FLORIDA ASSOCIATION OF COUNTIES
All About Florida

67 Counties. 67 Communities.

ONE FLORIDA

2026 LEGISLATIVE CONFERENCE

December 2-4

Sawgrass Marriott

Ponte Vedra Florida

St. Johns County




COMMUNITY & URBAN
AFFAIRS

Community & Urban Affairs Committee



CHAIR

Bobby Powell Jr.

Palm Beach County



VICE-CHAIR

Steve Geller

Broward County



VICE-CHAIR

George Kruse

Manatee County

ROLL CALL



67 Counties. 67 Communities.

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Reminder

Only members of the committee can make motions and vote.

However, all commissioners and staff can make comments, ask questions, and debate during the discussion of each action item.

The Charge to Review and Restructure FAC's Guiding Principles

PRESIDENT FLOWERS' DIRECTIVE TO THE SELECT COMMITTEE

A full review, front to back

The first comprehensive review and restructuring of the Guiding Principles in many years, announced by President Flowers at the June Annual Conference.

Commissioners leading the work

A Select Committee of county commissioners and staff from across the state, formally appointed by the President.

WHAT GUIDING PRINCIPLES ARE

Enduring policy, not session positions

The long-term foundation that holds while individual positions evolve year to year.

The lens for advocacy

FAC uses to evaluate legislation and communicate county priorities.

CUA 01 – Confidential Public Works Estimates

Submitted by Hernando County

Proposal

Support legislation extending to counties and municipalities the temporary public-records protections currently provided to the Florida Department of Transportation for official project cost estimates and bid-analysis and monitoring systems used in public works procurement under s. 337.168, F.S..

Key Point

- Local governments conduct the same competitive procurements under s. 255.20 and s. 336.41, F.S., but no exemption reaches their own estimates or bid-analysis tools; s. 119.071(1)(b), F.S., protects only the bids received, and only briefly.

Staff Notes:

- Section 255.20(1), F.S. requires local governments to competitively award public construction works estimated above $300,000($75,000 for electric work).
- Section 336.41, F.S. requires competitive bids for county road/bridge construction funded from gas tax.
- Hernando County BoCC supports this submission.

CUA 02 – Electric Vehicle Registration Fee

Submitted by Hernando County

Proposal

Hernando County ask FAC to support legislation establishing an annual road-use registration fee for battery electric vehicles and requiring an equitable share of the proceeds to be distributed to counties and municipalities for transportation maintenance and improvements.

Key Point

- Under current law those vehicles pay only the standard weight-based license tax — s. 320.08001, F.S., expressly equalizes electric and non-electric vehicles — and contribute nothing through the state and local per-gallon fuel taxes that fund county road programs, a base FDOT projects will erode 5.6 to 20 percent by 2040.

Staff Notes:

- Hernando County BoCC supports this submission.

CUA 03 – Local Option Fuel Tax Indexing

Submitted by Hernando County

Proposal

Hernando County asks FAC to support legislation authorizing counties to index local option fuel taxes to annual changes in the Consumer Price Index, while retaining local adoption requirements and existing statutory restrictions on the use of proceeds.

Key Points

- The state has applied this annual adjustment to its own fuel sales tax since 1997 and SCETS tax since 1992. Under this annual adjustment, state fuel sales taxes have grown from 6.9 cents to 18.0 cents per gallon while county rates remain fixed in nominal cents.
- Thirty-five counties, including Hernando, already levy all twelve cents at the statutory maximums, against a statewide base of $1.04 billion in FY 2025-26.

Staff Notes:

- Hernando County BoCC supports this submission.

CUA 04 – Rural Transportation Impact Fee Flexibility

Submitted by Hendry County

Proposal

Hendry County asks FAC to support legislation amending Florida's impact fee laws to allow fiscally constrained counties greater flexibility to use transportation impact fee revenues for the reconstruction, rehabilitation, resurfacing, widening, and structural improvement of existing county roads serving and impacted by new development, while maintaining the required reasonable connection between the development generating the fees and the transportation improvements receiving those revenues.

Key Point

- Current law defines eligible "infrastructure" to exclude the cost of repairs or maintenance (s. 163.31801(3)(b), F.S.) and requires fee expenditures to benefit new users, leaving resurfacing and rehabilitation of existing roads ineligible even where development-generated traffic drives the deterioration.

