



**PUBLIC  
POLICY**



# Legislative Session Wrap-Up

**FACERS Legislative Briefing**

**June 28<sup>th</sup>, 2023**



- **The 2023 regular Legislative Session included:**

- 1,873 Bills and PCBs filed
- 2,674 Amendments filed
- 3,229 Votes Taken
- 52 Floor Sessions
- 356 Bills passed both chambers
  
- 400+ Bills in FAC Bill Tracker
- Nearly 100 Preemptions/Mandates

# PREEMPTIONS/ MANDATES



- **FAILED**

- Water Control Super Preemption (HB 1197/SB 1240)
- County Commissioner Term Limits (SB 1110)
- Redirected TDT Revenue (HB 7053)
- Recall of County Commissioners (HJR 131/HB 209/SJR 1066)
- Demolition of Nonconforming Unsafe Structures (HB 1317/SB 1346)
- Organic Material/Right to Farm Preemption (HB 1361/SB 1472)
- Statewide Blue Ribbon Task Force on County Realignment (SB 740)



# PREEMPTIONS/ MANDATES



## SB 170- Local Ordinances - Trumbull (HB 1515 – Brackett)- Presented to Governor

- SB 170 expands this statute to include grounds that an ordinance is **arbitrary or unreasonable** and allows the courts to award attorney fees and costs to the prevailing complainant. An award of attorney fees or cost and damages cannot exceed \$50,000 and costs to the prevailing plaintiff. Like challenges under current law that are brought against local ordinances on express preemption grounds, the bill allows a complainant to recover damages against the local government that enacted the local ordinance.
- The bill requires a board of county commissioners to **prepare a business impact statement** before the adoption of certain ordinances. It also requires the preparation of a business impact estimate that must be published on a county's or city's website at the same time as notice of a proposed ordinance is published. Additionally, a good faith estimates of the number of businesses likely to be affected by said ordinance and any additional information the board determines necessary.
- Clarified that local governments who publish notice of an ordinance can continue the ordinance to a future meeting without republishing as long as, at the first meeting, the date, time and place of the subsequent meeting is publicly stated.
  - Testa Case

# PREEMPTIONS/ MANDATES



## **SB 170- Local Ordinances - Trumbull (HB 1515 – Brackett)- Presented to Governor**

- The following local ordinances are excluded from the business impact statement requirements, Ordinances that implement:
  - Part II of chapter 163 relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits
  - Section 553.73, Florida Building Code;
  - Section 633.202, Florida Fire Prevention Code;
  - Sections 190.005 and 190.046, Community Development Districts
  - Ordinances required to comply with federal or state law or regulation;
  - Ordinances related to issuance or refinancing of debt;
  - Ordinances related to the adoption of budgets or budget amendments;
  - Ordinances required to implement a contract or an agreement; including but not limited to, any federal, state, local, or private grant or financial assistance accepted by a county government; or
  - Emergency ordinances.
- The bill only applies to ordinances adopted on or after October 1, 2023.

# PREEMPTIONS/ MANDATES



## HB 671/SB 682 – Residential Building Permits (Esposito/DiCeglie) - **FAILED**

- Dramatically reduces current timeframes within the building permit process:
  - Current Law provides for a 10-day window for a local government to request information regarding a permit application, and an additional 45-window for supplemental information. This bill would reduce these windows to **3** and **9 calendar days**, respectively. For single family dwellings, two-family dwellings, and townhomes within Master Planned Communities, the respective time frames for information requests are set to **1** and **5 days**. In the event a local government fails to meet these timeframes, the building permit application fee must be lowered by 10% for each additional business day elapsed beyond the timeframes.
  - Reduces the number of times which a local government may request additional information of an applicant from three times to two. Prior to a second request for additional information, a local government would be required to offer an in-person or virtual meeting with the applicant to resolve outstanding issues.
  - Following satisfaction of any additional information requests, a local government would have 9 days (reduced from 15 in current law) to issue a response, and provide specific reasoning for any denied application.
  - Provides for a 75% fee reduction for any owner/contractor retaining a private provider to conduct plan review/building inspection services.
- HB 671 died in its second committee stop, while the Senate companion was never heard.



