



FLORIDA  
ASSOCIATION OF  
COUNTIES  
*All About Florida*

FAC Public Policy



# Legislative Session Wrap-Up





# Public Policy



## The 2024 regular Legislative Session included:

- 1902 Bills and PCBs filed
- 325 Bills passed both chambers
- 17.1% of total bills passed this session
  
- 450+ Bills in FAC Bill Tracker
- Nearly 100 Preemptions/Mandates



# 2024 Legislative Action Plan



## PASSED

- ✓ Public Records/County Attorneys—HB 103
- ✓ Regional Rural Development Grants Program—HB 141
- ✓ **Prohibiting Human Trafficked Labor in Government Contracts—HB 7063**
- ✓ **Continuing Contracts—HB 149**
- ✓ **PACE Program Clarification—SB 770**
- ✓ Affordable Housing/TDT in Monroe County—SB 1456
- ✓ Funding for Environmental Resource Management—SB 1638
- ✓ Local Occupational Licensing Extension—SB 1142





## **SB 770 Improvements to Real Property (PACE) **PASSED****

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



## SB 770 Improvements to Real Property (PACE) **PASSED**

- Additional protections and requirements for PACE programs include:
  - Sets requirements for program administrators entering contracts with a county/municipality
  - Allows for the **deauthorization** of a program administrator through specific measures.
  - **New process and criteria** for entering financing agreements, including prohibited agreements, required disclosures, advisory notices for certain improvements, compensation for tax collectors, and provisions for change orders.
  - Requires program administrators to post an **annual report** on their website with specific information about the program's operations and mandates an operational audit of each program administrator by the Auditor General every 3 years.
  - **Ensures that existing contracts or agreements prior to the act's effect must be amended to comply with the new provisions.**



## HB 151 Florida Retirement System **PASSED** – No Cost-of-Living Adjustment (COLA)

- Senate and House agreed to **not adopt changes** to COLA for the Florida Retirement System Defined Benefit Program
- Bill provides for revised FRS Normal Rates and Unfunded Liability Rates
- Decreases the required termination period for an employee that has completed DROP to be able be rehired and be able to receive retirement benefits from 1 year to 6 months.





## Workers' Compensation Bills **PASSED**

### **SB 808 Treatment by a Medical Specialist**

- 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
- 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.



## Workers' Compensation Bills **PASSED**

### **SB 362 Medical Treatment Under the Workers' Compensation Law**

- Increases witness fee limits and reimbursement allowances for physicians and surgical procedures under Workers' Compensation Law.
- Allows health care providers giving a deposition to charge a witness fee up to \$300 per hour, an increase from \$200.
- Limits expert witness fees, who have not provided direct services related to the case but reviewed records, to \$300 per day, up from \$200.
- Raises maximum reimbursement for physicians under chapters 458 or 459 to 175% of Medicare's reimbursement rate, from the previous 110%.
- Increases the maximum reimbursement for surgical procedures to 210% of Medicare's rate or the level adopted by the three-member panel as of January 1, 2003, whichever is higher.
- Obligates the department to provide data, including utilization trends, to the panel and furnish an annual report on medical reimbursement dispute resolutions.





## HB 473 Cybersecurity Incident Liability **PASSED**

- 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



## SB 1451 Identification Documents **PASSED**

- 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



## SB 1526 Local Regulation of Nonconforming and Unsafe Structures

### PASSED

- 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.
- Local governments must authorize replacement structures to be developed to the maximum height and overall building size authorized for a similarly situated parcel within the same zoning district.
- 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.





## **SB 1526 Local Regulation of Nonconforming and Unsafe Structures**

### **PASSED**

- 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.



## HB 433 Employment Regulation (Esposito) **PASSED (amended)**

- 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.
  - Does 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.
- Preempts the regulation of workplace heat exposure requirements



## HB 1365 Unauthorized Public Camping and Public Sleeping **PASSED** (amended)

- Prohibit a county from authorizing or otherwise allowing any person from regularly engaging in public camping or public sleeping on any public property under the county's jurisdiction, unless the county designates property for such purposes.
- Defines Public Sleeping and Camping to mean:
  - Lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings, or
  - Lodging or residing overnight in an outdoor space without a tent or other temporary structure
  - The term does not include lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it may lawfully be; or camping for recreational purposes on property designated for such purposes.
- Provides that if a county designates an area for use for public camping and sleeping, the county must:
  - Ensure the safety and security of safety and security of the property and persons residing there
  - Maintain sanitation, including providing access to restrooms and running water
  - Prohibit illegal substance use and alcohol use on the property and provide access to behavioral health services
- Provides a resident or owner of a business within the county may bring a civil action against a county or municipality for authorizing or allowing public camping or sleeping in an area other than one so designated and meeting the necessary conditions.





## HB 267 Building Regulations (Esposito) **PASSED (amended)**

- Provides for one statutory framework for the approval of building permits. A local government must approve, approve with conditions, or deny a building permit application after receipt of a completed and sufficient application within certain timeframes or “shot clocks”
- Establishes a new “Curing Process” for insufficient applications
  - Provides 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
- Provides for upgrading hardware and software technology with excess carry-forward funds to assist with enforcement of the building code
- Modifies provisions requiring local governments to refund permit fees
- Requiring local governments to adopt standard operating audit procedures regarding private provider audits.



