

## 2024 Legislative Session Final Report

### **Preemptions/Mandates: FAILED**

#### **County Commissioner Term Limits Fails**

HB 57 / SB 438 (Ingoglia) - *Term Limits* by Rep Salman /Sen Ingoglia passed their respective committees in each chamber but ultimately died on the floor.

The Senate bill passed its first committee with no amendments. In Senate Community Affairs, the bill was amended to require eight-year term limits mandated by the state for all non-charter counties and all charter counties without term limits in their charts. For Broward, Polk, and Lee counties, who all have twelve-year term limits, a question was put on the ballot asking whether the county should restrict commissioner terms to eight years.

The Senate bill was then temporarily postponed twice in Senate Rules Committee, the second time after the bill was amended to establish five different groups of counties that would each be treated differently under the bill.

The Senate version that finally passed out of Senate Rules Committee contained the following provisions:

- Requires each non-charter county, each charter county without term limits, and each charter county with term limits longer than 8 consecutive years to hold a referendum election that coincides with the 2024 general election to determine if term limits will be imposed on the office of county commissioner.
- For non-charter counties and charters without term limits, the referendum question will state: Should County commissioners be prohibited from serving longer than 8 consecutive years? Followed by yes and no options for response.
- For charter counties with 12-year term limits, the referendum question will state: Currently, the (county name) County charter prohibits commissioners from serving longer than 12 consecutive years. Should the county reduce the term limits for county commissioners to 8 consecutive years? Followed by yes and no options for response.
- If voters reject the referendum required under the bill for the 2024 election, the county is authorized to call a referendum in future general elections for voters to consider county commissioner term limits.
- Clarifies that service before the 2026 general election in a county without existing term limits that adopts an 8-year term limit during the 2024 general election does not count towards the 8-year term limit until 2026.
- Beginning November 3, 2026, a county commissioner who completes 8 years of consecutive service must sit out for 2 years before running for another county commission seat, including a different district or at-large seat.
- A county commissioner voted into office on November 5, 2024, or who is serving in office under a county charter imposing a 12-year term limit and the voters

approve an 8-year term limit at the referendum mandated in the bill, will be allowed to serve out all 12 years.

- If a person is voted into office on or after November 5, 2024, in a charter county that moves from 12-year to 8-year term limits during the November 5, 2024 election, the newly elected commissioner is subject to the 8-year term limit.

The House Sponsor originally filed the bill as a constitutional amendment, which she then withdrew.

Rep. Salzman then filed a general bill calling for eight-year term limits imposed by the state for all non-charter counties and charter counties without term limits in their charter, as well as for the three charter counties that had twelve-year term limits.

That version was amended in its first committee to set twelve-year term limits for all non-charter counties and charter counties without term limits in their charter. It was then amended at its last committee hearing back to eight-year term limits mandated by the state for all non-charter counties and all charter counties without term limits in their charts. For Broward, Polk, and Lee counties, who all have twelve-year term limits, a question was put on the ballot asking whether the county should restrict commissioner terms to eight years.

### **Agritourism Preemption Fails**

HB 339 / SB 696 – *Agritourism* by Rep. Roth / Sen. Rodriguez failed this session. Both bills were never heard in their committee references.

Current law preempts local governments from prohibiting or otherwise regulating agritourism practices on land classified as agricultural. This bill sought to expand the agritourism preemption by:

- Prohibiting a local government from requiring a certificate of use for agricultural facilities or agritourism venues; and sunseting existing ordinances or regulations one year after the bill's effective date.
- Prohibiting a local government from limiting any state-regulated agritourism activities, including any brewery, winery, and distillery operations on agricultural property.

### **Municipal Utility Rate Reform Fails**

HB 47 / SB 104 – *Municipal Water and Sewer Utility Rates* by Rep. Robinson / Sen. Jones failed this session. HB 47 passed all committee stops but was never considered on the floor, while SB 104 died in its last committee stop, Senate Rules.

Current law authorizes a municipality providing water or sewer utility services to consumers outside of its municipal boundaries to charge those extra-jurisdictional consumers a surcharge of up to 25%. This bill provides an exception, requiring a municipality to charge consumers outside of its municipal boundaries the same rate it

charges within its boundaries, if it uses a recipient municipality's utility facilities while providing water and services.

### **Rent Control Measure Fails**

HB 31 / SB 64 – *Landlords and Tenants* by Rep. Edmonds / Sen. Osgood failed this session. These bills were never heard in committee.

This bill makes significant changes to the landlord-tenant relationship, including a cap on rent increases. The bill limits rent increases to once per year, and any rent increase is limited to 30% of the current rent. Exceptions are made for new rental agreements and situations where landlords face high unexpected costs. Additionally, landlords, excluding those of single-family homes or duplexes, must provide essential amenities like pest control, security features, garbage disposal, and basic utilities.

The bill further addresses rental agreement terminations. Landlords can terminate the agreement if rent remains unpaid for over 3 days, excluding weekends and certain holidays. Even if partial payment is made, landlords can proceed with termination unless the balance is cleared within 15 days. In cases of disputes, tenants must deposit owed rent in the court's registry within a specified timeframe or forfeit most defenses, allowing landlords an expedited eviction process.

### **Detention Center Pregnancy Rights Fails**

SB 100 / HB 237- *Pregnant Women in Custody* by Rep. Jones / Sen. Hart failed this session. These bills were never heard in committee.

Requires each municipal detention facility or county detention facility to administer a pregnancy test to women who are arrested and not released on bond 72 hours after the arrest. The facility also must let females know of their rights to request this test within the initial 72 hours and administer the test within 24 hours after the request. This bill also requires the facility to collect and report data and record it to DOC, DOC will publish this data quarterly on its public website. This data includes: the total number of pregnant women whose sentences stayed, the total number of births and stillbirths, the gestational age and birth weight of each infant at the time of birth or stillbirth, the total number of women who experience complications, and the type of complication, the total number of miscarriages, the total number of women who refuse to provide information regarding their outcome. This information published must exclude personal identifying information.

### **Monument Removal Restriction Fails**

HB 395 / SB 1122 – *Protection of Historical Monuments and Memorials* by Rep. Black / Sen. Martin. HB 395 was never heard in its second committee stop, while SB 1122 was never heard in its last committee stop.

Local Governments may only temporarily relocate a Historical Monument or Memorial due to the construction, expansion, or alteration of public buildings, roads, streets, highways, or any other construction or infrastructure project for up to 12 months. It must be placed back in its original spot or as close as possible if the original spot is not available. An entity may not remove a monument or memorial from public property without authorization from the owner of the monument or memorial. Any official, agent, or member of local government who directs, permits, facilitates, or votes to remove or destroy a monument or memorial is subject to a fine of up to \$1,000. An elected official acting in his or her official capacity who knowingly and willingly violates this is subject to removal from the governor. If a monument or memorial is removed, damaged, or destroyed by a local government, the local government shall be liable for restoring the monument or memorial to its original condition. If the local government does not have these funds, the state shall restore the monument or memorial and withhold from the local government all arts, culture, and historical preservation funds until the state is reimbursed. HB 395 would apply to any monuments or memorials that have been removed, damaged, or destroyed on or after 1/1/18 (retroactively), while SB 1122 applies beginning 7/1/24.

#### **Virtual Office Fee Limit Fails**

HB 503 / SB 578 – *Limitation on Local Fees for Virtual Offices* by Rep. Fabricio / Sen. Ingoglia failed this session. HB 503 passed all committee stops but was never considered on the floor, while SB 578 was never heard in its first committee stop.

The bill prohibits counties, municipalities, or other local governmental entities from enacting or maintaining any ordinance or rule that imposes a tax, charge, fee, or any other financial obligation specifically related to the utilization of a virtual office.

#### **Local Business Tax Cap Fails**

HB 609 / SB 1144 – *Local Business Taxes* by Rep. Botana / Sen. DiCeglie failed this session. HB 608 passed all committee stops but was never considered on the floor, while SB 1144 was never heard in its first committee stop.

The bill provides a limitation on the amount of revenue a local government may receive from local business taxes based on the revenue the local government received in local Fiscal Year (FY) ending September 30, 2023, or September 30, 2024, whichever is greater. If a local government receives more local business tax revenue than it did in the base year, the local government must proportionally reduce its tax rates and must issue refunds or credits to taxpayers. The bill provides guidance on how those refunds and credits must be calculated and when they must occur.

The bill requires local governments to include an affidavit in their annual financial audit report to the Auditor General attesting to compliance with the requirement to reduce rates and issue refunds, if needed. The Auditor General must follow up with any local governments not in compliance and report those local governments to the Legislative Auditing Committee if the noncompliance continues.

### **Dredge and Fill Preemption Fails**

HB 527 / SB 664 – *Land and Water Management* by Rep. Maggard / Sen. Burgess failed this session. These bills were never heard in committee.

This legislation would preempt the regulation of dredge and fill activities to the Department of Environmental Protection (DEP). Also requires a local government to acquire, through eminent domain, any buffer zones for which the county land or water delineations exceed delineation determinations by DEP or the water management districts.

### **Greater Millage Increase Threshold Fails**

HB 1195 / SB 1322 – *Millage Rates* by Rep. Garrison / Sen. Ingoglia failed this session. HB 1195 died in Senate messages, while SB 1322 was never heard in its last committee stop.

The bill provides that a two-thirds vote of the governing body of a county, municipality, or independent special district is required to pass any millage rate increase, except where a higher vote threshold is already required under current law.

### **Preemptions/Mandates: PASSED**

#### **Broad Employment Regulations Preemption Passes**

HB 433 – *Employee Regulations* by Rep. Esposito (SB 1492 by Sen. Trumbull) passed this session.

The bill enacts certain preemptions related to employment regulations. Specifically, the bill:

- Prohibits a county, municipality and other political subdivisions from using its purchasing or contracting processes to control or affect the wages or employment benefits provide by its vendors, contractors, service providers, and other parties doing business with such political subdivisions.
- Prohibits local governments from using evaluation factors, qualification of bidders, or otherwise award preferences on the basis of the wages or employment benefits provided by vendors, contractors, service providers, and other parties doing business with such political subdivisions.

- Repeals the authorization in s. 218.077(3)(a)2., that allows a local governments to require specified employers that contract to provide the local government with goods or services, including the employers' subcontractors, to pay their employees a minimum wage other than the state or federal minimum wage, or employment benefits not otherwise required under state or federal law.
- Provides that the amendments to s. 218.077, F.S., made by the bill do not impair any contracts entered into before September 30, 2026.
- Prohibits local government from adopting or enforcing any ordinance, resolution, order, rule, policy, or contract requirement regulating scheduling, including predictive scheduling, by a private employer, except as expressly authorized or required by state or federal law, rule, regulation, or federal grant requirements.

In addition to the above (which are effective September 30, 2026), the bill also preempts the regulation of workplace heat exposure requirements. Specifically, the bill defines the following terms: "Competitive solicitation," "Heat exposure requirement," and "Political subdivision." The bill prohibits any political subdivision from establishing, mandating, or otherwise requiring an employer to meet or provide heat exposure requirements. The bill also prohibits a political subdivision from awarding a preference in a competitive solicitation based on an employer's heat exposure requirements, and may not consider or request information about an employer's heat exposure requirements.

The bill provides that it does not:

- Limit the authority of a political subdivision to establish or provide heat exposure requirements not otherwise required by state or federal law for its direct employees.
- Apply if it is determined that compliance would prevent the distribution of federal funds to the political subdivision or would otherwise be inconsistent with federal requirements pertaining to receiving federal funds, but only to the extent necessary to allow the political subdivision to receive federal funds or to eliminate the inconsistency with federal requirements.

Effective date: Except as otherwise provided, July 1, 2024.

### **Local Preferences Preemption Passes**

HB 705 – *Public Works Projects* by Rep. Shoaf (SB 742 by Sen. Grall) passed this session.

The bill expands the definition of "public works project" and revises the applicability of prohibitions on restrictive bidding practices by the state or its political subdivisions.

- Under current law, a "public works project" includes construction projects funded in part or whole by state-appropriated funds. The bill revises the definition to also include projects paid for with local funding.
- Current law also preempts certain "local preferences" within the procurement phase of a public works project. This includes consideration of geographic

location, wage rates, benefits, staffing levels, and recruiting or hiring from preferred sources.

- The bill would expand these preempted activities to projects involving local funds—however, a local government may still practice geographic preferences if it is the sole funding source of the project. Currently, goods, services, or work that is incidental to the public works project and other such incidental service items are excluded from this preemption.

Effective date: July 1, 2024

### **Business Impact Statement Expansion Passes**

SB 1628 – *Local Government Actions* by Sen. Collins (HB 1547 by Rep. McClure) passed this session.

The bill modifies the exemption in s. 125.66(3) and s. 166.041(4), F.S., relating to Part II of Chapter 163, F.S. Current law requires the preparation of a business impact statement for the enactment of certain ordinances, though growth management actions under part II of Ch. 163, F.S. were previously exempt from this requirement. The bill removes this exemption for certain growth management actions—however, the following growth-related activities remain exempt from this requirement:

- Issuance of development permits
- Comprehensive plan and land development regulation amendments initiated by a private party other than the county

Effective date: October 1, 2024

### **Electric Fence Requirements Passes**

HB 535 – *Low – Voltage Alarm System Projects* by Rep. Snyder (SB 496 by Sen. Perry) passed this session.

The bill clarifies that a nonelectric fence must enclose the outside perimeter of a low-voltage electric fence, which must be two feet higher than the nonelectric perimeter fence or wall. The bill specifies a low-voltage electric fence is allowed in any area except an area that is zoned exclusively for single-family or multifamily residential use. An area that is within more than one zoning category is not considered to be zoned exclusively for single-family or multifamily residential use. In addition, the bill further clarifies that counties, municipalities, special districts, or other local governments may not provide additional requirements for the installation or maintenance of a low-voltage alarm system project pursuant to s. 553.793, F.S., or that is otherwise inconsistent with this statutory section. Effective date: July 1, 2024

### **Local Employee Base Salary Increase Passes**

SB 958 – *Local Government Employees* by Sen. Martin (HB 505 by Rep. Truenow) passed this session.

The bill raises the statutory base salary rates for tax collectors and district school superintendents by \$5,000. The bill also:

- Allows tax collector employees to be eligible for a lump-sum monetary benefit for adopting a child from the child welfare system;
- Allows county tax collectors to budget for and pay a hiring or retention bonus to employees, if such expenditure is approved by the Department of Revenue or board of county commissioners; and
- Allows district school boards to contract with the county tax collector for a tax collector employee to administer road tests for driver licensure on school grounds at schools within the district.

Effective date: July 1, 2024

### **Law Enforcement Complaint Preemption and Sheriff Pay Raise Passes**

HB 601 – *Law Enforcement and Correctional Officers* by Rep. Duggan (SB 576 by Sen. Ingoglia) passed this session.

The bill establishes the uniform handling of complaints against law enforcement and correctional officers by preempting local regulation. The bill allows a county sheriff or municipal chief of police to establish a civilian oversight board to review the policies and procedures of his or her office and its subdivisions. Boards created by the sheriff or municipal chief of police must be composed of at least three and up to seven members appointed by the sheriff, one of which shall be a retired law enforcement officer. Late floor amendments provided an additional \$5,000 base salary pay raise for sheriffs in each population category, which was recently amended in 2022 by an additional \$5,000.

Also, the bill declares the Legislature's intent for uniform application of procedures regarding the receipt, processing, and investigation of complaints against officers across the state. In addition, the bill prohibits counties, municipalities, special districts, or other political subdivisions from enacting or enforcing measures regarding the handling of officer misconduct complaints. Lastly, the bill bars local entities from creating or enforcing any rules related to civilian oversight in the investigation of officer misconduct complaints. Effective Date: July 1, 2024

### **Government-Issued ID Restriction Passes**

HB 1451 – *Identification Documents* by Rep. Michael (SB 1174 by Sen. Ingoglia) passed this session.

The bill prohibits a county or a municipality from accepting as identification any identification card or document that is issued by any person, entity, or organization that



knowingly issues identification cards or documents to individuals who are not lawfully present in the United States. This prohibition does not extend to any documentation that is issued by or on behalf of the Federal Government. Effective Date: July 1, 2024

### **Demolition Limitation Prohibition for Unsafe Structures Passes**

SB 1526 – *Local Regulation of Nonconforming and Unsafe Structures* by Sen. Avila (HB 1647 by Rep. Roach) passed this session.

This bill creates the Resiliency and Safe Structures 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;
- Structures or buildings determined to be unsafe by a local building official; and
- Structures or buildings ordered to be demolished by a local government that has proper jurisdiction.

The bill provides that a local government must authorize replacement structures for qualifying buildings to be developed to the maximum height and overall building size authorized by local development regulations for a similarly situated parcel within the same zoning district. The bill prohibits a local government from imposing certain restrictions and limitations on a replacement structure to be built on the property where a qualifying structure was demolished. A local government may only administratively review an application for a demolition permit for compliance with the Florida Building Code, the Florida Fire Prevention Code, and the Life Safety Code, or local amendments thereto, and any regulation applicable to a similarly situated parcel. The local government may not impose additional local land development regulations or public hearings on an applicant for a permit under this bill.

The provisions of the bill do not apply to:

- Structures or buildings individually listed in the National Register of Historic Places;
- Single-family homes;
- Contributing structures or buildings within a historic district which was listed in the National Register of Historic Places before January 1, 2000;
- Structures or buildings located on a barrier island in a municipality with a population of less than 10,000 according to the most recent decennial census and which has at least six city blocks that are not located in zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map issued by the Federal Emergency Management Agency.

Effective date: Upon becoming law.

### **Private Parking Preemption Expansion Passes**

HB 271 – *Motor Vehicle Parking on Private Property* by Rep. Lopez and Rep. Busatta Cabrera (SB 388 by Sen. Garcia) passed this session.

This bill clarifies the current preemption on local governments regarding the parking of motor vehicles on private property. The bill imposes additional restrictions on private parking facility owners and operators concerning signage and location of parking rules, parking charges and fees, imposition of late fees, appeal processes, prohibiting the transfer, sale, or offers to sell personal information of parking facility users to third parties, and exemptions for lodging parks, mobile home parks, and recreational vehicle parks under certain conditions. Effective date: July 1, 2024

### **Agriculture & Rural Affairs: PASSED**

#### **Rural Grant Waiver of Local Match Passes**

HB 141- *Economic Development* by Rep. Abbott (SB 196 by Sen. Simon) passed this session. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan.

Removes local match requirements within the Regional Rural Development Grant program. FAC supported this provision as part of its 2024 Legislative Action Plan. Current law requires a 25% non-state match by the recipient regional economic development organization. The bill also removes several eligibility requirements including:

- Demonstration of need by the applicant
- Proof by each respective unit of local government of financial or in-kind commitment to the regional organization
- Demonstration of private-sector involvement within the regional organization;

The final bill also authorizes Triumph Gulf Coast Inc., a Deepwater Horizon oil spill response organization, to retain interest earned on funds in its trust account for administrative or award purposes. Effective date: July 1, 2024

#### **Rural Hospital Licensing Measure Passes**

SB 644 – *Rural Emergency Hospitals* by Sen. Simon (HB 309 by Rep. Shoaf) passed this session.

The bill designates “rural emergency hospitals” (REH) as a new classification of hospital license, potentially eligible for federal reimbursement and Medicare facility payments. This effort represents a response to the closure of several rural hospitals across the state, due to lower service volume and reimbursement rates.

A rural emergency hospital is expected to meet the following criteria:

- Certified as an REH by the Department of Health and Human Services
- Does not provide inpatient services, with the exception of a distinctly licensed skilled nursing unit to furnish post-hospital extended care services

- Has a transfer agreement in place with a Level I or II trauma center
- An emergency department staffed 24/7
- 50 or fewer beds OR has been licensed as a “critical access hospital”

The bill also prospectively requires health plans to cover rural emergency hospital services to the same extent that they would cover general hospital services.