# PREEMPTIONS/ MANDATES



## SB 346- Public Construction - DiCeglie (HB 383 - Griffitts) - **SIGNED BY GOVERNOR**

- In 2021, HB 53 was signed into law that amended the definition of “**public work projects**” as an activity that exceeds \$1,000,000 in value and that is paid for with any state-appropriated funds. The law preempts existing local ordinances related to the procurement process for public works projects when any state funds are used. Additionally, the law removed the 50% threshold and applied the prohibition on local preference to all solicitations that will be paid for with funding that is state-appropriated.
- This bill revises the definition of a public works project as any activity that is paid for with **any state-appropriated funds, deleting any dollar threshold entirely**. This will prohibit the political subdivision that undertakes the public works project that uses state-appropriated funds from imposing specified requirements on contractors.
- Further, the bill establishes the reasonable time in which the parties to both local government and public entity construction contracts have to develop the punch list—allowing up to 30 days for contracts under \$10 million, and up to 45 days for contracts of \$10 million or more. Additionally, the bill allows a local government to retain up to 150% of the estimated cost to complete items on the punch list after it receives a contractor’s request that the local government pay the contract balance, and clarifies that the local government must pay the withheld cost upon completion of those punch list projects—barring a good faith dispute.
- Prevailing and Living Wage Preemption – Language considered but withdrawn (HB 383 & HB 917)

# PREEMPTIONS/ MANDATES



## • PASSED

- HB 1373—County Constitutional Officers - Fernandez-Barquin (SB 1490—Garcia)
- SB 942—Authorization of Restrictions Concerning Dogs - Calatayud (HB 941—Busatta Cabrera)
- SB 264—Interests of Foreign Countries - Collins (HB 1355—Borrero)
- SB 752—Temporary Commercial Kitchens - Calatayud (HB 415—Porras)
- HB 1281—Preemption Over Utility Service Restrictions - Buchanan (SB 1256—Collins)
- SB 238/SB 252- Protection from Discrimination Based on Health Care Choices & Public Records - Burton (HB 1013/HB 1015—Griffitts)
- HB 1417 – Residential Tenancies – Esposito (SB 1586 – Trumbull)
- SB 1580- Protections of Medical Conscience - Trumbull (HB 1403—Rudman)
- SB 1718/HB 1617- Immigration - Ingoglia (HB 1617—Michael)



# AFFORDABLE HOUSING



## **SB 102 – Live Local Act - Calatayud (HB 627 - Busatta-Cabrera)** **SIGNED BY GOVERNOR**

- The bill provides unprecedented funding for the State Housing Initiatives Partnership (SHIP) and State Apartment Incentive Loan (SAIL) programs. Specifically, the package appropriates \$252 million in non-recurring funds toward SHIP and \$259 million in total (recurring and non-recurring) toward SAIL.
- Eliminates the limited current statutory authority for local governments to impose rent control measures; the impact on existing ordinances appears to be limited to an Orange County rent stabilization measure approved by voters in a November referendum. The measure was struck down under recent litigation, with the Florida Supreme Court ruling in favor of the plaintiffs, namely the Florida Realtors Association and Florida Apartment Association.
- Authorizes counties to approve “mixed-use residential” development at their discretion that includes affordable housing (greater than 10% of the units within the development meet the criteria of affordable), within commercial or industrial zones.
- Requires counties to authorize multi-family and mixed-use residential as allowable uses in mixed use and commercial zones, conditional on 40% of the residential units meeting the criteria of “affordable” for 30 years. Additionally, the bill provides height and density incentives for residential development authorized under this section:
  - Prohibits counties from restricting the density of an eligible proposed affordable housing development below the highest allowed density on any unincorporated land within the county
  - Prohibits counties from restricting the height of an eligible proposed affordable housing development below the highest currently allowed within one mile of the proposed development OR three stories—whichever is higher.
- Provides for a new distribution of the lesser of 8 percent of Documentary Stamp Tax revenues or \$150 million be deposited into the State Housing Trust Fund. In the event that the 8 percent Doc Stamp collection exceeds 150 million, the surplus will be deposited into General Revenue.
- Codifies the Hometown Heroes program, which provides downpayment assistance and zero interest loans to eligible frontline community workforce members.