## **SB 812 Expedited Permitting of Residential Building Permits (Ingoglia)** **PASSED (amended)**

- Requires a governing body of a county that has 75,000 residents or more to create a program to expedite the process for issuing building permits for residential subdivisions or planned communities
- Establish a two-step application process for the adoption of a preliminary plat and for a final plat
  - The governing body must issue 50% of the building permits for the residential development
  - The governing body must maximize administrative processes to expedite review and approval
  - Allows an applicant to use a private provider to expedite the application process and establish a registry of at least three qualified contractors to supplement staff resources for processing and expediting the review of an application for a preliminary plat or related plans.
  - Final certificates of occupancy must be issued prior to the issuance of a final plat
  - Applicants must maintain ownership until the final plat is issued
- Provides indemnification of the local government by the applicant and requires performance bonds
- Provides vested rights in a preliminary plat upon conditions met by the applicant



## HB 1567 Qualifications for County Emergency Management Directors **PASSED (amended)**

- Creates minimum education, experience, and training standards for all county emergency management directors (directors) which include:
  - 50 hours of training in business or public administration, business or public management, or emergency management or preparedness or a bachelor's degree.
  - 4 years of specified experience in comprehensive emergency management services with direct supervisory responsibility for responding to at least one emergency or disaster.
    - A master's degree in certain fields may be substituted for 2 years of the required experience
  - 150 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).
- County Emergency Management Directors who do not satisfy the training or certification requirements have until June 30, 2026, to complete such requirements





## HB 7073 Tax Package **PASSED (amended)**

- 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.



## HB 7073 Tax Package (Continued) **PASSED (amended)**

- Additional Provisions Impacting Counties:
  - 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
- 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



## HJR 7017 & HB 7019 Homestead Exemption CPI & Implementation **PASSED** / HJR 7015 Doubling the Homestead Exemption **FAILED**

- Places a Constitutional amendment (HJR 7017) on the General Election Ballot this November. The amendment:
  - Increases the second \$25,000 Homestead Exemption that applies to non-school levies by to the annual change in the Consumer Price Index
  - If passed, the increase would first occur with respect to the exemption January of 2025.
    - Estimated to impact non-school revenues by (\$22 M) in 2025-26
    - Estimated to be (\$111.8 M) in 2028-29
- HB 7019 implements the proposed constitutional amendment
  - Provides for a state offset for the impact to Fiscally Constrained Counties
- HJR 7015 would have doubled the second \$25,000 Homestead Exemption that applies to non-school levies to a \$50,000 exemption, effective January 1, 2025.
  - This Joint Resolution was introduced following a hearing in House Ways & Means but was never heard again.





## FAILED

- County Commissioner Term Limits—HB 57/SB 438
  - House: 8-year term limit
  - Senate: 8-year term limit *through county referendum*
- Sovereign Immunity—HB 569/SB 472
  - The bill would have increased caps to 300k, 500k
- 2025 Outlook

# 2024-25 Budget



BUDGET COMPARISON BY SECTION	SFY 2023-24 GAA	SFY 2024-25 GAA	\$ DIFFERENCE SFY 23-24 VS. SFY 24-25	% DIFFERENCE SFY 23-24 VS. SFY 24-25	% OF TOTAL
SECTION 1. EDUCATION	\$ 3,156,143,737	\$ 2,502,800,000	\$(653,343,737)	-20.70%	2.13%
SECTION 2. EDUCATION	\$ 27,148,331,524	\$29,593,327,172	\$2,444,995,648	9.01%	25.19%
SECTION 3. HEALTH AND HUMAN SERVICES	\$47,260,202,276	\$46,546,944,340	\$(713,257,936)	-1.51%	39.63%
SECTION 4. CRIMINAL JUSTICE AND CORRECTIONS	\$6,007,616,760	\$6,597,123,676	\$589,506,916	9.81%	5.62%
SECTION 5. NATURAL RESOURCES/ENVIRONMENT/GROWTH/TRANSPORTATION	\$22,669,753,979	\$22,649,588,381	\$(20,165,598)	-0.09%	19.28%
SECTION 6. GENERAL GOVERNMENT	\$ 10,071,975,277	\$8,832,151,288	\$(1,239,823,989)	-12.31%	7.52%
SECTION 7: JUDICIAL BRANCH	\$ 712,723,994	\$741,339,517	\$ 28,615,523	4.01%	0.63%
<b>TOTAL BUDGET</b>	<b>\$117,026,747,547</b>	<b>\$117,463,274,374</b>	<b>\$ 436,526,827</b>	<b>0.37%</b>	<b>100%</b>

# County Funding Highlights



- Community Substance Abuse and Mental Health Services: \$1.327 billion
- Septic-to-Sewer/Wastewater Improvements: \$135 million
- Resilient Florida Trust Fund and programs: \$145 million
- Everglades Restoration: \$614 million
- State Housing Initiatives Partnership (SHIP): \$174 million
- Affordable Housing Programs: \$234 million
- Florida Hometown Hero Housing Program: \$100 million
- Small County Outreach Program (SCOP): \$88.6 million
- Small County Road Assistance Program (SCRAP): \$26.5 million
- Transportation Disadvantaged Grants and Aids: \$62.4 million
- Fiscally Constrained Constitutional Amendment Offset: \$70.7 million
- Visit Florida: \$80 million
- Rural Infrastructure Fund: \$27 million
- **Cybersecurity: \$40 million carry-forward from previous year**





# Public Policy



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Legislative Wrap-Up Webinar



# Questions?

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