Effective date: July 1, 2024

### **Agricultural Worker Housing Preemption Passes**

SB 1082 – *Housing for legally Verified Agricultural Workers* by Sen. Collins (HB 1051 by Rep. Tuck) unanimously passed this session.

The bill precludes a government entity from restricting the construction or installation of housing for agricultural workers on land classified as agricultural. Local governments are, however, authorized to require the following of a housing site:

- Meets all federal, state, and local building standards, including Department of Health (DOH) migrant farmworker living standards
- Must be maintained in a neat, orderly, and safe manner;
- May not exceed the lesser of 1.5 percent of the property’s area or 35,000 square feet
- 50-foot setbacks on all sides
- May not be located less than 250 feet from a property zoned for residential use;
- Provide screening consisting of tree, wall, berm or fence coverage at least six feet in height, if the structure is within 500 feet of a residential-zoned parcel
- Cover access drives with dust-free material such as packed shell or gravel.

Such housing structures constructed prior to July 1, 2024 are not required to meet these requirements, unless the structure is altered or expanded. Housing structures are to be removed if agricultural operations cease for 365 days (following a 180 day notice period by the local government to resume operations) or if the DOH housing permit is revoked.

Effective date: July 1, 2024

### **Agriculture & Rural Affairs: FAILED**

#### **Anti-Trespassing Bill Fails but Added to FDACS Package**

SB 188 / HB 119 – *Trespass on Commercial Agricultural Property* by Sen. Brodeur / Rep. Melo failed this session. SB 188 was never heard in its second committee stop, while HB 119 was withdrawn prior to introduction.

The bill establishes trespassing on designated commercial agricultural property as a third-degree felony. The bill would have applied to an offender who entered a property with criminal intent. The bill required the property’s agricultural status to be clearly

advertised under the bill's signage requirements. **Note:** While this bill failed to pass in standalone form, the language was substantially incorporated into the FDACS package, SB 1084 (Collins), which did pass.

### **Food Recovery Incentive Fails**

SB 1422 / HB 1159 – Food Recovery by Sen. Burgess / Rep. Roth failed this session. SB 1422 passed all committee stops but was never considered on the floor, while HB 578 died in Senate messages.

Directs the Department of Agriculture and Consumer Services to provide incentives to food producers to sell food products to food recovery entities at a discounted price. Food recovery entities may negotiate prices of fresh food products, before being reimbursed by DACS pursuant to current law.

### **Community & Urban Affairs: PASSED**

#### **Transit Spending Cap Passes in Omnibus Bill**

HB 287 – *Transportation* by Rep. Esposito (SB 266 by Sen. Hooper) passed this session.

The bill addresses changes to current laws related to transportation. Specifically, the bill:

- Provides the Florida Department of Transportation (FDOT) may not annually commit more than 20 percent of the revenues derived from state fuel taxes and motor vehicle license-related fees deposited into the State Transportation Trust Fund to public transit projects. However, FDOT may annually exceed this 20 percent revenue threshold for any of the following:
  - A public transit project that uses revenues derived from state fuel taxes and motor vehicle license-related fees to match funds made available by the Federal government.
  - A public transit project included in the transportation improvement program adopted pursuant to s. 339.175(8), F.S., and approved by a supermajority vote of the board of county commissioners or the governing board of a consolidated county and city government where the project is located.
  - A bus rapid transit or rail project that would result in maintaining or enhancing the level of service of the state highway system along the corridor of the project, provided state funds do not exceed 50 percent of the nonfederal cost-share and the percentage of the local share.
- Increases from five to eight the number of Department of Highway Safety and Motor Vehicles (DHSMV)-approved Basic Driver Improvement course elections that are allowed in a lifetime for a person without a commercial driver license or commercial learner's permit who is cited for a noncriminal moving violation while driving a noncommercial motor vehicle.

- Requires DHSMV to annually review changes made to major traffic laws of this state and to require course content for certain driving courses to be modified accordingly.
- Amends the law relating to public-private transportation facilities and partnerships to align with industry terms and practices and to improve current processes.
- Revises a provision in current law relating to the use of reclaimed asphalt pavement material.
- Adds phased design-build contracts to the requirements that FDOT receive at least three letters of interest in order to proceed with a request for proposals and that FDOT requests proposals from no fewer than three of the firms submitting letters of interest.
- Amends the surety bond requirement for phased design-build contracts.
- Provides in law, rather than as a requirement in an FDOT contract, that a motor vehicle used for the performance of road or bridge construction or maintenance work on an FDOT project must be registered in compliance with Chapter 320, F.S.
- Shortens the deadline for a claimant to institute an action, except an action for recovery of retainage, against the contractor or surety to within 365 days after performance of the labor or completion of delivery of the materials or supplies, rather than within 365 days after the final acceptance of the contract work by FDOT.
- Amends provisions relating to the limitation on liability of FDOT and its contractors.
- Amends provisions relating to the previous property owner's right of first refusal for property that FDOT acquired but subsequently determined is no longer needed for a transportation facility.
- Amends provisions relating to funding the fire station at mile marker 63 on the Alligator Alley toll road.
- Codifies the Local Agency Program (LAP) within FDOT.
- Modifies DOT, contractor, or design engineer immunity to liability in a civil action.

Effective date: July 1, 2024

### **Department of Transportation Reform Passes**

HB 1301 – *Department of Transportation* by Rep. Abbott and Rep. Barfield (SB 1226 by Sen. DiCeglie) passed this session.

The bill addresses matters related to the Florida Department of Transportation. Specifically, the bill:

- Revises the Florida Department of Transportation's (FDOT) areas of program responsibility.
- Removes obsolete language that requires the FDOT secretary to appoint FDOT's inspector general.
- Changes the time period a prepaid toll account can remain dormant from three years to ten.

- Provides a new restriction that FDOT may not expend any state funds to support a project or program of a public transit provider, authority, public-use airport, or a port if that entity violates s. 381.00316 relating to health care requirements
- Provides that the remainder of the revenues deposited into the State Transportation Trust Fund (STTF) derived from the registration of motor vehicles must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Allows FDOT to enter into a service contract with the Florida Department of Transportation Financing Corporation to finance projects identified in the Moving Florida Forward Infrastructure Initiative in the Work Program.
- Requires that any lane elimination or lane repurposing, recommendation, or application relating to public transit projects must be approved by a two-thirds vote of the transit authority board in a public meeting with a 30-day public notice and that any action of eminent domain for acquisition of public transit facilities carried out by a public transit provider must be discussed by the public transit provider at a public meeting with a 30-day public notice.
- Provides that the remaining unallocated New Starts Transit Program funds as of June 30 of each fiscal year, must be reallocated for the purpose of the Strategic Intermodal System.
- Provides that each public transit provider, by November 1, 2024, during a public meeting must annually certify that its budgeted and general administration costs are not greater than 20 percent above the annual state average of administrative costs for its respective tier; present a line-item budget report of its budgeted and actual general administration costs; and disclose all salaried executive and management level employees' total compensation packages, ridership performance and metrics, and any gift accepted in exchange for contracts.
- Provides requirements for marketing and advertising by a public transit provider.
- Provides infractions for a person cycling, walking, or driving a vehicle approaching a railroad-highway who violates the regulation provided in the bill.

Effective date: July 1, 2024

### **Minor Curfew and Employment Measure Passes**

HB 49 – *Employment* by Rep. Chaney (SB 1596 by Sen. Burgess) passed this session.

The bill clarifies that workers 15 or younger may not work longer than 15 hours a week when school is session. With respect to 16- and 17-year-olds, the bill clarifies that such minors may not work after 11:00 p.m. when school is scheduled the next day, work more than 8 hours a day except when the workday is a holiday or Sunday, and except when such minor's parent, custodian, or school superintendent or designee waives the limitation, work longer than 30 hours a week when school is in session. Provides workers 15 or younger may not work longer than 6 consecutive days in any one week. Provides that workers 15 and younger are entitled to a 30 minute interval for a meal period after more than 4 hours of continuous work. Provides that workers aged 16 or 17

are entitled to a thirty minute break after four hours if they are to work eight hours or longer.

The bill expands the exemptions from the work restrictions for 16- and 17-year-olds who are in a home education program or enrolled in an approved virtual instruction program. The bill further allows the Department of Business and Professional Regulation to waive the work restrictions on minors, and clarifies applicable punishment for employers that violate the work restrictions of minors.

Effective date: July 1, 2024.

### **Public Camping Guidelines Pass**

HB 1365 – *Unauthorized Public Camping and Public Sleeping* by Rep. Garrison (SB 1530 by Sen. Martin) passed this session.

This bill creates s. 125.0231, F.S., to prohibit a county or municipality from authorizing or otherwise allowing any person from regularly engaging in public camping or sleeping on any public property, public building, or public right-of-way under the county's or municipality's jurisdiction, unless the county designates property for such purposes. As passed, the bill:

- Defines the terms "Department," and "Public camping and sleeping."
- Prohibits a county or municipality from authorizing or otherwise allowing any person to regularly engage in public camping or sleeping overnight on public property including, but not limited to, public buildings, its grounds, and any public right of way under the jurisdiction of the county or municipality.
- By a majority vote of the county's governing body may approve a designated area of public property to be used for purposes of public camping or sleeping for a continuous period of no longer than one year. If the designated property is within the boundaries of a municipality, this approval is contingent upon the consent of the municipality by a majority vote of its governing body.
- A county designation is not effective until the department certifies the designation. In order to obtain this certification, a county must submit a request to the secretary of the department certifying and providing documents proving the following:
  - There are not sufficient open beds in homeless shelters in the county for the homeless population.
  - The designated property is not contiguous to a property designed for residential use by the county or municipality in the local government comprehensive plan and future land use map.
  - The designated property would not adversely and materially affect the property value or safety of existing residential property, commercial property, or children within the county or municipality.
  - The county has developed a plan to satisfy the minimum standards and procedures that a designated property must comply with under the bill.
- Upon receiving a county request to certify a designation, the department shall notify the county of the date of receiving the request and of any omission or error within 10 days. Within 45 days of a complete application submission, they shall

certify the designation; if the department takes no action, the application is deemed certified on the 45<sup>th</sup> day.

- If a county designated county or municipal property to be used for public camping or sleeping, it must maintain the minimum standards:
  - Ensure the safety and security of the designated property.
  - Maintain sanitation: at a minimum, providing access to clean and operable restrooms and running water.
  - Coordinate with the regional managing entity to provide access to behavioral health services which must include substance abuse and mental health treatments.
  - Prohibit and enforce illegal substance use and alcohol use within the property.
- Requires the governmental entity to post on its publicly accessible website the minimum standards and procedures governing the public property within 30 day of receiving the certification.
- The department may inspect the property at any time and the DCF Secretary may send notice recommending the designated property's closure if standards are not being met. If a notice of closure is received, the notice must be published on the county's and municipality's public accessible website within 5 business days of receipt.
- Exempts fiscally constrained counties or municipalities from having to comply with specified minimum standards and procedures required under the bill.
- A resident of the county, an owner of a business located in the county, or the Attorney General may bring a civil action in any court of competent jurisdiction against the county or applicable municipality for violating the prohibition on public camping or sleeping on public property. A prevailing resident or business owner in a civil action may recover reasonable expenses incurred in bringing the civil action, including court costs, reasonable attorney fees, investigative costs, witness fees, and deposition costs.
- Requires that a person who applies for an injunction must provide an affidavit attesting that he or she:
  - Has provided notice of such a violation to the county or municipality;
  - The county or municipality failed to cure the violation within five business day;
  - The county or municipality has failed to take all reasonable actions within the limits of its governmental authority to cure the alleged violation within five business days of receiving written notice.
- The bill does not apply when the governor or the county has declared a state of emergency.
- Determines and declares the bill fulfills an important state interest ensuring the health, safety, welfare, quality of life, and aesthetics of Florida communities while simultaneously making adequate provision for the homeless population of the state.

Effective date: October 1, 2024, except that s. 125.0231(4), F.S., the injunction action provision, takes effect on January 1, 2025 and applies to causes of action accruing on or after such date.



### **Vacation Rental Preemption Passes**

SB 280 – *Vacation Rentals* by Sen. DiCeglie (HB 1537 by Rep. Griffiths) passed this session.

This bill implements regulations for vacation rentals, including registration, inspection, and operation guidelines, and mandates advertising platforms to collect and remit taxes on rentals. These regulations include:

- Requires Advertising Platforms to collect and remit tax
- Requires counties that Self-Administer Tourist Development Taxes to allow advertising platforms register, collect and remit the tax
- Allows for ordinances adopted prior to June 1, 2011 to be amended to be less restrictive
- Provides for new requirements for local registration of Vacation Rentals
- Allows local government to require registration of vacations rentals
- Allows for reasonable fees per unit to process or renew a registration
- As part of the registration, a local government may require:
  - Identifying information about the owner and the operator of the vacation rental and designate and maintain at all times a responsible contact available 24 hours a day
  - Proof of license issued by DBPR and that all required tax registration has been obtained
  - Payment in full all outstanding code liens
  - maximum occupancy not to exceed two persons per bedroom plus an additional two persons per common area.
  - These requirements do not apply to a county that had adopted an ordinance prior to January 1, 2016
- Allows for the fining and suspension of a local registration under certain conditions

Effective date: July 1, 2024

### **"Live Local" Affordable Housing Follow-Up Passes**

SB 328 – *Affordable Housing* by Sen. Calatayud (HB 1239 by Rep. Lopez) passed this session.

This bill amends various provisions of the Live Local Act (act), passed during the 2023 Regular Session, which made substantial changes and additions to affordable housing-related programs and policies at both the state and local levels.

As it pertains to the act's preemption of certain local zoning and land use regulations to expedite the development of affordable housing, the bill:

- Prohibits local governments from restricting the intensity of a proposed development below 150 percent of the highest currently allowed FAR under the local government's land development regulations.
- Revises the prohibition on restricting the height of a qualifying development when the development is adjacent to a single-family residential use to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property, or three stories, whichever is higher.
- Prohibits qualifying developments within one-quarter mile of a military installation from utilizing the act's administrative approval process and exempts certain airport impacted areas from the act's provisions.
- Clarifies that a local government's "currently allowed" density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations.
- Requires developments authorized under the act to be treated as a conforming use even after expiration of the development's affordability period and after the expiration of the applicable statutes.
- Modifies parking reduction requirements for qualifying developments located near certain transportation facilities.
- Requires local governments to publish on its website a policy containing procedures and expectations for the administrative approval of qualifying developments.
- Clarifies that only the affordable units in a qualifying development must be rental units.
- Requires a qualifying development within a transit-oriented development or area to be mixed-use residential.
- Clarifies provisions concerning local government bonuses for height, density, and floor area ratio for qualifying developments. As it pertains to the act's ad valorem tax exemptions for newly constructed multifamily developments, the bill makes the following changes:
  - Requires 10 units, rather than 70 units, to be set aside for income-limited persons and families in Florida Keys to qualify for the exemption.
  - Clarifies that the Florida Housing Finance Corporation's (FHFC) duties are ministerial in certifying eligibility for exemption, while local property appraisers maintain authority to grant tax exemptions.
  - Outlines the method for property appraisers to determine values of tax exempt units.

The bill also aligns certain provisions of the local option property tax exemption with the exemption for newly constructed developments for consist application of the law. Finally, the bill appropriates \$100 million in non-recurring funds from the General Revenue Fund to the FHFC to administer the Florida Hometown Hero Program and makes one programmatic change, and expands the authority for the FHFC to preclude developers from participating in its programs for certain violations.

Effective date: Upon becoming a law.

### **Vehicle-for-Hire Licensing Preemption Passes**

HB 377 – *License or Permit to Operate a Vehicle for Hire* by Rep. Borrero (SB 648 by Sen. DiCeglie) passed this session.

As passed, the bill specifically:

- 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 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.

Effective date: July 1, 2024

### **Building Permit Review Legislation Passes**

HB 267 – *Building Regulation* by Rep. Esposito (SB 684 by Sen. DiCeglie) passed this session. FAC staff worked with proponents to make numerous changes to the filed bill to provide efficiencies in building permit reviews.

The bill provides one statutory framework for the approval of building permits. While the bill shortens the existing timeframes, or shot clocks, for building permit review, the bill allows flexibility for local governments in requesting additional information of the applicant to ensure compliance with the building code and provide a consistent framework for application “curing”. Local governments are able to establish the review procedure within this shot clock that best fits its department’s needs by publishing the requirements on its website. This will lead to a better customer-service relationship between the building departments and the applicants they serve. The bill includes an additional use of carry-forward funds for technology, such as artificial intelligence, that will greatly reduce the timeframes for review to help achieve the reductions in shot clocks.

Specifically, the bill provides a number of revisions to current law pertaining to the standards and timeframes for local governments to follow for the issuance of building permits. Specifically, the bill requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within the following timeframes:

- 30 business days for the following permits for structures that are less than 7,500 square feet: single-family residential unit or dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanism, plumbing, or roofing.
- 60 business days for the above-mentioned permits for structures more than 7,500 square feet.
- 60 business days for signs and nonresidential buildings less than 25,000 square feet.
- 60 business days for multifamily residential not exceeding 50 units, certain site-plan approvals and subdivision plats, and lot grading and site alteration.
- 12 business days for master building permits for site-specific building permits.
- 10 business days for plans that have been approved by a private provider who is a licensed architect or engineer affixes his or her professional seal to the affidavit.
- 10 business days for single-family dwellings utilizing the Community Development Block Grant-Disaster Recovery Program.

The bill establishes a new “Curing Process” for insufficient applications and provides a framework for responding to insufficient application within 10 business days. The curing process will provide 10 days for applicant to respond and final 10 days for local government approve or deny the permit.

The bill modifies provisions requiring local governments to refund permit fees. Along with modifications to the permit process timeframes, the bill also amends other portions of the Florida Building Code including:

- Expanding the examination eligibility requirements for a person seeking licensure as a building code inspector or plans examiner.
- Simplifying the process for installing replacement windows, doors, and garage doors by exempting the need for sealed drawings by design professionals.
- Requiring local governments to adopt standard operating audit procedures regarding private provider audits.

Effective date: Except as otherwise provided, January 1, 2025

### **Advanced Community Construction Program Passes**

SB 812 – *Expedited Approval of Residential Building Permits* by Sen. Ingoglia (HB 665 by Rep. McClain) passed this session.

The bill requires certain counties to establish a development program with a two-step process for obtaining a preliminary and final plat. The program allows developers to

begin the construction process prior to the issuance of final plat. The bill provides numerous protections for local governments as it relates to indemnification and performance bonds to hold the developers accountable. Several jurisdictions in Florida currently operate similar programs. Please see below for a full description of the bill.

By October 1, 2024, the bill requires a governing body of a county that has 75,000 residents or more and any governing body of a municipality that has 25 acres or more of contiguous land that is designated in its comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes, to create a program to expedite the process for issuing building permits for residential subdivisions or planned communities before a final plat is recorded with the clerk of the circuit court. The bill specifies that by December 31, 2027, these programs must be updated to allow for up to 75% of planned homes or building permits. A county subject to the designation of the Florida Keys as an area of critical state concern in s. 380.0552, F.S., which is Monroe County, is exempt from the act.

The bill requires the governing body of certain municipalities and counties to create:

- A two-step application process for the adoption of a preliminary plat and for a final plat in order to expedite the issuance of building permits related to such plats. The application must allow an applicant to identify the percentage of planned homes that the governing body must issue, but not less than 50 percent of the applicable building permits for the residential subdivision or planned community indicated in the preliminary plat. The governing body must maximize its administrative processes to expedite the review and approval of applications, plats, and plans.
- A master building permit process consistent with existing master building permit application requirements for applicants seeking multiple building permits for residential subdivisions or planned communities. The bill provides that a master building permit issued pursuant to this requirement is valid for three consecutive years after its issuance or until the adoption of a new Building Code, whichever is earlier. After a new Florida Building Code is adopted, the applicant may apply for a new master building permit, which, upon approval, is valid for three consecutive years.