## HB 235/SB 350 – Alternative Mobility Systems – Robinson/Brodeur – **FAILED**

- Initially would have prevented a local government from using a finding of extraordinary circumstance to increase impact fees beyond the statutory limits.
- Later removed this section, though it would instead require a greater burden of proof to demonstrate extraordinary circumstance.
- Provides that only the local government that approves the building permit may charge for transportation impacts within their jurisdiction.
  - That local government must collect and account for extra-jurisdictional impacts, but there is no clarity on how fees for these impacts would be determined or allocated.
  - This presents challenges for county road systems that transcend municipal boundaries.



## HB 1383- Specialty Contractors - Trabulsy (SB 1570 – Hooper) **SIGNED BY GOVERNOR**

- This session, four bills were filed to address the issues created in HB 735 including HB 1383 by Rep. Trabulsy, SB 1570 by Sen. Hooper, HB 1625 by Rep. Mooney, and SB 1584 by Sen. Perry. The Legislature moved forward with HB 1383 and SB 1570, after several changes both chambers were able to agree on the following:
- The bill establishes that local government licensing of occupations will now expire on **July 1, 2024 (previously July 1, 2023)**.
- By **July 1, 2024**, the Construction Industry Licensing Board shall establish certified specialty contractor categories for voluntary licensure for all of the following: Structural aluminum or screen enclosures, Marine seawall work, Marine bulkhead work, Marine dock work, Marine pile driving, Structural masonry, Structural prestressed, precast concrete work, Rooftop solar heating installation, Structural steel, Window and door installation, including garage door installation and hurricane or windstorm protection, Plaster and Lath, and Structural carpentry.
- Provides grandfather of certain local specialty contracting licenses: A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before January 1, 2021.
- Further, the bill allows a county in an area that is designated as an area of critical state concern, to offer a license for any job scope which requires a contractor license under this part, if the county imposed such a licensing requirement before January 1, 2021.
- Lastly, a local government may not require a license as a prerequisite to submit a bid for public work projects if the work to be performed does not require a license under general law.





## SB 1604- Land Use and Development Regulations - Ingoglia (HB 439 – McClain) - **SIGNED BY GOVERNOR**

- The bill increases the length of the required planning period to a 10-year period and a 20-year period (current law is 5 year and 10 year) and revises the comprehensive plan evaluation and appraisal process. The bill requires land development regulations adopted by a local government to establish minimum lot sizes consistent with the maximum density authorized by the comprehensive plan and to provide standards for infill residential development.
- The bill allows local governments to require certain building design elements to single-family or two-family dwellings located in a planned unit development (PUD) or master planned community (MPC) created before **July 1, 2023**. This ability will not be allowed prospectively and is preempted.
- Additionally in Section 3, the bill limits the application of those elements in communities with a design review board or architectural review board to those who had such a board before January 1, 2020.
- Lastly, the bill precludes an independent special district from complying with the terms of any development agreement, or other agreement for which a development agreement served as consideration, that was adopted in the three-month period preceding the effective date of a law modifying the manner of selecting the governing body of that independent special district, and required the district to take certain actions within a specified period. Additionally, the bill revises the process for approving certain electric substation installations.



## **HB 1191 - McClure - Use of Phosphogypsum (SB 1258 – Trumbull)** – **PRESENTED TO GOVERNOR**

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



## **SB 1070 – License Taxes - Sen. Hooper – **FAILED****

- The bill imposes an additional annual registration fee on electric vehicles and plug-in hybrid vehicles.
- The initial fee will be \$200 annually, and will be raised to \$250 annually beginning in 2028. Plug-in hybrid electric vehicles will be charged an additional \$50 fee, climbing to \$100 in 2028.
- This represents an effort to replace lost revenue from local fuel taxes with more non-fuel vehicles on the road.
- Proponents of the bill assert that traditional fuel vehicles are, in a sense, subsidizing transportation infrastructure for electric and plug-in hybrid vehicles.