Staff Notes:

- Hendry County BoCC supports this submission.

CUA 05 – Protecting Local Planning After Hurricanes

Submitted by Flagler County

Proposal

Flagler County resubmits the 2025–26 "SB 180 Glitch Fix" policy (CUA-7, adopted), asking FAC to support narrowing the land-use preemptions in CS/CS/SB 180 (2025), ch. 2025-190, Laws of Florida, to properties and actions reasonably related to hurricane recovery.

Key Points

- Sections 18 and 28 bar "more restrictive or burdensome" local land-use action statewide through October 1, 2027 — retroactive to August 1, 2024 — and for one year after a future hurricane within 100 miles.
- The FAC-developed vehicle, SB 840 (2026), passed the Senate 38–0 before dying unheard in a House subcommittee.

Staff Notes:

- Flagler County BoCC supports this submission.

CUA 06 – Sovereign Immunity—Community Transportation Coordinators

Submitted by Marion County

Proposal

Marion County asks FAC to support amending s. 768.28, F.S., so that state-designated Community Transportation Coordinators (CTCs) operating public transit fall within the statute's sovereign immunity caps.

Key Points

- Section 768.28 does not name CTCs, but the Attorney General has twice opined (AGO 99-05; AGO 2003-21) that nongovernmental CTCs already qualify as instrumentalities of the state, a conclusion resting on advisory opinions and a case-by-case control test rather than statute.
- The proposal reaches roughly 25 predominantly rural counties served by nonprofit CTCs, imposes no county cost or mandate, and is protective of home rule.

Staff Notes:

- Marion County BoCC supports this submission.
- Section 768.28 already extends liability limits to numerous private/ nonprofit entities performing public functions under state contract, including correctional and juvenile-justice service providers, contracted rail operators and independent medical schools serving as agents of public teaching hospitals.

CUA 07 – Residence Limits for RV Park TDT Assessment

Submitted by Marion County

Proposal

Marion County asks FAC to support amending s. 212.03(7)(c), F.S., to raise from three to six months the continuous-residence threshold that determines whether a trailer camp, mobile home park outside ch. 723, or recreational vehicle (RV) park is exempt, as a facility, from the state transient rentals tax.

Key Points

- At a qualifying park every transient rental is exempt — including stays of six months or less that otherwise fall within the tourist development tax (TDT) base — and the exemption carries through to the TDT, discretionary sales surtaxes, and other local levies that share the state base.
- The revenue effect is positive for counties but unquantified, and the three-month test has stood unamended since at least 1998 with no recent vehicle.

Staff Notes:

- Marion County BoCC supports this submission.

FTA 04 – Local Option Zero Homestead Tax Initiative CROSS CLAIM

Submitted by Okaloosa County

Proposal

Authorize a new, separate 1% county local option sales surtax that replaces county and city general millage on homestead property while it is levied.

Key Points

- Adds a new local discretionary sales surtax to section 212.055.
- Intended to serve as replacement funding source for county and city general revenue currently derived from homesteaded property tax.
- Sponsor provides that, as a condition to levying the surtax, the counties and cities therein would be prohibited from levying any general millage on homesteads during the term of the surtax.

Staff Notes:

- Section 212.055, F.S., currently authorizes ***nine*** different local discretionary sales surtaxes (also referred to as local option sales tax). Rates vary by county and range from .5% to 2%.
- 65 of Florida's 67 counties impose at least one local option sales tax. Citrus and Collier impose none.
- Local discretionary sales surtax apply to transactions subject to sales tax/ authorized transactions under ch. 212, F.S./certain communications tax transactions.

FTA 08 – Local Revenue Flexibility CROSS CLAIM

Submitted by Franklin County

Proposal

Support legislative options for counties to manage costs associated with requirements under 125.0104(4)(c), F.S. which govern the planning and imposition of tourist development taxes.

Key Points

- As amended with the sponsor, seeks options to fund costs of the tourist development plan required by s. 125.0104(4)(c), F.S.
- Before a county can enact an ordinance to levy and impose TDT, a tourist development plan is required which outlines projected 24-month tax revenues, designates a target tax district, and provides a prioritized list of proposed project uses.