The bill allows an applicant to use a private provider to expedite the application process for building permits after a preliminary plat is approved under the provisions of the bill. Additionally, the bill requires a governing body to establish a registry of at least three “qualified contractors,” as defined in the bill, whom the local government may use to supplement staff resources in ways determined by the governing body for processing and expediting the review of an application for a preliminary plat or related plans. Such qualified contractor may not have a conflict of interest with the applicant.

The bill allows a governing body to work with appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in an application. The bill allows an applicant to contract to sell, but not transfer ownership of, a residential structure or

building located in the residential subdivision or planned community until the final plat is approved by the county's or municipality's governing body and recorded in the public records by the clerk of the circuit court. The bill provides that an applicant for a building permit may not obtain a temporary or final certificate of occupancy for each residential structure or building until the final plat is approved by the governing body and recorded in the public records.

The bill requires an applicant to indemnify and hold harmless the governing body and its agents and employees from damages accruing and directly related to the issuance of a building permit for a residential building or structure located in the residential subdivision or planned community before the approval and recording of the final plat by the governing body. This includes damage resulting from fire, flood, construction defects, and bodily injury. However, such indemnification does not extend to governmental action that infringes on the applicant's vested rights.

An applicant has a vested right in a preliminary plat that has been approved with conditions by a governing entity, if all of the following conditions are met:

- The applicant relies in good faith on the approved preliminary plat; and
- The applicant incurs obligations and expenses, commences construction of the residential subdivision or planned community, and is continuing in good faith with the development of the property.

Upon the establishment of an applicant's vested rights a governing body may not make substantive changes to the preliminary plat without the applicant's written consent. The bill defines other terms used in the act including "Applicant," "Final plat," "Local building official," "Plans," and Preliminary plat."

Effective date: Upon becoming law.

### **Domestic Iron and Steel Protection Passes**

SB 674 – *United States – Produced Iron and Steel in Public Works Projects* by Sen. Boyd (HB 779 by Rep. Griffiths, Jr.) passed this session.

This bill requires governmental entity entering into a contract for a public works project or for the purchase of materials for a public works project must include in the contract a requirement that any iron or steel product permanently incorporated in the project be produced in the United States. The bill waives the contract requirement when a government entity administering the funds or the purchase of the materials determines the following:

- Iron and Steel produced in the United States are not of sufficient quantities, reasonably available, or of satisfactory quality;
- Iron and Steel products produced by the United States will increase total cost by 20 percent; or
- Compliance is inconsistent with the public interest.

The bill permits the minimal use of foreign steel and iron materials if such materials are incidental or ancillary to the primary product, the materials are not separately identified in the project specifications, and the cost of such materials does not exceed one-tenth of one percent of the total contract cost or \$2,500, whichever is greater. Additionally, the bill provides that electrical components, equipment, systems, and appurtenances, including supports, covers, shielding, and other appurtenances related to an electrical system, necessary for operation or concealment, except transmission and distribution poles, are not considered iron or steel products and are exempt from the bill's requirements.

The bill provides that state law must be applied in a manner consistent with the state's obligations under any international agreement and may not be construed to impair any such obligations. The bill further requires the Department of Management Services to develop guidelines and procedures by rule to implement the bill, except in public works projects administered by FDOT, in which case FDOT must develop guidelines and procedures by rule.

Effective date: July 1, 2024

### **Food Delivery Preemption Passes**

SB 676 – *Food Delivery Platforms* by Sen. Bradley (HB 1099 by Rep. Melo) passed this session.

CS/SB 676 expressly preempts the regulation of food delivery platforms to the state. The bill prohibits a food delivery platform from taking and arranging for the delivery or pickup of orders from a food service establishment without the express consent of that food service establishment. The food service establishment's consent must be in either a written or electronic format. A food delivery platform must itemize and clearly disclose to the consumer the cost breakdown of each transaction and specifies the information that must be disclosed. The food delivery platform must provide the consumer with information about the delivery, including the anticipated date and time of the delivery of the order. The food delivery platform must provide a food service establishment with a method of contacting the consumer at different intervals – from preparing the order up to two hours following an order pickup from the food service establishment – and a method for responding ratings or reviews by a consumer. A food delivery platform must remove a food service establishment's listing on the platform within 10 days after the food establishment's request absent an agreement between the two parties. The bill specifies the matters to be included in an agreement between a food delivery platform and a food service establishment but such agreement may not include any provision requiring a food service establishment to indemnify a food delivery platform, its employees, contractors, or agents for damages or harm by acts or omissions of the platform, employees, contractors, and agents. The bill prohibits a food delivery platform from unreasonably limiting the value or number of transactions that may be disputed by a food establishment relating to orders, goods, or delivery errors. The DBPR's Division of Hotels and Restaurants is authorized to enforce the bill's provisions upon finding probable cause of a violation, issuing a cease and desist order, filing an injunction or writ of mandamus action against a food delivery platform that violates the division's

cease and desist notice, and if the division prevails to collect reasonable attorney fees and costs, and any costs of collection. The division may also issue a civil penalty against a food delivery platform not exceeding \$1,000 for violating s. 509.103, F.S., or the division's rules, after written notice and 7 business days to cure the violation. Finally, the bill appropriates \$287,322 in recurring and \$22,183 in nonrecurring funds, along with three positions to DBPR to implement the bill.  
Effective date: Upon becoming law.

### **Property Rights Litigation Reform Passes**

SB 702 – *Attorney Fees and Cost* by Sen. Martin (HB 1167 by Rep. Yarkosky) passed this session.

In a civil action brought against the owner of a parcel of real property to resolve a property rights dispute, the court may award reasonable attorney fees and costs to the prevailing defendant if the improvements made to the property by the defendant property owner were made in substantial compliance with, or in reliance on, environmental or regulatory approvals or permits issued by a political subdivision of the state or a state agency. For purposes of the bill, the term “property rights” includes, but is not limited to, use rights, ingress and egress rights, and those rights incident to land bordering upon navigable waters as described in the riparian rights statute.  
Effective date: July 1, 2024

### **Comprehensive Consumer Protection Package Passes**

HB 939 – *Consumer Protection* by Rep. Griffiths (SB 1066 by Sen. Burton) passed this session.

The bill makes changes related to consumer protection, including:

- News source and public figure blacklisting: an agency or local governmental entity may not use, or allow a contractor to use, the list of ratings of an entity that develops new source blacklisting or public figure blacklisting to decide which new source or which public figure receives information from the agency or local government entity for further distribution to the public.
- Form 1099-K Reporting Requirements: third-party settlement organizations, like PayPal or Apple Pay, that conduct transactions involving a payee with a Florida address must create a method for payees to identify transactions for goods and services and report that information to the Florida Department of Revenue.
- Bad Faith Termination of Account Access by Financial Institutions: allows a customer or member of a financial institution who reasonably believes a financial institution has restricted account access in bad faith to file a complaint with the Office of Financial Regulation.
- Protection of Specified Adults: allows a financial institution to delay a disbursement or transaction from an account of a vulnerable adult for a specified



time period if the financial institution suspects financial exploitation of such vulnerable adult.

- **Contracts for Roof Repairs Following Emergencies:** requires that a contractor that enters into a contract to replace or repair the roof of residential property during a declared state of emergency by the Governor include specific language in the contract that allows the property owner to cancel the contract by the earlier of ten days following execution or the official start date that the work on the roof will commence; the property owner must send notice of cancellation by certified mail or another form that provides proof of mailing.
- **Depository Institutions:** expands the definition of depository institution in commercial financing disclosure law.
- **Continuing Education Requirements for Certified Public Accountants:** requires that the certified public accountant (CPA) that prepares the audit that an insurer submits to the Office of Insurance Regulation as part of its annual report must have completed at least four hours of insurance -related continuing education during each two-year continuing education cycle.
- **Public Adjusters:** requires that public adjusters' contracts for property and casualty claims contain the license numbers of the public adjusting firms by which they are employed.
- **Notice of Change in Policy Terms:** requires that the renewal notice sent to the named insured containing changes in policy terms must be presented in a bold typeface of not less than 14 points.
- **Short-term Health Insurance:** updates the disclosures that must be provided to a purchaser of a short-term plan; also requires that purchasers of short-term plans receive the required disclosures in writing or electronically and sign them.
- **Loss Assessment Coverage:** establishes that a notice of a claim for loss assessment coverage may not occur later than 3 years after the date of loss and must be provided to the insurer no later than certain dates specified in the bill.
- **Fireworks Safety Standards:** updates the state standards for outdoor display of fireworks to the current edition of the National Fire Protection Association 1123, Code for Fireworks Displays.

Effective date: July 1, 2024

### **Agriculture Package Passes with Electric Vehicle Charging Station Preemption**

SB 1084 – *Department of Agriculture and Consumer Services* by Sen. Collins (HB 1071 by Rep. Alvarez) passed this session.

The bill preempts the regulation of electric vehicle charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations. The department will create rules to provide requirements for electric vehicle charging stations to allow for consistency for consumers and the industry.

This bill makes many changes to regulatory activities of the Department of Agriculture and Consumer Services (department). Amongst many other provisions the bill:

- Prohibits and creates penalties for the manufacture for sale, sale, hold or offer for sale, or distribution of cultivated meat in this state and provides it is a violation to knowingly violate this section.
- Prohibits the willful destroying, harvesting, or selling of saw palmetto berries on private or public land without the written permission of the landowner, provides penalties for violations, and grants rulemaking authority to the department.
- Provides criminal penalties for trespassing on land classified as commercial agricultural property.

Effective date: Except as otherwise provided, July 1, 2024

### **Traffic Enforcement Reform Passes**

SB 1464 – *Traffic Enforcement* by Sen. Calatayud (HB 1363 by Rep. Bussatta Cabrera) passed this session.

This bill creates additional requirements governing the installation and use of traffic infraction detectors, commonly known as red light cameras. Specifically, the bill provides:

- A county or municipality must enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors installed on or after July 1, 2025.
- A county or municipality operating traffic infraction detectors must annually report the results of all traffic infraction detectors within the county's or municipality's jurisdiction.
- Before a county or municipality contracts or renews a contract to place or install traffic infraction detectors, the county or municipality must approve the contract or contract renewal at a regular or special meeting of the county's or municipality's governing body.
- The bill provides requirements for the public hearing on a proposed ordinance and the annual reporting relating to traffic infraction detectors.
- The compliance or sufficiency of compliance with the above reporting requirement may not be raised in a proceeding challenging specified traffic violations enforced by a traffic infraction detector.

Additionally, the bill provides that a county or municipality that does not comply with the specified reporting requirements are suspended from operating traffic infraction detectors until such noncompliance is corrected. The bill requires municipalities and counties operating traffic infraction detectors to report specified information to the Department of Highway Safety and Motor Vehicles (DHSMV). DHSMV must publish each of these reports on its website. The bill prohibits counties or municipalities from using a contract procured with a governmental entity outside this state for any camera system used to detect traffic infractions.

The bill prohibits a governmental entity from knowingly entering into or renewing a contract for a camera to enforce traffic infractions where the contracting vendor is

owned by the government of a foreign country of concern, or a foreign country of concern has a controlling interest in the contracting vendor.

Effective date: July 1, 2024

### **Military Installation Bill Passes**

HB 1407 – *Marine Encroachment on Military Operations* by Rep. Altman (SB 1720 by Sen. Rodriguez) passed this session.

The bill adds various annexes and a range to the list of major military installations that have a greater potential for experiencing compatibility and coordination issues with local government planning than others. These include the annexes across Boca Chica Key and Key West as well as the Fleming Bay/Patton Water Drop Zone training range used by the Army Special Forces Underwater Operations School that are a part of Naval Air Station Key West.

Effective date: July 1, 2024

### **Department of Commerce Agency Package Passes**

SB 1420 – *Department of Commerce* by Sen. Burgess (HB 1419 by Rep. Tuck) passed this session.

The bill predominantly changes statutes impacting the Department of Commerce (DCM). However, a late amendment provided a restriction on certain citizen-led county charter amendments. The bill provides that a citizen-led county charter amendment that is not required to be approved by the board of county commissioners preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter that was lawful and in effect on January 1, 2024.

This bill makes the following changes that impact the DCM:

- Specifies that a citizen-led county charter amendment that is not required to be approved by the board of county commissioners preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter that was lawful and in effect on January 1, 2024.
- Provides that if the local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within 10 working days after the final adoption hearing.
- Deletes an outdated requirement that the Florida Sports Foundation must continue amateur sports programs previously conducted by the Florida Governor's Council on Physical Fitness and Amateur Sports.

- Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years and directs the DCM to amend existing loans executed before Feb. 1, 2024, in order to increase the loan term to a total of 10 years from the original date of execution.
- Requires the DCM to establish a direct-support organization (DSO); renames the Florida Defense Support Task Force; provides for organizational composition; revises the mission of the DSO; requires the DSO to operate under a contract with the DCM; revises the due date for the annual report; and provides a repeal date of October 1, 2029.
- Creates a Supply Chain Innovation Grant Program within the DCM; requires the DCM to jointly select grants with the Florida Department of Transportation; requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to review the program by January 1, 2027, and every three years thereafter; and provides the program expires June 30, 2034.
- Revises the term “businesses” to include healthcare facilities and allied healthcare opportunities, and revises the funding priority purposes to provide that healthcare facilities, in addition to hospitals, operated by nonprofit or local government entities that provide opportunities in healthcare, are eligible for the funding under the Incumbent Worker Training Program.
- Specifies that board members of the Workforce Innovation and Opportunity Act are voting members of the state workforce development board.
- Specifies that a homeowner’s association’s proposed revised declaration of covenants and articles of incorporation and bylaws must be submitted to the DCM within 60 days after obtaining valid written consent from a majority of the affected parcel owners or within 60 days after the date the documents are approved by affected parcel owners by a vote at a meeting.

Effective date: Except as otherwise provided, July 1, 2024

### **Monroe County TDT Limited Authorization for Affordable Housing**

SB 1456 - *Counties Designated as Areas of Critical State Concern* by Sen. Rodriguez (HB 1297 by Rep. Mooney) passed this session.

SB 1456 focuses on amendments to current law, specifically addressing the Florida Keys and the City of Key West Areas of Critical State Concern. The bill:

- Revises criteria for hurricane evacuation clearance times.
- Allows land authorities to enforce income limitations on land conveyed for affordable housing, ensuring compliance through perpetual deed restrictions.
- Grants exemptions to counties or municipalities designated as areas of critical state concern within the past five years, from certain requirements regarding local housing assistance trust funds.
- Permits counties designated as areas of critical state concern, levying tourist development and tourist impact taxes, to use surplus funds accumulated until September 30, 2024, for affordable housing initiatives. The usage is capped at

\$35 million and requires approval by the county commissioners. Affordable housing must cater to private sector tourism-related employees and remain available for a minimum of 99 years.

### **Local Utility Measure Passes Extending Public Records Exemption Sunset Date**

SB 7006 – *OGSR / Utility Owned or Operated by a Unit of Local Government* by Sen. Hooper (HB 7047 by Rep. Porras) passed this session.

This bill saves from repeal the current public records exemptions making exempt from public inspection and copying requirements the following information held by a local government-owned or operated utility:

- Information related to the security of the technology, processes, or practices that are designed to protect the utility's networks, computers, programs, and data from attack, damage, or unauthorized access, which information, if disclosed, would facilitate the alteration, disclosure, or destruction of such data or information technology resources.
- Information related to the security of existing or proposed information technology systems or industrial control technology systems, which, if disclosed, would facilitate unauthorized access to, and alteration or destruction of, such systems in a manner that would adversely impact the safe and reliable operation of the systems and the utility.
- Customer meter-derived data and billing information in increments less than one billing cycle.

The bill also saves from repeal the current public meetings exemption for any portion of a meeting that would reveal the information described above. The exemptions are necessary to protect the security of business and residential municipal utility customers, and to protect sensitive information regarding security measures in place to protect technologies, processes, and practices designed to secure data, information technology systems, and industrial control technology systems.

Unless saved from repeal by the Legislature, these exemptions are scheduled to repeal on October 2, 2024. The bill removes the scheduled repeals to continue the exempt status of the information and relevant portions of the meetings. However, the public records and public meetings exemptions relating to cybersecurity will be subject to a new repeal date of October 2, 2027.

Effective date: October 1, 2024

### **Occupational Licensing Temporary Fix Passes**

SB 1142 – *Occupational Licensing* by Sen. Hooper (HB 1579 by Rep. Mooney) passed this session. A late amendment provided an extension of the occupational licensing preemption for an additional year to July 1, 2025. The Construction Industry Licensing Board (CILB) will have an additional year to provide state requirements for the issuance of certain specialty construction contracting licenses. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan.

This bill amends s. 489.117, F.S., relating to the registration of specialty contractors, to authorize registered contractors in good standing who have been registered with a local jurisdiction during calendar years 2021, 2022, or 2023, to qualify for a registration when the local jurisdiction has determined not to continue issuing local licenses or exercising disciplinary oversight over such licensees.

The bill requires the CILB to issue licenses to eligible applicants in the circumstances specified in the bill and pushes the grandfathering date for voluntary licensure to July 1, 2025.

To be eligible for registration under these circumstances, an applicant must provide:

- Evidence of the prior local registration during 2021, 2022, or 2023;
- Evidence that the local jurisdiction does not have a license type available for the category of work for which the applicant was issued a certificate of registration or local license during 2021, 2022, or 2023, which may include a notification on the website of the local jurisdiction or an e-mail or letter from the local building department;
- The required application fee; and
- Compliance with the insurance and financial responsibility requirements for contractors under current law.

Effective date: July 1, 2024

### **Community & Urban Affairs: FAILED**

#### **Local Lobbying Restrictions Fails**

SB 734 / HB 735 – *Government Accountability* by Sen. Ingoglia / Rep. Andrade failed this session. SB 734 was never heard in its last committee stop, while HB 735 died on final passage on the House floor.

This bill makes various changes related to ethics regulations for local governments. Specifically, the bill:

- Prohibits certain state and local officials from soliciting or accepting anything of value from a foreign country of concern.
- Establishes requirements for lobbyist registration for individuals lobbying local governments by:
  - Requiring a person to register as a lobbyist solely with the State Commission on Ethics if he or she wishes to lobby a county, municipality, or special district.
  - Making the State Commission on Ethics solely responsible for naming persons registered to lobby a county, municipality, or special district in a public database and requiring the State Commission on Ethics to publish registrations of such persons on its website.
  - Mandating that all required documentation and information involving the filing, amending, or canceling of a registration to become a lobbyist to

- lobby a county, municipality, or special district be filed with the State Commission on Ethics.
- Requiring that the State Commission on Ethics be the entity to receive and investigate all complaints involving violations of the lobbying registration requirements to lobby a county, municipality, or special district.
- Requiring that the State Commission on Ethics report its findings and recommendations from its investigations of complaints to the chief executive officer of the applicable county or municipality, or the governing body of the special district.
- Allowing the chief executive officer of the county or municipality, or the governing body of the special district, to enforce the State Commission on Ethics' findings and recommendations involving complaints.
- Making the bill provisions preempt and supersede any ordinary charter provision that establishes a lobbyist registration program adopted before July 1, 2024.
- Provides that certain local government employee contracts shall not be renewed, extended, or renegotiated within 8 months of a general election for members of the applicable governing body.

### **Municipal Utility Rate Reform Fails**

HB 777 / SB 1088 – *Municipal Water or Sewer Utility Rates, Fees, and Charges* by Rep. Brackett / Sen. Martin failed this session. HB 777 was never heard in its second committee stop, while SB 1088 was never heard in its first committee stop.

The bill requires a municipality providing water or sewer service to consumers outside of the municipality's boundaries to charge those consumers rates, fees, and charges that are just and equitable and are the same rates, fees, and charges for consumers inside of the municipal boundaries. The bill requires a public hearing prior to the municipality fixing any rates, fees, or charges for consumers outside of the municipal boundaries. Each affected municipality must conduct a rate study prior to January 1, 2027, and every seven years thereafter. The bill eliminates the ability of a municipality providing water or sewer service outside of its boundaries to charge any surcharge.

