILLS

Appropriations Implementing and Conforming bills make certain changes to substantive law in order to implement the proposed General Appropriations Act. Implementing and Conforming Bill topics include:

SB 2502 – Implementing the General Appropriations Act

County Contributions to Medicaid: Section 27 of the budget implementing bill provides that local specially assessed funds used for direct payment program (DPP) payments made to hospitals serving Medicaid enrollees are not counted toward the state Medicaid expenditures. This provision is expected to save counties over \$18 M.

County Juvenile Detention Payments: Section 30 of the budget implementing bill provides that the Department of Juvenile Justice (DJJ) has a responsibility to review a county's juvenile detention cost sharing and may deduct from the shared revenue funds provided to counties in s. 218.23, F.S. for any county failure to meet their financial obligations under this section. The DJJ may make such deductions to the extent that it does not exceed a county's capacity to comply with bond covenants on any shared revenue distributions pledged for debt service.

Fertilizer Preemption: To implement specific appropriation 146, a county or municipal government may not adopt or amend a fertilizer management ordinance, pursuant to

s. 403.9337, Florida Statutes, which provides for a prohibited application period not in existence on June 30, 2023. This section expires in one year, July 1, 2024.

Specific Appropriation 146 of the GAA provides \$250,000 in nonrecurring funds to the University of Florida Institute of Food and Agricultural Sciences (IFAS) to evaluate the effectiveness of the timing of seasonal fertilizer restrictions on urban landscapes toward achieving nutrient target objectives for waterbodies statewide.

IFAS must submit a final report, including results and recommendations, by December 31, 2023, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

Beach Erosion Projects: \$106,000,000 is appropriated to the Department of Environmental Protection for beach erosion projects as identified in section 161.101 (22), Florida Statutes, related to damages from Hurricanes Ian and Nicole. To implement the appropriation, section 60, establishes the State and local participation in authorized projects and studies relating to beach management and erosion control (s.161.101, F.S.). For beaches in Brevard, Broward, Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee, Martin, Nassau, Palm Beach, St. Johns, St. Lucie, Sarasota, and Volusia Counties, impacted by Hurricane Ian or Hurricane Nicole, the department may waive or reduce the match requirements for local governments. This subsection expires July 1, 2024.

CONFORMING BILLS

SB 7024: Florida Retirement System: The conforming bill for the Florida Retirement System raised employer contribution rates into the fund. The legislature ultimately adopted the Senate's contribution figures over the House.

SB 7024 – Retirement by Appropriations passed in the House (113-0) and in the Senate (39-0). The bill makes several substantive changes to the Florida Retirement System (FRS) and provides the 2023-24 Contribution rates by class. The total County impact of SB 7024 will be \$325 M, compared to an estimated \$1.187B in HB 239, the House companion.

The \$325 M impact includes:

- Impact of Normal Rate Adjustment
- Impact of Unfunded Liability Adjustment
- Impact of Reduced Special Risk Retirement Date
- Impact of additional 2% Contribution for Investment Plan Participants
- Impact of DROP eligibility extension from 60 to 96 months
- Impact of Removal of Restrictive DROP Window
- Impact of increased interest rate on DROP funds from 1.3% to 4%

- Increased Health Insurance Subsidy
- Does not include the Cost of Living Adjustment of 3%
(Was not included in final language)

CONTRIBUTION RATES

CLASS	FY 2022-23	FY 2023-24
Regular	5.96%	6.73%
Special Risk	16.44%	18.66%
Special Risk Administrative	10.77%	11.54%
Elected Officers (Legislators)	9.31%	10.45%
Elected Officers (Judges)	14.41%	14.90%
Elected Officers (County Officers)	11.30%	12.39%
Senior Management	7.70%	8.56%
DROP	7.79%	8.49%

Employer normal contribution rates for each membership class of Florida Retirement System (For both the Defined Benefit and Defined Investment plans) are amended as shown above.

To address the unfunded actuarial liabilities (UAL) of the Florida Retirement System, the bill amends the current contribution rates for each membership class as follows:

UNFUNDED ACTUARIAL LIABILITY

CLASS	FY 2022-23	FY 2023-24
Regular	4.23%	4.78%
Special Risk	9.67%	11.95%
Special Risk Administrative	26.16%	26.22%
Elected Officers (Legislators)	56.76%	50.21%
Elected Officers (Judges)	27.64%	27.93%
Elected Officers (County Officers)	43.98%	44.23%
Senior Management	22.15%	23.90%
DROP	9.15%	10.64%

ANNUAL TAX PACKAGE PASSES ON FINAL DAY

HB 7063, the Ways and Means' committee's comprehensive tax package, passed both chambers unanimously. The bill contains the following provisions pertaining to counties:

- Limits county authority to levy special assessments on land classified as agricultural, with the exception of bonded assessment revenues. This prohibition does not apply to non-agricultural structures on the property.
- Requires counties to go to referendum to impose additional tourist development tax levies. It also extends statutory authority to use a percentage of tourist development revenues for public safety/law enforcement purposes to all fiscally constrained counties.
- Increases the discrepancy thresholds for a property appraiser to challenge a value adjustment board (VAB) decision in circuit court.
- Requires that any referendum for specified taxes must coincide with a general election, and may only take place once within 48 months prior to reenactment/increase of the tax.
- "Freezes" local communications services tax (CST) rates at their current level until January 1, 2026.
- Provides additional guidelines for property owners to receive a property tax refund following a catastrophic event rendering their residence uninhabitable.
- Appropriates \$35 million to offset the reductions in local property tax revenues from complying with s. 197.3181, F.S., directing counties to issue prorated property tax refunds to property owners whose homes were rendered uninhabitable by Hurricane Ian or Nicole.
- A number of sales tax holidays of varying impacts to local government revenues.

FAC STAFF



DAVIN J. SUGGS
Deputy Executive Director
dsuggs@flcounties.com



BOB McKEE
Deputy Director of Public Policy
bmckee@flcounties.com



JEFF SCALA
Senior Associate Director
of Public Policy
jscala@flcounties.com



EDDY LABRADOR, ESQ.
Legislative Counsel
elabrador@flcounties.com



JASON MANN
Public Policy Coordinator
jmann@flcounties.com



SARA HENLEY
Policy Analyst
shenley@flcounties.com



JARED GRIGAS
Policy Analyst
jgrigas@flcounties.com



All About Florida

100 S Monroe Street, Tallahassee FL 32301
(850) 922-4300

flcounties.com



@flcounties /flcounties @flcounties