Staff Notes:

- Currently, most counties develop TDT plans internally using county staff/ administrative resources. Costs associated with plan development are typically absorbed into general county and administrative operating budgets.
- Recent legislative bills have addressed the plan's allocation of funds/caps on those allocations for certain authorized uses.
- Franklin BoCC supports this submission.

FTA 09 – Local Option Sales Taxes CROSS CLAIM

Submitted by Okeechobee County

Proposal

Support revising the Small County Surtax by referendum to add an allow a 2nd penny.

Note: The proposal request to remove surtax category caps is withdrawn. The proposal request for the expanded use of TDT revenues has been added to FTA-10.

Key Points

- In FY 2025-26, 30 of the 31 eligible small counties levied the surtax, raising approximately $215 million in revenue.
- The proposal would allow a 1.5% or 2% rate; counties must weigh existing combined rate limits. A county cannot levy this surtax with the Local Government Infrastructure Surtax, Indigent Care and Trauma Center Surtax, and County Public Hospital Surtax in excess of a combined rate of 1 percent.

Staff Notes:

- Any county having a total population of 50k or less on April 1, 1992 may levy the Small county surtax at the rate of 0.5 or 1 percent.
- County governments may impose the levy by either an extraordinary vote of the governing body (if the proceeds are to be expended for operating purposes) OR by voter approval in a countywide referendum (if the proceeds are be used to service bond indebtedness).

FTA 10 – Tourism Tax for Economic Development CROSS CLAIM

Submitted by Hernando County

Proposal

Authorize counties, by local option and voter approval, to levy an additional 0.5% or 1% TDT for publicly owned tourism-related infrastructure and economic development.

Key Points

- Would not reduce or redirect existing TDT; maximum rate rises to 6% for most counties and 7% for high tourism impact counties.
- Eligible uses include transportation access, water and sewer capacity, public site improvements and visitor-serving public facilities.
- During the 25-26 fiscal year, 62 counties levied a TDT for an estimated $2.16 billion in revenue. About 35 counties, including Hernando, are already at full TDT rate capacity.

Staff Notes:

- Section 125.0104, F.S. authorizes 5 separate TDT taxes that counties may levy.
- TDT levies must be approved by referendum held at a general election. Earliest referendum: November 2028
- Hernando BoCC supports

FTA 13 – High Tourism Impact TDT County Eligibility CROSS CLAIM

Submitted by Flagler County

Proposal

Expand eligibility for the 1% High Tourism Impact TDT to allow more counties to levy for beach parks and beach, channel, lake or lagoon improvement and erosion control.

Key Points

- Counties now qualify only if TDT-taxable sales exceed $600M, or are at least 18% of total taxable sales and $200M.
- Creates an alternative eligibility path; a county at 5% could reach the 6% high tourism impact ceiling.
- A new levy would still require an ordinance and voter approval at a general election.

Staff Notes:

- High Tourism Impact TDT was established in 1989 and enacted in 1990 with restrictive qualification criteria.
- Access to an additional one percent (1%) would generate approximately 900k-1 Million in revenue for Flagler County. Smaller counties in Florida face challenges funding the preservation and maintenance of beaches/waterways that generate tourism activity.
- Flagler BoCC supports

WES 01 – Beach Restoration Easements CROSS CLAIM

Submitted by Flagler County

Proposal

Amend ch. 161, F.S., to allow limited beach and dune work on private property without an easement when the owner can't be located or doesn't respond.

Key Points

- The county gives formal notice and a response period (e.g., 60 days). Objections go through the normal easement process.
- If there's no response, the county holds a hearing to value the easement, publishes a timetable, and posts a bond for damage claims.
- Silence isn't consent, and no public access is created. Owners can still seek compensation for damages beyond the project's benefits.

Staff Notes:

- Focus shifted to owners who can't be located or don't respond.
- Currently, the only options are eminent domain or skipping the parcel and nonresponsive owners are treated the same as refusals.

Closing Breakfast

Friday, December 4 from 8:30 - 10:30 AM

Champions D-E

Be sure to stay for Closing Breakfast for the 2027 calendar reveal and adoption of the 2027 Legislative Action Plan.