### **Development Restrictions Fails**

HB 1221 / SB 1184 – *Land Use and Development Regulations* by Rep. McClain / Sen. Ingoglia failed this session. HB 1221 was never heard on the House floor, while SB 1184 was never heard in its first committee stop.

The bill:

- Revises definitions within the Community Planning Act;
- Provides requirements for self-storage facility expansions;
- Establishes criteria for approval of infill residential developments;
- Revises data sources used in consideration of the comprehensive plan and plan amendments;

- 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;
- Prohibits optional elements of a comprehensive plan from restricting the density or intensity established in the future land use element;
- Requires applications for infill development to be administratively approved in certain circumstances;
- Revises the procedure for adoption of small-scale comprehensive plan amendments;
- Allows a final order or decision regarding historically significant property made by a local historic preservation board or commission to be appealed to the applicable board of county commissioners.

### **MPO Reform Fails**

SB 1032 / HB 7049 – *Transportation* by Sen. Gruters / Rep. McFarland failed this session. SB 1032 was never heard in its last committee stop, while HB 7049 died in Senate Appropriations.

The bill addresses matters related to transportation. Specifically, the bill:

- It requires a specified working group to develop performance and production measures used by the Florida Transportation Commission and expands the commission's .
- Amends laws relating to railroad-crossing offenses and increases penalties for such offenses.
- Provides express authority for local governments to impose minimum age requirements, require possession of a government-issued photographic identification, and provide training relating to electric bicycles, motorized scooters, and micromobility devices.
- Amends requirements relating to Florida Department of Transportation (FDOT) landscaping expenditures.
- Revises requirements for advisory board membership of the Center for Urban Transportation Research (CUTR) and the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) and requires specified reports from CUTR and I-STREET.
- Repeals the Metropolitan Planning Organization Advisory Council and requires FDOT to, at least annually, convene M.P.O.s of similar size for the purpose of exchanging best practices.
- Requires that training for new M.P.O. governing board members be provided by FDOT and by either CUTR or I-STREET.
- Allows greater voting membership for M.P.O.'s that merge.
- Revises transportation planning processes for M.P.O.'s.
- Allows each M.P.O. to execute with FDOT a written agreement that clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law.



- Requires FDOT to establish M.P.O. quality performance metrics, evaluate M.P.O. reports relating to meeting its target for the performance measure, and post on FDOT's website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.
- Requires, by February 2025, the M.P.O.s serving Lee and Collier counties to submit a report considering the feasibility of consolidation into a single M.P.O.
- Requires, by October 31, 2024, FDOT to submit a report to the Governor and Legislature that provides a comprehensive review of the boundaries of each of FDOT's districts.
- Requires, by October 1, 2024, the Department of Highway Safety and Motor Vehicles to begin implementation of a redesigned standard state license plate.

### **Towing Price Ceiling Promptly Withdrawn**

SB 110 – *Price Controls* by Sen. Jones failed this session. SB 110 was withdrawn prior to introduction.

This bill strips counties and municipalities of general law authority to set the maximum rates for the towing of vehicles and vessels from a wrecker service.

### **New Towing Provisions Fail**

HB 199 – *Wrecker and Towing – storage Operators* failed this session by Rep. Smith. HB 199 was withdrawn prior to introduction.

This bill amends provisions for wrecker and towing-storage operators, ensuring fair practices and access within Florida.

- Prohibits the exclusion of wrecker operators from the authorized wrecker operator system based solely on a prior felony conviction, except for forcible felonies.
- Establishes procedures and requirements for acquiring a bond to release liens on vehicles and vessels, and allows for the award of court costs and attorney fees under certain conditions.
- Defines terms relevant to towing and storage operations and specifies fees that a towing-storage operator can charge.
- Requires towing-storage operators to accept specific payment methods and eliminates some law enforcement and Department of Highway Safety and Motor Vehicles requirements regarding towing and storage.
- Updates the timeframe for selling unclaimed vehicles or vessels and revises the procedure and timeframe for sending notices of lien.

- Specifies conditions under which storage charges can be imposed and requires operators to allow inspection and release of towed vehicles and vessels under certain conditions.
- Revises the administrative fee a lienor can charge and mandates towing-storage operators to maintain certain records for three years.
- Aligns provisions in multiple sections to these changes and clarifies the exclusive remedy for certain liens and foreclosure procedures.

### **Towing and Storage Reform Fails**

SB 202 / HB 213 – Towing and Storage by Sen. Rodriguez / Rep. Smith failed this session. SB 202 was never heard in any of its committees, while HB 213 was withdrawn prior to introduction.

This bill Introduces amendments and new provisions to the Florida Statutes regarding the recovery, towing, and storage of vehicles and vessels.

- Defines "newer model", "older model", and "towing-storage operator".
- Authorizes towing-storage operators to charge specific fees and limits lien placement to these fees.
- Revises law enforcement and Department of Highway Safety and Motor Vehicles' vehicle and vessel removal requirements.
- Mandates towing-storage operators meet notice requirements for interested persons regarding vehicles or vessels.
- Modifies notice of lien requirements and notice to public agencies timelines.
- Adjusts the timeframe for selling certain unclaimed vehicles or vessels.
- Prohibits towing-storage operators from collecting storage charges if notice requirements are not substantially met.
- Requires vehicles or vessels be made available for inspection within a specified timeframe after ownership verification.
- Bars vehicle or vessel rental agreements from serving as proof of ownership or agency.
- Obliges towing-storage operators to accept certain documents as evidence of interest in a vehicle or vessel.
- Revises criminal penalties related to towing and storage.
- Mandates towing-storage operators maintain specific records for a minimum period and accept certain payment types.
- Prohibits requiring more than one form of photo identification for identity verification during payment.

### **Electric Vehicle Wrecker-Operator Guidelines Fail**

SB 332 / HB 661- *Wrecker Operator* by Sen. Burgess / Rep. Caruso failed this session. SB 332 was never heard in its second committee stop, while HB 661 was never heard in any of its committees.

This bill requires counties to establish maximum rates that may be charged by a wrecker operator for the storage of electric vehicles that is at least three times the rate that is charged for the cost of a vehicle stored that is powered by gasoline or diesel. If a vehicle is stored for more than 30 days, the person, entity, or agency that required it to be held at the storage facility is financially responsible for the daily cost of storing the vehicle after 30 days. A wrecker operator may charge fair and reasonable fees plus 10 percent for the cleanup, containment, and disposal of pollution and hazardous materials. This bill also clarifies the duties of recovery, towing, or storing of vehicles and vessels by adding governmental entities in addition to law enforcement.

### **New Affordable Housing Parking Requirements Fail**

SB 386 – *Affordable Housing Parking Requirements* by Sen. Osgood failed this session. SB 386 was never heard in any of its committee stops.

This bill requires counties to reduce parking requirements for a proposed development when 75 percent of the proposed development is considered affordable housing and is located within half a mile of a major transportation hub and is accessible from the development. A major transportation hub is considered a bus, train, or light rail station that contains mixed-use development and multi-transportation fully integrated within such station.

### **Trees Trimming Preemption Repeal Fails**

SB 122 – *Trees on Residential Property* by Sen. Stewart failed this session. SB 122 was never heard in any of its committee stops.

This bill repeals s. 163.045, F.S., preempting local governments from regulating the trimming, pruning, and removal of trees on residential properties.

### **Code Enforcement Officer Measure Fails**

SB 506 – *Code Enforcement Officers* by Sen. Wright failed this session. SB 506 was never heard in any of its committee stops.

The bill:

- Defines "code enforcement officer" in line with s. 162.21, including a "code inspector" as in s. 162.04.
- Reclassifies assault or battery committed against code enforcement officers, among others, while on duty, elevating the severity of charges:

- Assault charges are increased from a second-degree misdemeanor to a first-degree misdemeanor.
- Battery charges are elevated from a first-degree misdemeanor to a third-degree felony, with a minimum six-month imprisonment for battery committed in furtherance of a riot.
- Aggravated assault is reclassified from a third-degree felony to a second-degree felony, imposing a minimum three-year imprisonment.
- Aggravated battery charges are raised from a second-degree felony to a first-degree felony, with a minimum five-year imprisonment for those convicted.

### **Sovereign Immunity Fails**

SB 472 / HB 569 – *Suits Against the Government* by Sen. Brodeur / Rep. McFarland failed this session. SB 472 passed all committee stops but was never heard on the Senate floor, while HB 569 was never heard in its last committee stop.

This bill increases the cap on the payment of judgments against government entities from \$200,000 to \$300,000 per individual, and from \$300,000 to \$500,000 per instance. The bill provides for the annual adjustment of the cap to reflect changes in the Consumer Price Index, beginning on July 1, 2029, recalculated every five years thereafter, and is not to exceed three percent for any adjustment.

Allows local government entities to settle a claim in any amount without the approval of a claim bill by the Legislature. If a state agency agrees to settle a claim or has a judgment rendered against it, the State agency may pay the amount in excess of the waiver of sovereign immunity and any insurance coverage only by seeking excess payment from the Legislature through a claim bill.

The bill reduces from 3 years to 18 months the time allotted for pre-suit notice to the state, its agency, or a subdivision thereof, and also reduces the duration that the entity has to review the notice from 6 months to 4 months. Removes the statute of limitations and statute of repose for civil actions against state entities where the plaintiff in a sexual battery matter was younger than 16 years old at the time of the injury. The bill also reduces the statute of limitations for a negligence claim against the State, its agency, or a subdivision from 4 years to 2 years.

### **Private Provider Plans Review Authorization Fails**

HB 579 – *Use of Private Providers for Plans Review and Inspections* by Rep. Griffiths Jr. failed this session. HB 579 was never heard in any of its committee stops.

This bill defines the term “private provider firm” to mean a business organization, including a corporation, partner, business trust, or other legal entity that offers services under this chapter to the public through licenses who are acting as agents, employees, officers, or partners of the firm. The bill requires local jurisdictions to reduce permit fees

for owners who use private provider firms for building inspections or plan reviews. If the local jurisdiction does not reduce the fees, the fee owner may file a complaint with the Department of Commerce.

When a private provider is used, the local jurisdiction may also not conduct its own plans review or send an inspector to the building or structure to conduct an inspection. If the private provider is a licensed engineer or architect and affixes his or her industry seal to the affidavit, the local jurisdiction must issue the permit or respond with specific plan features that do not comply with applicable codes within 12 business days. If the licensed engineer or architect does not affix his or her industry seal to the affidavit, the local jurisdiction must issue the permit or respond with specific plan features that do not comply with applicable codes within 20 business days.

### **Development Permit Timeframe Reform Fails**

HB 791 / SB 1150 – *Development Permit and Orders* by Rep. Overdorf and Rep. Esposito / SB 1150 by Sen. Perry failed this session. HB 791 passed all committee stops but was never heard on the House floor, while SB 1150 was never heard in its second committee stop.

The bill revises procedures for counties and municipalities to issue development permits and orders by requiring counties and municipalities to:

- Specify in writing the minimum information that must be submitted in certain development applications.
- Confirm receipt of an application within five business days.
- Issue a refund of application fees if certain deadlines are not met.

The bill provides timeframes for processing an application for a development permit or order restart if the applicant makes a substantive change. The bill requires any extension of deadlines for processing an application for a development permit or order be in writing. A county or municipality is not required to issue a refund of application fees if the parties have agreed to an extension of time, the delay in meeting the deadline is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstance.

### **Public Records Exemption for County Administrators and City Managers Fails**

HB 811 / SB 862 – *Public Records exception for County and City Administrators and Managers* by Rep. Gottlieb and Rep. Daley / Sen. Jones failed this session. SB 862 was heard in one committee stop, while HB 811 was not considered this session.

Provides a public records exemption for the personal identifying and location information of current and former county administrators, assistant county administrators, deputy county administrators, city managers, assistant city managers, deputy city administrators, and the spouses and children of such.

### **Firearms Training Facility Zoning Preemption Fails**

HB 831 / SB 1586 – *Enhanced Firearms Training Facilities* by Rep. Yarkosky / Sen. Collins failed this session. HB 831 was not heard in its last committee stop, while SB. 1586 was not heard in any of its committees.

Exempts enhanced firearms training facilities from any local government planning and zoning or public work restrictions. Defines a “Enhanced Firearms Training Facility” as a facility located on land zoned for agricultural use or equivalent used to train people in the use of firearms and personal safety. Defines “owner” as a person who holds the title to the land and facility and holds a percentage interest in the land and facility that is equal to or greater than others who also hold the title. This bill also provides requirements to possess a license for an enhanced firearms training facility. This license must be renewed annually or until the department determines that the owner is no longer in compliance.

### **Flag Display Preemption Fails**

HB 901 / SB 1120 – *Display of Flags by Governmental Entities* by Rep. Martin / Sen. Borrero failed this session. HB 901 was never heard in its last committee stop, while SB 1120 was never heard in any of its committees.

A government entity may not display a flag that represents a political viewpoint, including, but not limited to, a politically partisan, racial, sexual orientation and gender, or political ideology viewpoint. The government entity must remain neutral when representing political viewpoints in displaying a flag.

### **Pedestrian Safety Measure Fails**

SB 980 – *Traffic and Pedestrian Safety* by Sen. Perry failed this session. SB 980 was never heard in any of its committees.

Requires that all plans submitted on or after July 1, 2024, for the construction of a pedestrian crosswalk on a public highway, street, or road which is located at any point other than an intersection with another public highway, street, or road must include coordinated traffic control signal devices. By October 1, 2028, the entity with jurisdiction over a public highway, street, or road with a crosswalk shall either ensure that the crosswalk is controlled by coordinated traffic control signals and pedestrian control signals or remove the crosswalk.

### **Plastic Container Preemption Fails**

SB 1126 / HB 1641 – *Regulation of Auxiliary Containers* by Sen. Martin / Rep. Black failed this session. Both bills were not heard in their second committee stops.

This bill preempts the regulation of auxiliary containers to the state. Auxiliary containers are defined by the bill as reusable or single-use bags, cups, bottles, or other packaging

designed for transporting, consuming, or protecting merchandise, food, or beverages from or at a food service establishment or retailer.

### **State Building Code Reform Fails**

SB 1130 / HB 1185 – *Florida Building Code* by Sen. Martin / Rep. Griffiths failed this session. SB 1130 was never heard in any of its committee stops, while HB 1185 was never heard in its last committee stop.

This bill creates new specifications for unvented attics and enclosed rafters relating to the Florida Building Code.

### **Code Enforcement Fee Expansion Fails**

SB 1200 / HB 1507 – *Enforcement of Florida Building Code* by Sen. Rodriguez / Rep. Chambliss failed this session. Both bills were not heard in any of their committee stops.

This bill allows for local government to use the fees collected to carry out the local government's enforcement of the Florida Building Code, including any process or enforcement relating to obtaining and finalizing a building permit. This also includes funds being used for planning, zoning, or other general government activities if the work is related to obtaining a building permit.

### **Utilities Package Fails**

HB 1277 / SB 1510 – *Municipal Utilities* by Rep. Bussatta Cabrera / Sen. Brodeur failed this session. HB 1277 passed its committee stops but was not considered on the House floor, while SB 1510 was never heard in any of its committee stops.

Under the bill, a municipality that intends to offer utility service under a new, extended, renewed, or materially amended agreement must, in conjunction with the local government of the area to be served, conduct a public meeting within the area to be served. The bill also requires municipalities that provide such service to conduct an annual customer meeting in the areas served outside the municipal boundaries. The bill limits the portion of municipal utility revenues earned from services provided outside the municipal boundaries that may be used to fund or finance the municipality's non-utility-related general government functions. The bill requires each municipality which provides utility service outside of its municipal boundaries to report annually certain information to the Florida Public Service Commission (PSC) for each type of utility service it provides and requires the PSC to compile and report this data to the Legislature and the Governor.

The bill limits the rates, fees, and charges that a municipal water or sewer utility may impose on consumers outside its boundaries to no more than 25 percent above the total amount the municipal water or sewer utility charges consumers within the municipal boundaries, provided rates for outside consumers are set in a public hearing using the

same methods as rates for other consumers. The bill prohibits a municipal water or sewer utility that serves consumers within the boundaries of a separate municipality, using a water treatment plant or sewer treatment plant located within the boundaries of that separate municipality, from imposing rates, fees, and charges higher than those imposed on consumers inside its own municipal boundaries.

### **Housing and Development Measure Fails**

HB 1307 / SB 1552 – *Housing Development* by Rep. Redondo / Sen. Gruters failed this session. HB 1307 was never heard in its second committee stop, while SB 1552 was never heard in any of its committee stops.

The bill amends the definition of “urban infill” in the Community Planning Act to include the development or redevelopment of mobile home parks and manufactured home communities that otherwise meet the criteria to be considered urban infill.

The bill revises eligibility criteria for grants under the Resilient Florida Grant Program and the Statewide Flooding and Sea Level Rise Resilience Plan to allow community development districts that were authorized to fund the construction or reconstruction of critical assets, either in the enabling ordinance that created the district or by a county or municipal development order, to be added to the list of governmental entities eligible for grants.

The bill makes the following changes to affordable housing programs:

- Amends the definition of “moderate income persons” to include households with incomes up to the greater of 140 percent of the statewide median income or area median income in counties with a population in excess of 1,000,000;
- Requires FHFC to review certain projects based on plans presented by the developer which includes factors related to existing or proposed zoning, financing, and the housing supply needs of the county in which the project is located;
- Provides that projects funded under the Live Local Program and general revenue service charge funds redirected to the SAIL program may not be required to use federal low-income housing tax credits or tax-exempt bond financing as part of the financing structure for the project; and
- Revises eligibility for the property tax exemption for the use of property in certain multifamily projects as affordable housing to apply to properties used for moderate-income housing.

### **Wind Energy Prohibition Fails**

HB 1493 / SB 1718 – *Wind Energy Facility Siting* by Rep. Altman / Sen. Collins failed this session. However, the preemption of wind energy was included in HB 1645.

Prohibits the construction, operation, or expansion of wind energy facilities in the state, and provides for injunctive relief by the Department of Environmental Protection.



### **Inclusionary Housing Measure Fails**

HB 1603 / SB 1742 – *Affordable Housing Inclusionary Housing Ordinances* by Rep. Gantt / Sen. Jones failed this session. Both bills were not heard in any of their committee stops.

This bill requires developers who participate in an inclusionary housing ordinance to provide a specific number or percentage of affordable housing units to be included in a development. Removes provisions allowing developers to contribute to a housing fund or alternative affordable housing options in lieu of building affordable housing within their developments.

### **Historic Demolition Penalty Fails**

HB 1621 – *Unauthorized Demolition of Historical Structures* by Rep. Beltran. HB 1621 passed all committee stops but was never heard on the Senate floor.

The bill authorizes code enforcement boards to impose an enhanced fine for the demolition of a structure individually listed on, or contributing to, the National Register of Historic Places. A code enforcement board or special magistrate must make specific findings based on competent, substantial evidence that the demolition of the historic structure was not permitted and was not the result of a natural disaster to impose the fine. The enhanced fine may not exceed 20 percent of the fair market value of the property, as identified in the property appraiser's evaluation. Effective Date: July 1, 2024

### **Parking Exemption Fails**

HB 1629 – *Mandatory Minimum Parking Space Requirements* by Rep. Campbell. HB 1629 was never heard in any of its committee stops.

Notwithstanding any other provision of law to the contrary, a parking lot or other parking facility in this state is exempt from mandatory minimum parking space requirements if:

- The parking lot or other parking facility is located within one-half mile of a point of access to public transit.
- Such public transit arrives at the point of access at least every 30 minutes during peak travel hours.

### **Land Development Reform Fails**

SB 1110 / HB 1177 – *Land Development* by Sen. DiCeglie / Rep. Duggan failed this session. SB 1110 was never heard in any of its committee stops, while HB 1177 passed its committee stops but was never heard on the House floor.

This bill makes the following changes to future development and growth:

- Requires local governments implementing transportation concurrency to credit the fair market value of any land dedicated and provides that fees may be based

on a cumulative analysis of trips from a previous stage or phase that were not analyzed.

- Revises application of credits against local impacts for DRIs.
- Revises review requirements for changes to DRIs and clarifies the application of vested rights in DRIs.
- Provides counties with the power to hear final decisions made by municipal historic preservation boards.
- Prohibits local governments from requiring certain approvals or fees before allowing the alteration or removal of a tree on property used for the construction of a healthcare facility for veterans.

### **Finance, Tax, & Administration: PASSED**

#### **Public Record Exemption for County and City Attorneys Passes**

HB 103 - *Public Records/County and City Attorneys* by Rep. Arrington (SB 712 by Sen. Powell) passed this session. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan.

The bill establishes a public records exemption for certain personal information of current county and city attorneys, as well as their spouses and children. This includes home addresses, phone numbers, employment details, photographs, and dates of birth. The exemption doesn't apply if the attorney is a candidate for public office. The bill contains a statement of public necessity as required by the State Constitution and is subject to review before repeal on October 2, 2029.

Effective date: July 1, 2024

#### **Greater Continuing Contract Ceiling Passes**

HB 149- *Continuing Contracts* by Rep. Alvarez (SB 656 by Sen. DiCeglie) passed this session. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan.

The bill increases the maximum limit for continuing contracts covered by the CCNA from an estimated per project construction cost of \$4 million to \$7.5 million plus an annual increase based on the Consumer Price Index (CPI).

Effective date: July 1, 2024

#### **Judgment Liens Reform Passes**

SB 984 – *Judgment Liens* by Sen. Rouson (HB 175 by Rep. Benjamin) passed this session.

The bill is a glitch bill that makes several changes to legislation relating to judgment liens enacted during the 2023 Legislative Session. These changes:

- Clarify that a judgment lien in payment intangibles and accounts only applies to property interests that are located in the state,
- Allow filing of a corrective judgment lien certificate,
- Provide that the Uniform Commercial Code lien priority law prevails over the lien priority of the statute on judgments, and
- Authorize an account debtor to pay a judgment creditor in lieu of paying the judgment debtor pursuant to a settlement agreement between the judgment creditor and judgment debtor without the need for a final order or judgment directing payment.

Effective date: July 1, 2024.

### **Verification of Eligibility for Homestead Exemption Passes**

HB 161- *Verification of Eligibility for Homestead Exemption* by Rep. Arrington (SB 172 by Sen. Polsky) passes this session.

The bill requires the Department of Revenue to create a form that a property appraiser may use to provide a person with tentative verification of that person's eligibility to receive an exemption related to the applicant's status as a disabled veteran after the purchase of homestead property.

Effective date: July 1, 2024

### **Tax Collector Legislative Package Passes**

HB 113- *Tax Collections* by Rep. Maney (SB 216 Hooper) passed this session.

The bill removes a \$10 processing fee associated with partial payment of current year taxes and requires that tax collectors include properties subject to federal bankruptcies, properties in which the taxes are below the minimum tax bill, and properties assigned to the list of lands available for taxes in their report on tax collections submitted annually to the board of county commissioners. These bills also clarify the status of a tax certificate following cancellation of a tax deed application.

Effective date: July 1, 2024

### **Florida Retirement System Package Passes without COLA Change**

HB 151- *Florida Retirement System Reform* by Rep. Busatta-Cabrera (SB 7024 by Senate Committee) passed this session.

The bill sets employer normal contribution rates and unfunded actuarial liability rates for the FRS are adjusted based on annual actuarial valuation, with the bill declaring fulfillment of an important state interest.

The bill contains limited enhancement to employee benefits, as the Cost of Living Adjustment did not make the final version of the bill. For the adopted rates, please see the FAC 2024 Appropriations Report.

### **Prospective Bidders Records Exemption Passes**

HB 379 - *Public Records/Prospective Bidders for a Road or Other Public Works* by Rep. Truenow (SB 320 Sen. Wright) passed this session.

The bill establishes an exemption for financial information required from prospective bidders to prequalify for road or public works projects, shielding it from public disclosure. This exemption is subject to review under the Open Government Sunset Review Act and is set to expire on October 2, 2029, unless renewed by the Legislature. The bill includes a statement of public necessity and takes effect on July 1, 2024, with potential indeterminate fiscal impacts on both state government and the private sector.

### **Mobility Fee Reform Passes**

HB 479 – *Alternative Mobility Funding System* by Rep. Robinson (SB 688 by Sen. Martin) passed this session.

The bill affects the following mobility fee, impact fee and concurrency provisions:

- The bill mandates that local governments use recent and localized data for determination of impact fees in the authorizing study.
- Projects can proceed after fulfilling their contribution or proportionate share requirements.
- The bill requires coordination of transportation impact fee calculations and collections among local governments where a city and a county impose fees on a development:
  - Requires an interlocal agreement to be in place and establishes certain required elements of the agreement
  - Outlines collection and distribution methods, including penalties for noncompliance with interlocal agreements.
  - Exempts the requirement where an interlocal agreement is already in place between the city and county
  - Exempts Miami-Dade County
- Additionally, holders of transportation or road impact fee credits predating a mobility fee system are entitled to the full benefit of prepaid intensity and density.

Effective date: July 1, 2024

### **Bill Dissolving Certain Inactive Special Districts Passes**

HB 7011 - *Inactive Special Districts* by Rep. Maney (SB 7052 by Sen. Hutson) passed this session.

The bill dissolves several inactive special districts in Florida and repeal their enabling laws, including the Sunny Isles Reclamation and Water Control Board. Specifically, it dissolves the Calhoun County Transportation Authority, the Dead Lakes Water Management District, the Highland View Water and Sewer District, and the West

Orange Airport Authority. Additionally, it repeals Decree 66C-7402, which dissolved the Sunny Isles Reclamation and Water Control Board, overriding section 189.072(3) of the Florida Statutes.

Effective date: July 1, 2024

### **Special District Restrictions Passes**

HB 7013 - *Special Districts* by Rep. Maney (SB 1058 by Sen. Hutson) passed this session.

This bill revises regulations concerning special districts, which are local government units created for specific purposes within limited geographical areas. The bill introduces several changes, including implementing a 12-year consecutive term limit for elected members of governing bodies in most independent special districts. It stipulates that only the Legislature can alter boundaries of independent special districts, except under certain circumstances. Additionally, it eliminates provisions allowing special districts to become municipalities without legislative approval. Other amendments include adding criteria for declaring special districts inactive, adjusting notice and procedures for such declarations, and requiring special districts to adopt goals, objectives, and performance measures. Furthermore, it mandates reporting for independent special fire control districts, reduces the maximum ad valorem millage rate for mosquito control districts, and sets conditions for their participation in state programs. The bill also prohibits the creation of new safe neighborhood improvement districts and mandates a performance review of existing ones by the Office of Program Policy Analysis and Government Accountability. The fiscal impact on state government is expected to be minor, while its effect on local governments is uncertain.

Effective date: July 1, 2024

### **Economic Assistance Strategy Passes**

HB 1267 - *Economic Self- Sufficiency* by Rep. Anderson (SB 7052 by Senate Committee) passes.

This bill revises various components of the Temporary Assistance for Needy Families program (TANF) also known as Temporary Cash Assistance (TCA) and the Supplemental Nutrition Assistance Program (SNAP). The bill creates case management as a transitional benefit for families transitioning from TCA. Requires CareerSource Florida to use a tool to demonstrate future financial impacts of changes to benefits and income and local workforce boards to administer, analyze, and use data from intake and exit surveys of TCA recipients. Requires the Department of Children and Families (DCF) to expand mandatory SNAP Employment and Training participation to include

adults ages 18-59, who do not have children under age 18 in the home, or otherwise qualify for an exemption. The bill also creates the School Readiness Plus Program that provides a child care subsidy for families deemed ineligible on redetermination for the SR program but have income between 85 and 100 percent of the state median income. Effective date: July 1, 2024

### **Annual Tax Package Passes**

HB 7073 - *Taxation* by Rep. McClain (SB 7074 by Senate Committee) passes. The bill:

- Revises the “Missing Middle” Property Tax Exemption authorized in s. 197.1978(3) to allow a taxing authority to opt out of the exemption for its levy by a two-thirds vote if:
  - A finding is made by a taxing authority that the most recently published Shimberg Center for Housing Studies Annual Report identifies that a county that is part of the jurisdiction the taxing authority is within a Metropolitan Statistical area or region where the number of affordable and available units is greater than the number of renter households for the category entitled “0 -120 percent AMI”
  - The opt out is good for two years and may be reenacted if the above conditions are again met
  - Any property that has received the exemption prior to a local government opting out will continue to receive the exemption
- Creates a new Property Tax Exemption for Affordable Housing Properties (s. 197.1978 (4)). The exemption is available to properties that all the following conditions:
  - Properties that contain 70 or more units
  - Subject to a land use restriction requiring the units are to provide affordable housing to persons or families meeting the extremely low, very low or low income for a period of 99 years
  - Must be substantially completed within 2 years of the date of application
  - Must be composed of an improvement to land where no previous improvement existed or an old improvement was removed.
- Redefines “Construction Work in Progress” with regard to Certain electric utility constructed or installed Tangible Personal Property
- Revises the conditions under which back taxes, penalty and interest are due for certain improperly received exemption or assessment limitations
- Adds certain equipment used for Biogas to the list that may be assessed as Renewable Energy Source Devices
- Extends the period within which a homestead property must be rebuilt following a disaster to retain the Save our Homes differential from 3 years to 5 years
- Expands the Indigent Care and Trauma Center Surtax (s. 212.055(4)) to allow Jacksonville-Duval County to impose the surtax but removes the ability to enact the tax with an extraordinary vote.

- Provides for two 14 day Disaster Preparedness Holidays; a 14 day Back to School Sales Tax Holiday, a 7 day Tool Time Holiday, and a Freedom Month Holiday where sales tax will not be due on certain admissions or outdoor recreational items for the month of July 2024
- Contains provisions impacting Hillsborough County regarding their Transit Surtax that was struck by the courts.

The final bill passed by the House and Senate does not include:

- 6-year Repeal and Reauthorization of Tourist Development Taxes
- 10-year Repeal and Reauthorization of Local Option Sales Taxes

Effective date: July 1, 2024

### **Homestead Exemption Indexing Passes**

HJR 7017 – *Homestead Exemption Implementation* by Rep. Buchanan passes.

HJR 7017 seeks to annually adjust the second homestead exemption for inflation by indexing it to the Consumer Price Index. Specifically, the value of the exemption will be updated each January 1st based on the percentage change reported by the U.S. Department of Labor's Bureau of Labor Statistics. This annual increase in the exemption would apply to either the existing \$25,000 increased exemption, or the increase exemption proposed in HJR 7015, if adopted.

Effective date: July 1, 2025

### **Collective Bargaining Reform Passes**

SB 1746- *Public Employees* by Sen. Ingoglia (HB 1471 by Rep. Black) passes this session.

Modifies requirements for employee organizations and bargaining units to maintain registration and certification. It clarifies that the Public Employee Relations Commission's (PERC) authority regarding dues deductions for mass transit employees, requires employees to submit membership authorization forms to the bargaining agent, and exempts certain bargaining units from form requirements. It expands eligible occupations for dues deductions and adjusts information submission requirements to PERC, replacing "audited" financial statements with those "prepared" by a CPA. It also alters timelines for recertification petitions and circumstances for PERC to revoke registration or certification.

Effective date: Upon becoming law.

### **PACE Program Clarification Passes**

SB 770 - *Improvements to Real Property* by Sen. Martin (HB 927 by Rep. Trabulsy) passes this session. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan.

The bill clarifies that a PACE program administrator may only offer residential financing within the jurisdiction of a county or municipality that has authorized the program by ordinance or resolution. Without this clarification, rogue program administrators may be emboldened to operate statewide with little oversight or approval by a board of county commissioners to operate within the jurisdiction.

The bills also expand the eligible uses of the program to include advanced wastewater treatment and flood mitigation but remove solar energy as an eligible use. Lastly, the bill tightens the consumer protections surrounding the program, including additional disclosure requirements and greater financial scrutiny on a property owner's ability to repay.

Effective date: July 1, 2024

### **Finance, Tax, & Administration: FAILED**

#### **Tangible Personal Property Exemption Fails**

HB 7075 / HB 7077 - *Tangible Personal Property Tax Exemption* by Rep. Alvarez / House Committee fails. Both bills died in Senate Committee.

HB 7075 increases the exemption on the assessed value of tangible personal property from \$25,000 to \$50,000, pending approval by 60% of voters during the 2024 general election. The joint resolution, requiring a three-fifths majority in each legislative house, is not subject to the governor's veto powers.

HB 7077 serves as the implementing bill for HB 7075, and it also outlines a plan to provide financial assistance to certain counties that would experience a reduction in ad valorem tax revenue due to changes in the State Constitution requiring the Legislature to allocate funds to offset revenue losses for "fiscally constrained counties". These funds would be distributed among eligible counties based on the proportion of their total revenue reduction.

#### **Electric Vehicle License Tax Fails**

SB 28 / HB 107- *License Taxes* by Sen. Hooper / Rep. Esposito failed this session. Both bills were never heard on the floor.

The Senate bill would impose additional annual registration fees of \$200 for electric vehicles (EVs) and \$50 for plug-in hybrid electric vehicles (PHEVs), rising to \$250 and \$100 in 2029. 36% of the associated revenues are allocated to counties for



transportation-related expenses. This represents an effort to replace lost revenue from local fuel taxes with more non-fuel vehicles on the road. FAC supported the Senate language as part of its 2024 Legislative Action Plan.

The House bill directs the Revenue Estimating Conference to conduct a Special Estimating Session to determine the General Revenue impact resulting from the sales tax on electricity used for charging electric vehicles. One-twelfth of this revenue estimate is to be distributed monthly to the State Transportation Trust Fund—no money will be allocated to counties or municipalities. The bill directs the Office of Economic and Demographic Research to conduct a study on the long-term fiscal impacts of continued EV and PHEV adoption to the State Transportation Trust Fund and sales tax/gross receipts revenues.

### **Cash Payment Requirement Fails**

HB 35 / SB 106 - *Acceptance of Cash Payments by Businesses* by Rep. Rudman / Sen. Jones failed this session. Both bills died during their respective committee process.

This bill requires any business that operates at permanent or temporary physical premises, or from a vehicle or other mobile space, to accept an offer of payment in cash by a customer physically present. Cash is defined as the coin and currency of the United States. The bill also prohibits a business from charging a fee or placing a condition on its acceptance of cash and gives rulemaking and enforcement authority to the Department of Agriculture and Consumer Services. Violations of the cash acceptance provisions will be subject to civil fines.

### **Tax Exemption for Quadriplegics Fails**

HB 53/ HB 55 / SB 616 / SB 618 - *Ad Valorem Property Tax Exemption for the Surviving Spouse of Quadriplegics* by Rep. Tant / Sen. Simon failed this session. The house bills were never heard on the floor and the senate bills died in its final committee stop.

These bills were Joint Resolution proposed as an amendment to the state Constitution and its implementing bill, enabling the Legislature to offer a homestead property tax exemption for surviving spouses of quadriplegics. It extends existing tax relief measures that currently benefit certain veterans with combat-related disabilities and their spouses. The resolution defines “first responder” to encompass roles like law enforcement officers and firefighters.

### **Micromobility Sales Tax Holiday Fails**

SB 58 / HB 475 - *Sales Tax Holiday for Micromobility Vehicles and Related Personal Safety Equipment* by Sen. Stewart / Rep. Killebrew failed this session . SB 58 died in its last committee stop whereas HB 475 not considered on the floor.

The bill creates a sales tax holiday for Micromobility Vehicles and Related Personal Safety Equipment. Micromobility Vehicles are defined as human or electric-powered transportation devices, including bikes, scooters, or other related vehicles, that weigh less than 500 pounds, are less than 3 feet wide, and have a max speed of 35 miles per hour. Personal safety equipment includes helmets, knee pads, elbow pads etc.

### **School Levy Homestead Exemption Referendum Fails**

HJR 69 / HJR 71 - *Homestead Tax Exemptions for School District Levies Title* by Rep. Garcia (A) both were withdrawn this session.

This bill places a Constitutional amendment on the ballot applying the second Homestead exemption to school levies. Under current law, Florida offers up to a \$25,000 second homestead exemption on any assessed value between \$50,000 and \$75,000, for all non-school levies. This Constitutional amendment, if passed, would include school district levies within the exemption. HB 71 serves as an implementing bill for the Constitutional amendment.

### **Government Teleconference Authorization Fails**

HB 157 / SB 894 – *Governing Body Meeting* by Rep. Caruso / Sen. Bradley failed. HB 157 never was heard on the floor whereas SB 894 died in its last committee stop.

This bill allows a municipality's governing body to convene meetings and conduct official business via teleconferencing or other technological means two times per calendar year if such meetings meet all the requirements of public notice, public access, and public participation.

### **Medical Marijuana Patient Protection Fails**

SB 166 - *Protections for Public Employees Who Use Medical Marijuana as Qualified Patients* by Sen. Polsky fails. SB 166 died in its first committee stop.

This bill prohibits a public employer from taking adverse action against an employee or applicant who is qualified for a job when they are a qualified patient using medical marijuana.

### **Event Ticket Reform Fails**

HB 177 / SB 204 – *Competition for the Sale of Event Tickets* by Rep. Andrade / Sen. Hooper fails. Both bills died in their respective first committee stops.

This bill prohibits live performance venues from entering sole – sourced contracts for the sale of tickets and licenses to events. The live performance venue may not distribute, sell or transfer tickets or licenses for compensation greater than the ticket's amount. A live performance venue may not require an artist to market, sell or distribute

tickets to an event on a specific platform, this bill also allows the artist to choose what platforms they would like their tickets sold on.

### **Election Security Requirement Fails**

SB 190 / HB 671 – *Ballot Boxes* by Sen. Garcia (I) / Rep. Borrero failed. Both bills died in their respective first committee stops.

The key provisions of this bill include requiring a law enforcement officer to transport ballot boxes or ballot transfer containers from a supervisor of elections to a precinct. Additionally, it mandates continuous supervision by a law enforcement officer for all ballot boxes and transfer containers. The bill extends this requirement to the transportation of various election-related items, including ballots, ballot stubs, memoranda, and papers.

### **Property Tax Exemption for Surviving Spouses of Veterans Fails**

SB 218 / HB 239 - *Property Tax Exemption for Spouses of Veterans* by Sen. Wright / Rep. Killebrew fails session this year. SB 218 died in its first committee stop whereas HB 239 was withdrawn before the it could start its committee stops.

This bill allows property tax exemption for surviving spouses of Veterans by authorizing a surviving spouse to produce a letter before the property appraiser if the veteran predeceased the issuance of a certain letter from the Federal Government. This exemption applies beginning with the 2025 tax roll.

### **Competitive Solicitation Records Exemption Fails**

SB 286 / HB 375 - *Public Records and Meetings/Agency's Competitive Solicitation* by Sen. Wright / Rep. Alvarez fails this session.

The Senate bill died in its first committee stop and the House companion was withdrawn before being heard in any committee. The bill expands exemptions for public records and meetings regarding bids, proposals, or replies in agency competitive solicitations, with provisions for future legislative review and repeal. It extends the duration of these exemptions until specific circumstances occur, such as agency decisions or protest resolutions, and requires complete recording of exempt meetings, which become public under similar conditions. The bill emphasizes the necessity of these exemptions for fairness and economy in competitive solicitations while ensuring oversight post-decision.

### **Service Provider Records Exemption Fails**

SB 290 / SB 292 – *Public Records/ Service Providers* by Sen. Wright failed this session. Both bills died in their first committee stops.

This bill defines the term “service provider” as well as incorporating service providers in the s. 119.0701 F.S. language. Holding them under the same regulatory procedures and public record stipulations that contractors are held to as already defined in this statute.

### **Limitations on Property Tax Assessments Fails**

HB 331 / HB 333 Limitations on Property Tax Assessments by Rep. Garcia (A) Fails. Both bills died in their first committee stop.

The bill extends the constitutional 10% limitation on real property assessment increases on specified non-homestead real property to school district levies. The amendment takes effect January 1, 2025. HB 333 serves as an implementing bill for the Constitutional amendment.

### **Tax Exemption for Homes for the Aged Fails**

SB 220 / HB 689 – *Ad Valorem Tax Exemption for Nonprofit Homes for the aged* by Sen. Wright / Rep. Smith failed session this year. The Senate bill was stopped in its committee process whereas the house version was never heard on the floor.

The bill revises eligibility for the ad valorem tax exemption for property used as a home for the aged by nonprofit corporations to include property owned by a Florida limited partnership where an entity not licensed under Chapter 429, F.S., and wholly owned by a corporation not-for-profit under Chapter 617, F.S., is the sole general partner. The changes made by the bill will first apply to the 2025 ad valorem tax roll.

### **Motor Vehicle Sales Tax Reform Fails**

HB 337 – *Sales Tax on Motor Vehicles Lease and Rentals* by Rep. Roth

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 lease for a period of not less than 12 months and the renter or lessee will use the motor vehicle in their trade or business.

### **Virtual Currency Sales Tax Holiday Fails**

SB 352/ HB 369 - *Virtual Currency Sales Tax Holiday* by Sen. Brodeur / Rep. Barnaby failed this session. The senate bill died in its second committee whereas the house companion bill died in its first committee stop.

These bills provide exemptions from sales tax for a two-month period from June 1, 2025, through July 31, 2025, on the retail sale of tangible personal property and taxable services made by the following establishments if payment is made in virtual currency: Retail service stations that sells motor fuels or special fuels to the public; Food service

establishments; Public food service establishments; Grocery stores; Convenience stores; Cosmetology salons or specialty salons; Spas; Barbershops; and Bars or nightclubs.

### **Competitive Solicitation Records Exemption Fails**

SB 286 / HB 375 – *Pub. Rec./Competitive Solicitation Sealed Bids, Proposals, and Replies* by Sen. Wright / Rep. Alvarez. The Senate bill was killed in its first committee stop, whereas the House companion was withdrawn before the committee process.

The bill establishes exemptions under the Open Government Sunset Review Act for sealed bids, proposals, or replies received through competitive solicitations. It ensures confidentiality until 72 hours after an agency's notice of intended decision or the final decision in case of protests, preventing premature disclosure. This safeguards vendor interests, maintaining fair and competitive procurement processes. The Legislature deems the exemption a public necessity to balance transparency with business protection. The Senate version provides a requirement to complete recording of exempt meetings, with the recordings and related records becoming public following similar conditions to the public records exemptions.

### **Timeshare Valuation Revision Fails**

HB 471/ SB 886 - *Valuation of Time Share Units* by Rep. Fine / Sen. Gruter failed this session. The House bill passed the full House, while the Senate bill died in its last committee.

The bill revises the methodology for valuing timeshare units for 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 is an insufficient number of resales, they may use the original sale price minus the administrative costs of the sale. In this bill the property appraiser is directed to defer to the property owner regarding 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 revised methodology would result in a \$171 million local impact for FY 2024-25.

### **Gender Identity Employment Restrictions Fails**

HB 599/ SB 1382 – *Gender Identity Employment Practices* by Rep. Chamberlin / Sen. Martin failed this session. Both bills died in their first committee stops.

The bill establishes policies regarding personal titles and pronouns in employment, defining terms and outlining rights and prohibitions related to gender identity in the workplace. It defines key terms such as "adverse personnel action" and "sex," asserts

that sex is determined by biological traits at birth and prohibits requiring the use of preferred pronouns that do not align with a person's biological sex. The bill protects employees and contractors from adverse actions for refusing to use preferred personal titles or pronouns and prohibits discrimination based on religious or biology-based beliefs, providing avenues for seeking remedies for violations. Additionally, it bars nonprofit organizations and state-funded employers from mandating training or activities related to sexual orientation, gender identity, or expression as conditions of employment.

### **Public Depository Expansion Fails**

HB 611 / SB 1018- *Public Deposits* by Rep. Botana, Rep. Retana / Sen. Ingoglia failed this years session. HB 611 died in its senate committee reference whereas SB 1018 died in its first committee stop.

The bill allows both state-chartered and federally chartered credit unions to serve as Qualified Public Depositories (QPDs) and custodians for another QPD's pledged collateral. It establishes criteria for a credit union to meet before being designated as a QPD by the Chief Financial Officer (CFO) and mandates credit union QPDs to make the same attestations as other QPDs. Additionally, the bill introduces separate mutual responsibility and contingent liability provisions for credit union QPDs to prevent cross-liability with banks and requires the CFO to segregate and separately account for collateral proceeds, assessments, or penalties attributable to credit unions from those related to banks, savings banks, or savings associations.

### **Virtual Currency Kiosk Regulation Fails**

SB 662/ SB 1182 – *Virtual Currency Kiosk Businesses* by Sen. Burton failed. SB 622 died in its last committee whereas SB 1182 died in its first committee stop.

This bill establishes a regulatory framework for virtual currency kiosk businesses and provides protections for users of the kiosks by requiring such businesses to register with the Office of Financial Regulation (OFR), requiring certain disclosures, restricting the name under which such business may transact, and providing penalties for specified violations of the part. The Legislative intent of the bill is, in summary, to reduce unlawful and fraudulent activities. The bill provides the OFR is responsible for supervising virtual currency kiosk businesses and authorizes the Financial Services Commission (the “Commission”) to adopt rules to regulate them.

### **Disabled Ex-Servicemembers Tax Exemptions Fails**

HB 727 / SB 1004 - *Tax Exemptions for Disabled Ex-Servicemembers* by Rep. Amesty / Sen. Torres Jr. failed this year in session. Both bills were killed in their final committee stops.

The bill increases the value of the ad valorem tax exemption for disabled ex-servicemembers from \$5,000 to \$10,000. This increase first applies to the 2025 tax roll.

### **Local Lobbying Restrictions Fails**

SB 734 / HB 735 – *Government Accountability* by Sen. Ingoglia / Rep. Andrade failed. The Senate bill died in its last committee whereas HB 735 died on final passage on the House floor.

The bill states that public officers, state agency employees, local government attorneys, and candidates for office are prohibited from soliciting or accepting anything of value, including a gift, loan, reward, promise of future employment, favor, or service, based upon an understanding that their vote, official action, or judgment would be influenced. State agencies and political subdivisions must report any grant or gift over \$50,000 from any foreign source and are prohibited from receiving grants from a country that has been designated as a “foreign country of concern” or any entity controlled by such a country. The committee adopted the PCS version of the bill, which added:

Prohibits public officers, state agency employees, local government attorneys, and candidates for office from soliciting or accepting anything of value from a foreign country of concern. Establishes requirements for lobbying counties, municipalities, and special districts that mirror requirements for lobbying the executive branch and Prohibits counties, municipalities, and school districts from renewing or extending the employment contracts of certain senior employees during the eight-month period preceding a general election unless the renewal or extension is approved by a unanimous vote of the governing board.

### **Impact Resistance Sales Tax Holiday Fails**

SB 890 - *Taxation* by Sen. Boyd did not pass this session. This bill died on its second committee stop.

The bill seeks to exempt from the sales and use tax the retail sale of impact-resistant windows, doors, and garage doors for two years between July 1, 2024, and June 30, 2026.

### **Granny Flat Tax Exemption Fails**

SJR 976 / HJR 1511 - *Reduction of Assessed Value* by Sen. Perry / Rep. McClain failed this session. Both bills died in their second committee stop.

This bill proposes an amendment to the Florida Constitution to permit a county to provide ad valorem tax relief to portions of homestead property used to provide living quarters for parents or grandparents. Currently, the Florida Constitution permits a reduction in assessed value only where a property has been improved in order to provide such housing.

### **Department of Revenue Package Fails**

HB 1001 / SB 1030 – *Taxation* by Rep. Stevenson / Sen. Rodriguez fails. Both bills died in their respective chamber's appropriation committee.

This bill changes laws related to the Department of Revenue. It gets rid of language pertaining to pollutants tax registration fees and adjusts how taxes on buying boats, trailers, and aircraft are managed. The bill allows the Department to review and adjust assessments in certain situations and gives them the authority to include all authorized taxes and penalties in a garnishment or levy. There's also an increase in the threshold for underpayment penalties on corporate income tax. The bill provides rulemaking authority and allows counties and school boards to choose not to impose local sales taxes on commercial rent.

### **Property Tax System Study Fails**

HB 1371- *Property Tax System Study* By Rep. Chamberlin

Local discretionary sales surtaxes can be imposed by counties. This bill mandates the Office of Policy Analysis and Government Accountability (OPPAGA) to study the potential impact of eliminating all property taxes and replacing the revenue with a consumption tax. OPPAGA must submit its findings by February 1, 2025, with the bill taking effect upon enactment.

### **Accessory Dwelling Unit Tax Exemption Fails**

HB 1299 / SB 1440 - *Affordable Housing Property Tax Exemptions for Accessory Dwelling Units* by Rep. Cross and Sen. Calatayud failed this session. Both bills were killed in their first committee stops.

This bill expands affordable housing tax exemptions and remove a time limit on related ordinances. The bill proposes changes to the local option tax exemption for affordable housing, which was established in 2023. It suggests allowing counties or municipalities to exempt up to 100% of the assessed value of certain affordable accessory dwelling units, in addition to existing options. The bill eliminates the requirement for ordinances adopting this tax exemption to expire before the fourth January 1 after adoption. These changes would be applicable starting from the 2025 tax roll.

### **Tourist Impact Tax Authorization Fails**

SB 1594 - *Tourist Impact Tax* by Sen. Stewart fails this session. SB 1594 died in its first committee stop.

This bill amends s.125.0104, F.S adding language, emphasizing the importance of using tax revenues to promote tourism. It specifies conditions under which tax revenues



can be allocated to a county destination marketing organization and outlines limitations on reducing its funding. The bill mandates that if tax funds support an activity, service, venue, or event, its primary purpose should be attracting tourists. Counties are permitted to allocate tax revenue to fund a “county destination marketing organization,” as defined by s. 288.005. However, if a county allocates less than 40% of its local tourist tax revenue to this organization, it cannot reduce its funding without approval from at least two-thirds of the county’s governing board membership.

### **Disabled Veteran Tax Revision Fails**

SB 1684 / SB 1686 - *Ad Valorem Tax* by Sen. Collins failed this session. Both bills died at their last committee stop.

This bill amends the State Constitution by revising the requirements for a discount from the amount of ad valorem tax owed on homestead property for certain disabled veterans, opting out of the 65 and older age requirement, and adding that veterans must also meet the new requirement that veterans must have received a purple heart as well. The general law must allow counties and municipalities to grant these additional exemptions.

### **Health, Safety, & Justice: PASSED**

### **Anti-human Trafficking Legislation Passes**

HB 7063- *Anti-Human Trafficking* by Rep. Overdorf (SB 796 by Sen. Avila) passes. FAC supported this legislation in the 2024 FAC Legislative Action Plan.

The bill extends the authorization for the DSO until October 1, 2029, with a provision for legislative review. It modifies reporting procedures and awareness signs for human trafficking, replacing the requirement for the National Human Trafficking Hotline number with the Florida Human Trafficking Hotline number. Additionally, it mandates the update and posting of human trafficking awareness signs by January 1, 2025. The bill also requires nongovernmental entities to provide an affidavit confirming the absence of coercion for labor or services when contracting with governmental entities. Overall, while it may incur minor costs for updating signs, its fiscal impact is expected to be insignificant.

Effective date: July 1, 2024

### **New Fentanyl Penalty Passes**

SB 718 – *Exposures of First Responders to Fentanyl and Fentanyl Analogs* by Sen. Collins (HB 231 by Rep. Baker) passes.

This bill protect first responders from the dangers of fentanyl exposure by making it a second-degree felony for individuals over 18 to recklessly expose them to the substance, resulting in overdose or serious injury. It defines dangerous fentanyl and

provides immunity for individuals seeking medical assistance in drug-related overdose situations.

Effective date: October 1, 2024

### **Purple Alert System Legislation Passes**

HB 937 *Purple Alert* by Rep. Casello (SB 640 by Sen. Berman) passes.

The bill introduces two levels of activation: local and statewide. The Purple Alert, designed for cases involving unidentifiable vehicles or missing adults on foot, will now have limited dissemination for local alerts within the specific area where the person may be located. Local law enforcement agencies will develop their own policies for local Purple Alert activation. When activating a local alert, law enforcement must contact media outlets, inform on-duty officers, and communicate with other agencies in the jurisdiction. Statewide Purple Alerts, which involve identifiable vehicles, can be requested by law enforcement agencies. The Florida Department of Law Enforcement will then coordinate with various departments for dynamic message signs on state highways, notifications on lottery terminals, and subscriber alerts.

### **Public Safety Worker Medical Reform Passes**

SB 808 – Treatment by a *Medical Specialist* by Sen. DeCeglie (HB 637 by Rep. Yeager) passes.

SB 808 allows firefighters, law enforcement officers, correctional officers, and correctional probation officers to choose their medical specialists for treatment of compensable presumptive conditions. Written notice of the selected specialist must be provided to the workers' compensation carrier, and treatment must be authorized within five days. The bill limits reimbursement for specialist treatment to 200 percent of the Medicare rate and specifies that the specialist must be certified in the relevant medical specialty.

Effective date: October 1, 2024.

### **My Safe Florida Home Records Exemption Passes**

SB 988 – *Public Records / My Safe Florida Home Program* by Sen. Martin (HB 943 Rep. LaMarca) passes.

Establishes exemptions for certain information within applications and home inspection reports submitted to the My Safe Florida Home (MSFH) Program administered by the Department of Financial Services (DFS). The exempt information includes detailed address components, contact details, and home descriptions with pictures. This exemption applies retroactively to past and future submissions. The purpose is to enhance participant privacy and reduce the risk of home invasions. The bill includes a provision for review and potential repeal by October 2, 2029, and it requires a two-thirds

majority vote in the Legislature due to its impact on public records. The bill is not expected to incur fiscal costs for government agencies and takes effect immediately upon enactment.

Effective date: Upon becoming a law

### **Department of Financial Services Package Passes**

**HB 989 – *Department of Financial Services*** by Rep. LaMarca (SB 1098 by Sen. DiCeglie) passes.

The bill encompasses numerous changes to Florida's regulatory framework, including renaming a division and creating a tax liaison position. It clarifies benefit types for firefighters with cancer and adjusts regulations for the My Safe Florida Home Program. Administrative processes are streamlined by eliminating quarterly reporting requirements and specifying reimbursement methods for Workers' Compensation. It also mandates approval for contracts exceeding \$100,000 by various associations and adjusts agent licensing processes. Provisions regarding insurance policy renewal notices, fire safety regulations, warranty associations, bail bond agents, and unclaimed property are modified. The bill includes a fiscal analysis and most provisions become effective upon enactment, with specified exceptions.

Effective date: upon becoming a law.

### **Nicotine Product Restriction Passes**

**HB 1007 – *Nicotine Products and Dispensing Devices*** by Rep. Overdorf (SB 1006 Sen. Perry) passes.

The bill outlines regulations for nicotine products under the oversight of the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation. It introduces definitions for key terms and mandates manufacturers to certify nicotine dispensing devices with the Division, requiring FDA approval evidence. Additionally, it establishes an online directory of certified products and creates a wholesale nicotine product dealer permit. The bill permits unannounced inspections, imposes fines and criminal penalties for violations, and mandates retail permit holders to purchase from permitted wholesalers. It also allows law enforcement to seize and destroy non-registered nicotine products. The fiscal impact on both state government and the private sector is indeterminate.

Effective date: October 1, 2024

### **Emergency Management Director Requirements Passes**

**HB 1567 – *Qualifications for County Emergency Management Directors*** by Rep. Grant (SB 1262 Sen. Collins) passes.

This bill creates minimum education, experience, and training standards for all county emergency management directors (directors) which include:

- Fifty hours of training in business or public administration, business or public management, or emergency management or preparedness or a bachelor's degree.
- Four years of specified experience in comprehensive emergency management services with direct supervisory responsibility for responding to at least one emergency or disaster. The bill provides that a master's degree in certain fields may be substituted for 2 years of the required experience but not for the required supervisory experience, or alternatively, certain professional accreditation may substitute for the required experience as long as the certification remains in good standing until the experience requirements are met.
- One hundred fifty hours in comprehensive emergency management training provided through or approved by the Federal Emergency Agency (FEMA) or its successor, including completion of certain National Incident Management System (NIMS) courses, or equivalent FEMA courses through the Emergency Management Institute (EMI).

Effective date: July 1, 2024

### **Transportation Disadvantaged Legislation Passes**

SB 1380 – *Special Transportation Services for Persons with Disabilities* by Sen. Hutson (HB 1637 by Rep. Busatta-Cabrera) passes.

The bill addresses special transportation services for individuals with disabilities. It defines key terms, revises the membership and duties of the Commission for Transportation Disadvantaged, removes certain requirements for commission members, and mandates training for paratransit drivers. The bill also requires transportation providers to offer technology-based booking and tracking services, specifies complaint resolution procedures, and removes a deadline for establishing a model system for investigating adverse incidents. Additionally, it mandates reports from the Center for Urban Transportation Research and the I-STREET Living Lab on improving paratransit services for persons with disabilities.

Effective date: July 1, 2024.

### **Juvenile Justice Reform Passes**

HB 1425 – *Juvenile Justice* by Rep. Yarkosky (SB 1352 by Sen. Bradley) passes.

This bill revises provisions related to juvenile justice, focusing on treatment, education, and facility classifications.

- Authorizes certain Department of Juvenile Justice employees and contracted providers to possess and administer opioid antagonists, granting them immunity from liability for administration.
- Replaces "gender-specific" with "sex-specific" and defines "sex," adjusting programming and services for youth.

- Redesignates the nonsecure residential restrictiveness level as the "moderate-risk residential level," revises components of the maximum-risk residential level, and defines "moderate-risk" and "maximum-risk" facilities.
- Excludes juvenile assessment centers from facilities permitted to receive certain children transitioning from secure detention to supervised release detention care.
- Requires school boards to facilitate high school graduation credits for students in juvenile justice detention, prevention, or day treatment programs and to develop individualized education and transition plans for these students.
- Establishes review and approval responsibilities for the Florida Scholars Academy's academic calendar, allowing a reduction in the minimum number of instruction days for teacher planning.
- Revises provisions relating to juvenile justice circuit advisory boards, stating their composition, duties, and the requirement for each circuit to have one.

Effective date: July 1, 2024

### **Jacksonville-Duval Sheriff Budgetary Authorization Passes**

SB 1704 – *Sheriffs in Consolidated Governments* by Yarborough (HB 1447 by Rep. Duggan) passes.

This bill enhances the financial and operational autonomy of sheriffs within consolidated governments in Florida by granting them the authority to transfer funds between categories and code levels post-budget approval by the relevant governing body. It preserves the independent powers of sheriffs in consolidated governments concerning procurement, personnel selection, and management, without conflicting with civil service systems or boards.

Effective date: July 1, 2024.

### **Emergency Shelter Requirements Passes**

SB 7002 - *Deregulation of Public Schools/School District Finance and Budgets, Facilities, and Administration and Oversight* by Education Pre-K-12/ Fiscal Policy Committee, Sen. Hutson, Sen. Osgood passes.

The bill establishes deregulation measures for public school district finance, budgeting, facilities, and oversight, aimed at increasing flexibility and reducing regulatory burdens on district school boards.

As part of this deregulation, the bill revises the current requirement in s. 252.38, F.S., that school boards provide necessary personnel to staff facilities used as emergency shelter to the provision of necessary personnel to access the facilities or provide other duties related to the facilities as may be required pursuant to the county emergency management plan and program.

Effective date: July 1, 2024.

### **My Safe Florida Home Program Revisions Passes**

SB 7028 – *My Safe Florida Home Program* by Senate Banking and Insurance Committee (HB 1263 by Rep. LaMarca) passes.

The bill expands the My Safe Florida Home Program to include specific eligibility requirements for hurricane mitigation inspections and grants, focusing on owner-occupied, single-family homes or townhouses with a homestead exemption. It outlines conditions for homeowners to reapply for inspections and grants, allows inspections without grant eligibility, and specifies grant usage for improvements like opening protection and roof-to-wall connections. Low-income homeowners may receive up to \$10,000 without matching requirements. The Department of Financial Services is mandated to develop an efficient application process, prioritize reviews based on income and age, and ensure timely construction completion or grant extension requests. Provisions are included for requesting additional information and withdrawing applications if not received promptly, emphasizing education and outreach regarding program benefits.

Effective date: 1, 2024.

### **Mental Health and Substance Abuse Revision Passes**

HB 7021 – *Mental Health and Substance Abuse* by Rep. Maney (SB 1734 Sen. Grall).

The bill revises mental health and substance abuse regulations in Florida, including protocols for involuntary examinations and treatment, licensing for psychiatric nurses, and the establishment of behavioral health collaboratives. The bill affects both the Baker Act Program and the Marchman Act Program. It exempts certain licensed physicians and nurses from background screening requirements and establishes parameters for patient restrictions, notices, and emergency treatment orders. The bill also introduces procedures for transferring patients and documenting clinical records, amends procedures for handling minor patients, defines involuntary outpatient placement criteria, and clarifies mental health facility capacity conditions. Additionally, it establishes the Office of Children's Behavioral Health Ombudsman and provides funding for implementation, while repealing sections related to involuntary assessment and treatment services.

Effective date: July 1, 2024.

### **Health, Safety, & Justice: FAILED**

### **Firearm Prohibition Fails**

HB 209 / SB 130 – *Possession or Use of a Firearm in a Sensitive Location* by Rep. Rayner / Sen. Berman failed. Both bills died in their first committees.

This bill prohibits possession or use of firearm in sensitive locations, and also defines the term “sensitive location” to 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, child care program, and building owned by the Federal, State or Local government entity, homeless shelters, educational institutes, public transportation or public transit, bar or restaurant where alcohol is served, etc.

### **Government Meeting Teleconference Authorization Fails**

HB 157 / SB 894 - *Governing Body Meetings* by Rep. Caruso / Sen. Bradley failed this session. The House version died in its first committee stop and its Senate companion was killed in its final committee stop.

This bill allows the governing body of a municipality to convene meetings and conduct official business via teleconferencing or other technological means as long as such meetings meet all the requirements of public notice, public access, and public participation two times per calendar year. Meetings that include formal actions on ordinances or are quasi-judicial may not be conducted in such a manner. The limitations placed on meetings conducted via teleconferencing relating to public notice, access, and participation may be suspended upon the declaration of a state of emergency issued by the Governor.

### **Tax Exemption for Disabled First Responders Fails**

HB 171- *Homestead Exemptions for Totally and Permanently Disabled First Responders* by Rep. Daniels failed this session. This bill died in its first committee stop.

The bill removes limitations related to disabilities caused by cardiac events, eliminates obsolete provisions, and renumbers and amends various subsections for clarity. This bill requires applicants to provide specific documentation to the county property appraiser. The bill also includes notices to taxpayers and physicians regarding the consequences of providing false information.

### **Corrections Reform Fails**

HB 181/ SB 296 - *Treatment of Inmates* by Rep. Nixon / Sen. Davis failed this session. Both bills died in their first committee stops.

These bills Require state correctional institute to provide the following: Proper ventilation for all housing, sufficient meal time of 20 minutes for inmates unless the inmate has approved medical condition requiring an extension. Adequate food supply in case of an emergency, a correctional institution must set up a program with one or more community food bank locations near the institution. Necessary health supplies, PPE for

medical staff and inmate health, and necessary health products, including sanitary napkins, tampons, soap, and toothpaste. The department shall provide written notice to inmates of these rights upon entry. An inmate may file a grievance at any time if they believe these rights are being denied. Expands the definition of “Permanently incapacitated inmate” to include physical disability, impairment, or handicap.

### **Mental Health Crisis Training Bill Fails**

HB 195 - *Mental Health Crisis Intervention Training for Law Enforcement Officers* by Rep. Chambliss failed this session. HB 195 was withdrawn before reaching any of its committees.

This bill seeks to add an amendment to s. 943.17 F.S. and this amendment will create a subsection that will accomplish the following:

- By July 1, 2025, the commission, with consulting from a national organization with expertise in mental health crisis intervention, will create minimum standards for basic skills and continued training for Law Enforcement
- Thereafter, Thereafter, every basic skills course curriculum 32 required for law enforcement officers to obtain their initial 33 certification shall include a 40-hour curriculum on mental 34 health crisis intervention and a minimum of 8 hours of 35 continuing education courses annually.

### **Inmate Air Conditioning Requirement Fails**

HB 233 / SB 1702 - *Air Conditioning in Inmate Housing* by Rep. Hart / Sen. Powell failed this session. Both bills died after their first committee stop.

This bill requires state correctional institutes to provide portable air conditioners or air-cooling systems in each housing unit. This shall be funded from appropriations to the department in the General Appropriations Act.

### **Patient-Directed Doctor's Orders Bill Fails**

HB 219 & HB 221 / SB 390 & SB 392 - *Patient-Directed Doctor's Orders* by Rep. Plasencia / Sen. Gruters failed this session. All four bills died in their first committee stops.

These bills introduce changes related to patient-directed doctor's orders (PDDO) in various sections of Florida statutes. This bill emphasizes that the absence of a PDDO form does not prevent physicians or others from withholding or withdrawing medical interventions under certain conditions and clarifies that such forms are not required for treatment or admission to a healthcare facility. It also deals with legal and insurance aspects related to PDDO forms and specifies circumstances for health care surrogates to provide consent for PDDO forms.



### **Judicial Vacancy Measure Fails**

HB 457 / SB 490 – *District Courts of Appeals* by Rep. Silvers / Sen. Grall failed this session. Both bills were killed in their first committee stops. The bill addresses the excess judicial capacity in the First and Second District Courts of Appeal, stemming from the establishment of the Sixth District Court of Appeal due to changes in jurisdictional boundaries. To manage this, the legislation amends section 35.06, Florida Statutes, stipulating that if an event arises leading to a judicial vacancy in either of these districts, the number of judges in that respective district will reduce by one, setting a cap of 12 judges per district. Additionally, the Chief Justice of the Supreme Court is mandated to notify the Governor, the President of the Senate, and the Speaker of the House whenever such an event that could create a vacancy occurs in either district, as defined in sections 35.06(1) and (2) of the Florida Statutes.

### **Balance Billing Reform Fails**

SB 568 / HB 639 – *Coverage for Out-of-Network Ground Ambulance Emergency Services* by Sen. Hooper Rep. Yeager failed this year in session. SB 568 died in its second committee whereas HB 639 died in its last committee stop.

This bill requires health insurers and health maintenance organizations (HMO's) to reimburse out-of-network ambulance service providers for emergency ambulance services at the greatest of the following rates:

- The rate set by the jurisdictional county or municipality in which the services originated
- The contracted rate at which an insurer would reimburse a participating or in-network provider
- The lesser of either the provider's billed charges OR 350% of the Medicare rate for the same service

These billing reforms "balance billing" practices by providers.

### **Court Technology Funding Authorization Fails**

HB 763 / SB 950 – *Funding Court Technology* by Rep. Stark Rep. Bankson / Sen. Stewart failed. Both bills died in their first committee stops.

This bill authorizes clerks of court to fund improvements to court technology using filing fees, service charges, court costs, and fines. It also revises the distribution of certain civil penalties and administrative fees.

- Allows the funding of court-related functions such as case maintenance, records management, and improving court technology from various court-related fees.
- Adjusts the allocation of an additional civil penalty of \$16, where \$1.50 is remitted to the General Revenue Fund, \$9.50 to the Highway Safety Operating Trust Fund, and \$5.00 retained by the clerk for funding court-related technology needs.
- Specifies that of the \$12.50 administrative fee for noncriminal violations, \$6.25 is deposited into the Public Records Modernization Trust Fund for court-related technology needs, and \$6.25 goes into the fine and forfeiture fund.

### **Property Insurance Program Fails**

SB 102/ HB 1017 – *Insurance* by Sen. Jones/ Rep. Edmonds failed this session. Both of these bills did not make it past their first committee stops.

This bill creates a Property Insurance Commission, composed of two members appointed by the President of the Senate, one by the Minority Leader of the Senate, two by the Speaker of the House of Representatives, and one by the Minority Leader of the House of Representatives. This bill also states that the Office of Program Policy Analysis and Government Accountability (OPPAGA) is tasked with evaluating the effectiveness of the property insurance mediation program outlined in Florida Statutes.

### **Community Mobile Support Teams Fails**

SB 1394 / HB 1309 – *Community Mobile Support* by Rep. Canady / SB Gruters fails this session. SB 1394 reached its last committee before dying there and the House version of this bill is died in its first committee stop.

The bill requires the Department of Children and Families to contract with managing entities to place crisis counselors from community mental health centers within local law enforcement agencies. These crisis counselors to conduct follow-up contacts with children, adolescents, and adults who have been involuntarily committed under the Baker Act by a law enforcement officer and provide follow-up care to individuals in the community that law enforcement has identified as needing additional mental health support. The bill details what services the community mobile support team is required to offer and details the requirements of a community mental health center contracted by the managing entity.

### **Substance Use Disorder Treatment Services Fails**

SB 1636 / HB 1583 – *Substance Use Disorder Treatment* by Sen. Gruter / Rep. Steele failed during session. SB 1636 died in its second committee whereas the house companion died in its first committee stop.

This bill establishes the Substance Use Disorder Housing Advisory Council tasked with studying national best practices to improve therapeutic housing in compliance with federal law. The council, in collaboration with the University of South Florida College of Public Health, will assess zoning codes' impact on licensed service providers' ability to offer evidence-based treatment and housing. Membership and appointment criteria are outlined, with a preliminary report due on July 1, 2027, and a final report on September 1, 2027. Patient records in recovery residences become confidential, and local regulations are barred from restricting residents' stay duration or frequency in certified recovery residences within certain areas.

### **Water & Environmental Sustainability: PASSED**

#### **Public Bathing Spaces and Beach Water Sampling/Notification Legislation Passes**

HB 165 – *Sampling of Beach Waters and Public Bathing Spaces* by Rep. Gossett-Seidman (SB 338 Sen. Berman) passes.

The bill directs the Department of Health (DOH) to adopt rules relating to public bathing waters and bacteriological sampling. Rules must address the issuance of water quality health advisories and the closure of affected public bathing waters.

It prescribes a notice process for counties to notify DOH following a water quality incident in county-owned waters, and requires the county to post health advisory signage in any county-owned bathing spaces following a water quality incident.

The bill originally transferred authority over bacteria sampling of public bathing waters from the Department of Health (DOH) to the Florida Department of Environmental Protection (DEP).

Effective date: July 1, 2024

#### **Water Well Contractor Legislation Passes**

SB 1136 – *Regulations of Water Resources* by Sen. Trumbull (HB 1163 Rep. McClain) passes.

The bill revises the criteria for licensing as a water well contractor to require a certain threshold of permitted contracting experience within the state of Florida. It also prohibits a person or business entity from advertising well contracting services with a licensed water well contractor.

Effective date: July 1, 2024

#### **Water Quality Enhancement Credit Program Expansion Passes**

SB 1532 – *Mitigation* by Sen. Brodeur (HB 1073 by Rep. Truenow) passes.

The bill expands the water quality enhancement credit program to allow private entities to purchase credits. Currently, only governmental entities may purchase water quality enhancement credits under the program. Specifically, the bill provides that water quality enhancement credits may be sold to governmental entities seeking to meet an assigned basin management action plan allocation or reasonable assurance plan or to private or governmental applicants for the purpose of achieving net improvement or meeting environmental resource permit performance standards.

Effective date: July 1, 2024

### **Department of Environmental Protection Package Passes**

HB 1557 – *Department of Environmental Protection* by Rep. Chaney (SB 1386 by Sen. Calatayud) passes.

The bill represents the 2024 Department of Environmental Protection agency package and provides the following:

- Designates the Kristin Jacobs Coral Reef Ecosystem Conservation Area as an aquatic preserve.
- Requires each WMD, in coordination with DEP, to develop rules by December 31, 2025, that promote the reuse of reclaimed water.
- Expands the types of projects undertaken by municipalities and counties that may be awarded funding by the Resilient Florida Grant Program, and expands the information that must be submitted to DEP when vulnerability assessments are funded.
- Requires DEP to coordinate with the Chief Resilience Officer as well as the Florida Flood Hub for Applied Research and Innovation (Florida Flood Hub) in developing and maintaining the sea level rise data set and in updating the comprehensive statewide flood vulnerability and sea level rise data set, and requires that the assessment be updated at least every 5 years.
- Requires the Chief Science Officer to coordinate with the Chief Resilience Officer and the Florida Flood Hub when developing statewide sea level rise projections.
- Clarifies that the Legislature intends that the transfer of the regulation of the Onsite Sewage Program from the Department of Health (DOH) to DEP be completed in a phased approach, and requires that before the phased transfer, DEP shall coordinate with DOH to identify equipment and vehicles that were previously used to carry out the program in each county and that are no longer needed for such purpose and further requires DOH to transfer the agreed-upon equipment and vehicles to DEP to the extent that each county agrees to relinquish ownership of such equipment and vehicles to DOH.
- Requires DEP to adopt rules establishing and implementing a program of general permits for certain onsite sewage treatment and disposal systems (OSTDSs).

- Requires DEP to establish an enhanced nutrient-reducing OSTDS approval program that will expeditiously evaluate and approve such systems for use in this state.
- Requires that the annual report submitted by DEP regarding the Water Quality Improvement Grant Program must also include a status report on each project funded since 2021.
- Requires DEP to create a water quality dashboard.

Effective date: July 1, 2024

### **Florida Red Tide Mitigation and Technology Development Initiative Passes**

HB 1565 – *Florida Red Tide Mitigation and Technology Development Initiative* by Rep. Grant (SB 1360 by Sen. Gruters) passes.

The Florida Red Tide Mitigation and Technology Development Initiative is currently performing laboratory testing of algal bloom prevention and mitigation technologies. This bill directs the initiative to progress into the field trial deployment phase for technologies with successful laboratory tests. Successfully tested technologies are made eligible for expedited regulatory review and use in state waters.

Effective date: July 1, 2024

### **Environmental Funding Legislation Passes Using Gaming Compact Dollars**

SB 1638 – *Funding for Environmental Resources Management* by Sen. Brodeur (HB 1417 by Rep. Buchanan) passes. FAC supported this legislation through the inclusion in the 2024 FAC Legislative Action Plan to support a water work plan.

The bill directs the Department of Revenue to distribute 96% of the 2021 gaming compact revenues to land conservation and water infrastructure projects. The bill directs funding towards the acquisition and management of conservation lands and the identification and prioritization of critical clean water infrastructure investments be deposited in the Indian Gaming Revenue Trust Fund within the Department of Financial Services. The allocations are based on the lesser of a fixed funding level or a funding formula steering funding to the Florida Wildlife Corridor, land management activities, Resilient Florida, and other vital water quality projects and research.

Effective date: Upon becoming a law

### **Stormwater Rule Ratification Passes**

SB 7040 – *Stormwater Rule Ratification* by Sen. Rodriguez (HB 7053 Rep. Altman) passes. This bill ratifies the Department of Environmental Protection's proposed stormwater rule. The 2020 Clean Waterways Act directed DEP and the water management districts to initiate rulemaking regarding stormwater infrastructure and the associated environmental resource permitting process. Proposed rules with an aggregate 5-year economic impact estimate over \$1 million trigger the statutory

requirement for legislative ratification—the 5-year impact of this rule is estimated to be over \$1 billion.

Effective Date: Upon becoming a law

## **Water & Environmental Sustainability: FAILED**

### **Preemption of Recyclable and Polystyrene Materials Fails**

SB 498 – *Preemption of Recyclable and Polystyrene Materials* by Sen. Stewart failed this session. The bill died in its first Senate committee stop.

This bill repeals the current preemption on the regulation of certain recyclable materials. Repeals the current preemption on the regulation of polystyrene products.

### **Mangrove Replanting and Restoration Fails**

SB 32 / HB 1581 – *Mangrove Replanting and Restoration* by Sen. Garcia / Rep. Mooney failed this session. SB 32 died in its final committee stop in the senate whereas the house companion made it through its committee process then moved over to the Senate where it died.

This bill requires the Department of Environmental Protection (DEP) to adopt rules for mangrove replanting and restoration. To this end, DEP is also directed to conduct a statewide study, assessing the value of mangrove forests and other nature-based solutions to coastal flooding.

Rulemaking is required to include or address the following components:

- Erosion, particularly in areas of critical state concern
- Barrier islands
- Everglades and Biscayne Bay revitalization
- Vulnerable properties
- Intracoastal navigation and markers
- Permitting incentives, particularly for living shorelines/nature-based features
- Local partnership opportunities through the Resilient Florida grant program

### **Comprehensive Waste Reduction and Recycling Plan Fails**

SB 36 / HB 455 – *Comprehensive Waste Reduction and Recycling Plan* by Sen. Stewart / Rep. Casello failed this session. SB 36 died in its second committee whereas HB 455 made it through all its assigned committee in the House and then died in a Senate committee.

This legislation directs the Florida Department of Environmental Protection (DEP) to develop a comprehensive statewide recycling and waste-reduction plan by July 1, 2025.

To develop the plan, DEP is to convene a technical assistance group to assess the conclusions and recommendations of the previous statewide recycling plan, which sunset in 2020. Among the minimum provisions of the plan are:

- A statewide recycling goal based on sustainable materials managements and waste diversion.
- A 3-year plan addressing recycling education and outreach, local recycling assistance, and market expansion strategies for recyclable materials
- Reporting requirements to the legislature

### **State Renewable Energy Goals Fails**

SB 144 / HB 193 – *State Renewable Energy Goals* by Sen. Berman / Rep. Eskamani failed this session. Both bills died in their first committee stops.

This bill prohibits the drilling, exploration for, or production of petroleum products on state lands and waters and prohibits the permitting of associated structures. Removes landfill gas from the statutory definition of “biomass.” Removes waste heat from the statutory definition of “renewable energy,” and replaces it with “tidal energy.”

Establishes a statewide goal for 100% of the state’s electricity to be renewable energy by 2050; similarly, sets a goal of net-zero statewide carbon emissions by 2051. The bill directs the Office of Energy within the Department of Agriculture & Consumer Services to develop a plan for achieving these goals, including interim targets every ten years.

### **Dredging and Beach Restoration Projects Fails**

HB 163 / SB 608 – *Dredging and Beach Restoration Projects* by Rep. Gossett-Seidman/ Sen. Rodriguez failed this session. Both bills died in their initial committee stops.

This bill would require an environmental impact analysis conducted by an independent contractor as a condition of any dredging or beach restoration project permit. The independent contractor performing the analysis must pass a conflict check with the local government’s project contractor—specifically, they may not have worked together on a project within the past year, or for one year following conduction of the analysis.

Additionally, the local government seeking a permit must notify adjacent local governments of its intent to perform an environmental impact study, with a penalty of 10% of project costs for violations of this section. Dredging projects in ports maintained by the U.S. Army Corps of Engineers are exempt from this requirement.

Transfers authority over bacteria sampling of public bathing waters from the Department of Health (DOH) to the Florida Department of Environmental Protection (DEP). To prepare for this transfer, the bill requires the following:

- DOH is to provide a report to the Governor and the Legislature, detailing the volume of bacteria samples they process, costs and staffing levels associated with sampling, and the frequency of associated public health advisories.

- DOH and DEP are to submit consolidated recommendations regarding the transfer of this authority.
  - This includes the continued role, if necessary, of County Health Departments in sampling activities
- By June 30, 2025, DOH and DEP are to enter into an interagency agreement addressing all aspects of coordination between the two agencies.
- Requires DEP to adopt and enforce rules concerning procedures and timeframes for bacteriological sampling, as well as minimum health standards for public bathing waters. Minimum procedures include:
  - Owners of beach waters or public bathing waters are to notify DEP within 24 hours of a sample that fails to meet these minimum standards
  - DEP is required to issue a health advisory following a deficient water quality test
  - DEP must require the closure of any impacted waters if it deems it necessary to public health and safety. Closures must remain in effect until the waters' quality has been restored according to Department standards.
- Counties are to immediately notify DEP regarding any incident that may compromise the quality of beach or public bathing waters
- Following a deficient water quality test, DEP is directed to investigate wastewater facilities and ocean outfalls within a 1-mile radius of the affected waters.
- Counties and municipalities are made statutorily responsible for posting and maintaining appropriate signage in the event of a water quality health advisory.

### **Saltwater Intrusion Vulnerability Assessments Fails With Coastal Building Preemption**

SB 298/ HB 1079 – *Saltwater Intrusion Vulnerability Assessment* by Sen. Polsky / Rep. McFarland failed this session. SB 298 passed through its committee process but died in House messages whereas HB 1079 died in its second committee stop.

HB 1079 includes a preemption of coastal counties and municipalities to establish coastal construction zoning and building codes to those that received written authorization from the Department of Environmental Protection before December 1, 2023. This provision had widespread impacts that may have impacted many local coastal construction building and land use regulations.

This bill authorizes the Department of Environmental Protection to award grants to coastal counties for saltwater vulnerability assessments under the Resilient Florida grant program. Grants under this section are to include a 50% state cost-share. Cost-sharing requirements are waived for coastal counties with a population under 50,000.

Such assessments are expected to analyze the impact of saltwater intrusion on the county's water supply, as well as the county's preparedness for a saltwater intrusion



event. Saltwater intrusion represents a movement of coastal saltwater into inland freshwater aquifers and is often associated with sea level rise.

The bill at one point included language concerning coastal construction control lines. Current law allows a local government's building/zoning codes to deviate from the Department of Environmental Protection's construction control line regulations, conditional on Department approval. This would prohibit counties from such deviation going forward, though codes in place before December 1, 2023, are grandfathered in.

#### **Side Slope Permitting Rules Fails**

SB 406 - *Statewide Environmental Resource Permitting Rules* by Sen. Rodriguez failed this session. This bill died at its second committee stop.

This bill prescribes a 4:1 side slope ratio for any surface water management systems. Existing rules by the Department of Environmental Protection, water management districts, or local delegates, are superseded by this bill and may be repealed without further rulemaking.

Similar side slope language can be found in SB 738/HB 789.

#### **Heartland Headwaters LATF Bill Fails**

HB 451/ SB 452 – *Land Acquisition Trust Fund* by Rep. Bell / Sen. Burton failed this session. HB 451 died in its first committee stop whereas the Senate version was killed in its second committee stop.

The bill provides an annual appropriation of \$20 million from the state's Land Acquisition Trust Fund to fund implementation of 2017's Heartland Headwaters Protection and Sustainability Act. The 2017 Act directed the Polk Regional Water Cooperative to submit an annual report identifying water resource projects in its jurisdiction as priorities for state funding. The Legislature declared the waters of this region to be of strategic importance, given their relative vulnerability and future water demands of the region. The appropriation in HB 451/SB 452 is to be used for financial assistance for projects identified within the annual report.

#### **Excise Tax on Water Extracted for Commercial or Industrial Use Fails**

SB 510 - *Excise Tax on Water Extracted for Commercial or Industrial Use* by Sen. Stewart fails this session. Sb 510 died in its first committee stop.

This legislation creates a new part of Ch. 211, F.S. addressing "water extracted for commercial or industrial use," and amends the title of the chapter to reflect this expansion.

### **Florida Keys LATF Bill Fails**

SB 566 - *Land Acquisition Trust Fund* by Sen. Rodriguez fails this session. This bill died in its second committee stop.

This legislation would provide for an annual appropriation of \$20 million from the Land Acquisition Trust Fund to implement the Florida Keys Stewardship Act. Funds may be used by the Department of Environmental Protection for the following purposes:

- Projects that promote the protection of the Florida Bay, Florida Keys, or nearby marine ecosystems
- To acquire land within the Florida Keys area of critical state concern

### **Regulation of Single-use Plastic Products Fails**

SB 698 - *Regulation of Single-use Plastic Products* by Sen. Rodriguez failed this session. This bill died in its first committee stop.

This legislation would direct the Department of Environmental Protection to conduct and submit reports every five years on use trends and developments of retail shopping bags. Also authorizes coastal municipalities under 500,000 persons to conduct a pilot program regulating single-use plastics, conditional on pertinent data collection and submission of a report by 2027. The program may not impose new taxes or fees in regulating single-use plastics.

### **Everglades Protection Area Land Use Bill Fails**

HB 723 / SB 1364 - *Everglades Protection Area* by Rep. Busatta-Cabrera / Sen. Calatayud both failed this session. HB 723 died in its second committee stop whereas SB 1364 made it through its committee process but died in House messages.

Requires that any comprehensive plan or plan amendment applying to land within 2 miles of the Everglades Protection Area be reviewed pursuant to the State Coordinated Review Process. This includes a Department of Environmental Protection (DEP) determination of adverse impacts; in the event of adverse impacts, DEP is directed to coordinate with the Department of Commerce and the relevant local government to identify planning strategies to mitigate or eliminate the potential adverse impacts. The local government is then required to either adopt the mitigation strategy or not adopt that component of the comprehensive plan or amendment.

### **Broad Environmental Management Legislation Fails**

SB 738 / HB 789 - *Environmental Management* by Sen. Burgess / Rep. Overdorf failed this session. SB 738 completed its committee process but then died in House messages whereas its House companion bill died on the House floor.

Similar to language in SB 406, the bill prescribes a 4:1 side slope ratio for any surface water management systems. Existing rules by DEP, water management districts, or

locally delegated programs, are superseded by this bill and may be repealed without further rulemaking.

In addition, the bill limits causes of action relating to unauthorized pollution to damages to real or personal property.

### **Voluntary Freeboard Requirements Bill Fails**

HB 749 / SB 1766 - *Flood Damage Prevention* by Rep. Basabe Sen. Rodriquez fails this session. HB 749 died in its first committee stop whereas its Senate Companion died in its final committee stop.

This law establishes the maximum freeboard requirements for new construction—local governments are in turn preempted from establishing more stringent freeboard requirements. The bill also directs the Florida Building Commission to initiate rulemaking for minimum freeboard requirements.

### **Installation of Waterway Markers Fails**

SB 784 - *Installation of Waterway Markers* by Sen. Gruters fails this session. This bill died in its first committee stop.

This law would require all waterway markers pursuant to this section to be affixed to a plastic breakaway structure or floating buoy. This expressly preempts a state or local government entity from affixing a waterway marker to a steel beam or wood piling. These preempted structures must be replaced with an eligible structure by January 1, 2025. Additionally requires that any application for marking state waters include information regarding the structure or buoy to which the marker will be affixed.

### **Mitigation Areas and Assessments Fails; Bill Withdrawn**

SB 836 – *Mitigation Areas and Assessment* by Sen. Simon failed this session. This bill was withdrawn prior to going through its committee process.

Current law requires the Department of Environmental Protection and the water management districts, in their capacity as the state's administrators of environmental resource permitting programs, to adopt by rule a uniform method for mitigation assessments of wetlands and surface waters. The uniform method must consider the degree of financial risk involved in mitigation activities. Under the bill, a method may not consider the risk in the event that a permittee assumes financial responsibility in one of the following forms:

- Cash or cash equivalent in escrow
- Irrevocable letter of credit
- Performance bond
- Trust fund agreement
- Guarantee bond

- Insurance certificate

### **Surface Water Preemption Fails**

HB 863 / SB 986 - *Management and Storage of Surface Waters* by Rep. Killebrew/ Sen. Burton fails this session. HB 863 was withdrawn before starting its committee process whereas its Senate combine bill died in its first committee stop.

Current law preempts the regulation of environmental restoration and water quality improvement activities on lands classified as agricultural, provided that the Department of Environmental Protection or the jurisdictional water management district has determined the activities to have an insignificant impact on the state's water resources. This bill expands the exempted activities to include environmental "enhancement or creation." This expressly includes activities that alter the topography of the land, divert or impede surface water flow, or impact wetlands, provided there is a net increase in wetland resource functions. However, the exemption does NOT provide for mitigation banking activities.

### **Indian River Lagoon Protection Program Fails**

HB 1005 /SB 1354 - *Indian River Lagoon Protection Program* by Rep. Roth / Sen. Wright failed in session. Both bills died in their first committee stops.

The bill revises the following distribution rates of documentary stamp revenues:

- The Resilient Florida Trust Fund distributions are reduced from 5.4175% to 2.875%
- The Water Protection and Sustainability Program Trust Fund distributions are increased from 5.4175% to 7.959%

Of the Water Protection and Sustainability Program distributions, the greater of 40% or \$60 million shall be earmarked for the Indian River Lagoon Protection Program. Funds are to be used for conversion of eligible septic tanks to advanced wastewater treatment systems. Funds will be disbursed to local governments but may not exceed 50% of total project costs—the remaining costs must presumably be borne by the local government.

### **Soil and Water Conservation District Consolidation Fails**

HB 1075 / SB 1772 - *Soil and Water Conservation Districts* by Rep. Truenow / Sen. Collins failed passage this session. HB 1075 died in its second committee stop whereas its Senate companion, SB 1772 died in its first committee stop.

This legislation would dissolve 9 soil and water conservation districts and transfer their assets and liabilities to the counties in which they operate. Dissolves 49 other soil and water conservation districts and transfers their assets and liabilities to the Department of Agriculture and Consumer Services. In their stead, the state will be divided into 7 regional soil and water conservation districts. The bill also prescribes that the

supervisors of a soil and water conservation district be appointed by the Commissioner of Agriculture rather than elected.

### **Advanced Wastewater Measure Fails**

HB 1153 / SB 1304 – *Advanced Wastewater Treatment* by Rep. Cross, Rep. Mooney / Sen. Berman failed this session. Both bills died at their first committee stops.

This bill would direct the Department of Environmental Protection to submit a report regarding treatment data for any advanced wastewater treatment facility with a permitted capacity of greater than 1 million gallons per day.

### **Carbon Sequestration Measure Fails**

HB 1187 / SB 1258 - *Carbon Sequestration* by Rep. Cross / Sen. Rodriquez fails this session. Both bills die in their respective second committee stops.

This law would create the Carbon Sequestration Task Force adjunct to the Department of Environmental Protection, to provide recommendations for the development of a statewide carbon sequestration program. The duties of the task force are to include the following:

- Identify and inventory terrestrial and aquatic environments suitable for carbon sequestration
- Consider possible carbon sequestration opportunities in the state's land and marine resource use policies
- Establish baseline carbon levels
- Recommend long- and short-term benchmarks for carbon sequestration activities
- Identify existing carbon markets
- Identify funding mechanisms to encourage carbon sequestration practices in the state

The bill also appropriates \$350,000 for FY2024-25, for administrative costs of the task force.

### **Climate Resilience and Drinking Water Standards Fails**

HB 1531 / SB 1630 - *Climate Resilience and Drinking Water Standards* by Rep. Joseph / Sen. Torres, Jr

This law would direct the Department of Environmental Protection to create the Blue Communities program, to provide technical/financial assistance grants and loans to eligible local governments for reduction of nutrient pollution and ocean acidification. Eligible "Blue Communities" must meet the following criteria:

- File an application
- Adopt no less than 5 of the water initiatives listed in this section

- Develop a plan to implement the chosen initiatives, and outline benchmarks for each initiative
- Submit a report including expenditures and results of each initiative

Establishes the Ocean State Climate Adaptation and Resilience (OSCAR) Grant Fund within DEP. Grant funds are to be used for planning, design, and implementation of adaptation and resilience projects recommended by an advisory council within DEP. DEP and the advisory council are directed to establish a process for solicitation, evaluation, and award of grant funds. The House bill also directs DEP or a county health department designer to monitor the levels of Per- and Polyfluoroalkyl substances (PFAS) in community water systems using the latest national primary drinking water regulations. By September 1, 2024, DEP is directed to adopt rules concerning this subsection, including an enforceable maximum contaminant level for PFAS compounds.

### **PFAS Regulation Fails**

HB 1665 / SB 1692 - *Preventing Contaminants from Discharging into Wastewater Facilities and Waters of the State* by Rep. Gossett-Seidman / Sen. Brodeur fails this session. HB 165 died in its first committee stop whereas its Senate companion, SB 1692 died in its final committee stop.

This law would create the Per- and Polyfluoroalkyl Substances (PFAS) and 1,4-Dioxane Pretreatment Initiative within the Department of Environmental Protection (DEP), to coordinate wastewater facility industrial pretreatment programs. Wastewater facilities with industrial pretreatment programs are directed to do the following:

- Complete an inventory of industrial users to identify potential sources of PFAS contamination and 1,4 dioxane by July 1, 2025
- Provide notice by March 1, 2025, to the identified industrial users that they may become subject to PFAS and 1,4 dioxane permitting standards
- Issue a permit, order, or similar measure to enforce applicable pretreatment standards and requirements for 1,4-dioxane and certain types of PFAS, including specific discharge limits; and
- Between July 1, 2026, and January 1, 2027, complete a grab sampling at each identified industrial user's facility and other at-risk sites that are probably sources of 1,4-dioxane and certain types of PFAS and implement appropriate corrective action before July 1, 2027, to reduce or eliminate these contaminants.

The bill also provides interim discharge limits and surface water quality standards for 1,4-dioxane and certain PFAS compounds for industrial users until new specific limits are adopted.

### **Technology: PASSED**

### **County Cybersecurity Liability Protection Passes**

HB 473 - *Cybersecurity Incident Liability* by Rep. Giallombardo (SB 658 by Sen. DiCeglie) passed this session.

The bill provides that a county may not be held liable for a cybersecurity or ransomware incident, provided that the county has “substantially complied” with the statutory guidelines and best practices on the matter.

The bill does not create a cause of action, and expressly clarifies that failure to comply with these guidelines does not, in itself, constitute negligence on the part of the county. However, in any legal action connected to a cybersecurity incident, the county has the burden of proof to establish “substantial compliance.”

### **State Government Technology Modernization Council Established**

SB 1680 - *Advanced Technology* by Sen. Bradley passed this session.

The bill establishes the Government Technology Modernization Council, an advisory council within the Department of Management Services, to generally advise the Legislature on new technologies, artificial intelligence, and provide guidance on necessary legislative reforms and the creation of a state code of ethics for artificial intelligence systems in state government. The general purpose of the advisory council is to study and monitor the development and deployment of new technologies and provide reports on recommendations for the procurement and regulation of such systems to the Governor and the Legislature. Accordingly, the bill requires council members to meet at least quarterly and to perform several duties, including the preparation and submittal of an annual report to the Governor and Legislature addressing the modernization of government technology. The bill also provides for the composition of the advisory council and regulates other aspects of service on the council.

### **Technology: FAILED**

### **Alternative Fuel Fleet Vehicle Rebates Fails**

SB 650/ HB 0803 - *Alternative Fuel Fleet Vehicle Rebates* by Sen. Rodriguez / Rep. Casello fails this session. SB 650 died in its final committee stop whereas HB 803 died in its first committee stop.

This legislation renames the natural gas fuel fleet vehicle rebate program to the alternative fuel fleet vehicle rebate program and expands its scope.

- Expands rebate eligibility from only natural gas-fueled fleet vehicles to those powered by various alternative fuels, including electric and hybrid sources.
- Requires that these fleet vehicles comply with applicable U.S. Environmental Protection Agency emission standards.

- Mandates the Department of Agriculture and Consumer Services to adopt necessary rules for the program by December 31, 2024.
- Caps rebates at 50% of eligible costs or a maximum of \$25,000 per vehicle and \$250,000 per fiscal year for each applicant, with a partial reservation of funds for governmental applicants.
- States that the department must provide an annual assessment of the rebate program's usage to the Governor and the Legislature by October 1, 2026, and annually thereafter.
- Removes obsolete language and provisions from previous iterations of the program, streamlining the application and rebate process.

### **Underground Facility Project Requirements Fails**

SB 708/ HB 825 Sen. Burton / Rep. Koster Fails this session. SB 708 died in its final committee stop and HB 825 died on the House second reading calender.

The bill revises regulations on excavations and demolitions regarding underground facilities.

- Extends the notification period for excavators from two to three business days before starting work, except for underwater projects, which require a ten-day notice.
- Requires member operators to mark the route of underground facilities within three business days after receiving a notification.
- Mandates member operators to communicate with the excavator if unable to meet marking deadlines to negotiate a new schedule.
- Introduces enhanced civil penalties for violations regarding underground facilities transporting hazardous materials.
- Reenacts several sections relating to definitions, exemptions, and low-impact marking practices for consistency with the amendments made.

### **Aviation Reform Fails**

HB 981 / SB 1362 – *Aviation* by Rep. Bankson / Sen. Harrell failed this session. HB 981 made it through its committee process then died in Senate returning messages. SB 1362 also made it through its committee process but was laid on the table.

The bills expand and revises Florida's aviation laws to include definitions and regulations for advanced air mobility, emphasizing the development of vertiports and addressing airport zoning and land use. Ultimately, the bills differed on local zoning requirements and exclusivity in vertiport owners or operators within the jurisdiction of the subdivision.



- Revises the definition of aircraft to include a wide variety of types, including drones and tiltrotors, and clarifies the definition of an airport to encompass various aviation facilities.
- Requires owners or lessees of proposed vertiports to comply with site approval and licensing or registration requirements, including a physical inspection by the Department of Transportation.
- Mandates the Department of Transportation to support the integration of advanced air mobility into the state's aviation system through resource provision, expert designation, and coordination with local jurisdictions and hub airports.
- Directs the Department to lead a statewide education campaign on the benefits of advanced air mobility and to provide a report to the Governor and Legislature with industry status, recommendations for regulatory changes, and infrastructure needs.
- Obligates certain municipally owned airports seeking public-funded vertiport operators to select through a competitive bidding process.
- Updates requirements for the adoption of airport land use compatibility zoning regulations to address issues such as landfill restrictions, bird management, noise studies, and the mitigation of incompatible land uses.

### **Bidirectional Charging Legislation Fails**

SB 1212 - *Bidirectional Charging by Electric Vehicles* by Sen. Polsky failed this session. This bill died in its first committee stop.

This legislation mandates the establishment of the Workgroup on Bidirectional Charging by Electric Vehicles to explore the use of electric vehicles for emergency power supply and grid support.

- Recognizes the vulnerability of the state's electrical grid to severe weather and emphasizes the importance of alternative electricity sources during emergencies.
- Defines key terms related to bidirectional charging and electric vehicles.
- Instructs the Office of Energy, along with other relevant departments, to create a workgroup by October 1, 2024, to examine the feasibility of using electric vehicles as mobile power sources.
- Specifies that the workgroup's composition includes government officials, consumer advocates, and representatives from the utility and automotive industries, without compensation for their participation.

- Requires the workgroup to submit a detailed report by January 1, 2026, outlining the benefits, costs, technical needs, and required energy sector resources for implementing bidirectional charging practices.
- Stipulates the section's expiration the day after the report submission deadline, January 2, 2026.

### **Autonomous Vehicles Bill Fails**

SB 1580 - *Autonomous Vehicles* by Sen. Torres Jr failed this session and died in its first committee stop.

This law modifies regulations for autonomous vehicles, focusing on operator presence and reporting requirements.

- Exempts vehicles under 10,001 pounds from needing a licensed operator present.
- Requires a licensed human operator in autonomous vehicles over 10,001 pounds for public road operation.
- Mandates annual reporting by manufacturers on disengagements of the automated driving system for vehicles over 10,001 pounds.
- Obliges manufacturers to report any collisions involving their autonomous vehicles within 10 days.
- Directs the Department of Highway Safety and Motor Vehicles to evaluate the performance of autonomous vehicle technology, considering public safety and employment impacts, with a report due by January 1, 2030, or 5 years after the commencement of the evaluation.