## **SB 7024 – Retirement - S Approps. (HB 239 – Busatta-Cabrera) - SIGNED BY GOVERNOR**

- The bill makes several substantive changes to the Florida Retirement System (FRS).
- The total County impact of SB 7024 will be \$325 M, compared to an estimated \$1.187B in HB 239, the House companion.
- The \$325 M impact includes:
  - Impact of Normal Rate Adjustment
  - Impact of Unfunded Liability Adjustment
  - Impact of Reduced Special Risk Retirement Date
  - Impact of additional 2% Contribution for Investment Plan Participants
  - Impact of DROP eligibility extension from 60 to 96 months
  - Impact of Removal of Restrictive DROP Window
  - Impact of increased interest rate on DROP funds from 1.3% to 4%
  - Increased Health Insurance Subsidy
- Does not include the Cost of Living Adjustment of 3% (Was not included in final language)

# FY 2023-24 BUDGET SUMMARY



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

# COUNTY FUNDING HIGHLIGHTS



- Community Substance Abuse and Mental Health Services: \$1.517 billion
- Septic-to-Sewer/Wastewater Improvements: \$200 million
- Resilient Florida Trust Fund and programs: \$300 million
- Florida Wildlife Corridor: \$850 million AND Everglades Restoration: \$565 million
- State Housing Initiatives Partnership (SHIP): \$252 million AND State Apartment Incentive Loan Program (SAIL): \$259 million
- Florida Hometown Hero Housing Program: \$100 million
- Small County Outreach Program (SCOP): \$87.4 million AND Small County Road Assistance Program (SCRAP): \$28.4 million
- Transportation Disadvantaged Grants and Aids: \$62.4 million
- Broadband BEAD Program: \$100 million and Digital Equity: \$12.9 million
- Fiscally Constrained Constitutional Amendment Offset – for 2022-23 shortfall - \$20.1 million; for 2023-24 - \$59.4 million
- Rural Infrastructure Fund: \$30 million
- Hurricane Ian and Nicole Relief: \$350 million
- Cybersecurity: \$40 million



# FOR MORE INFORMATION



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# Questions?



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# PREEMPTIONS/ MANDATES



## **SB 714/HB 833- Vacation Rentals (DiCeglie/Duggan) - FAILED**

- The bill preempts licensing of public lodging and food service establishments to the state, as well as the regulation of vacation rental advertising platforms.
- The bill authorizes counties to establish a limited registration program for vacation rental properties.
- Counties may charge a nominal fee for registration—no more than \$100 for 1-5 registrations; no more than \$200 for 6-26 registrations.
- Additional local regulation of vacation rental properties is limited to: requiring identifying information from the owner/operator; requiring an on-call designee to respond to emergencies; requiring a statement of maximum occupancy; termination/denial of a registration for specified violations.



## Other bills of interest **FAILED**:

- HB 661/SB 1420- Sanitary Sewer Lateral Inspection Programs (Truenow/Rodriguez)
- SB 506/HB 1427-Comprehensive Waste Reduction and Recycling Plan (Stewart/Casello)
- HB 669/SB 950—Improvements to Real Property (PACE) (Fine/Rodriguez)
- HB 1147/SB 1200—Resilience Districts (Buchanan/Grall)
- HB 979/SB 1072—Dredging and Beach Restoration Projects (Gossett-Seidman/Rodriguez)
- HB 691/SB 1030—Recycling of Covered Electronic Devices (Basabe/Trumbull)
- HB 859/SB 1018—Flood Damage Prevention (Basabe/Trumbull)
- Regional Land Acquisition Trust Fund Bills
- SB 1640 – Installation of Waterway Markers (Gruters)



## **SB 250– Natural Emergencies - Martin (HB 7057 - Giallombardo) - SIGNED BY GOVERNOR**

- The bill provides that counties and municipalities may not prohibit the placement of a temporary shelter for up to 36 months or until a certificate of occupancy is issued on the permanent structure on the property, whichever occurs first, following a declared natural emergency as defined in s. 252.34(8).
- The bill also prohibits a county within 100 miles of the landfall area of either Hurricane Ian or Nicole from adopting comprehensive plan amendments or land use regulations more burdensome or restrictive than allowed in s. 163.3164, F.S.
- Requires counties to offer an expedited permitting process for projects that require minimal technical review, following a declared natural disaster event, as well as develop a plan to provide temporary accommodations for workers dispatched to aid in hurricane recovery.
- Encourages counties to develop an emergency financial plan for major natural disasters.
- Revises the Local Government Emergency Revolving Bridge Loan program and appropriates an additional \$50 million for the program



# WATER & ENVIRONMENTAL SUSTAINABILITY



## HB 1379- Environmental Protection – Steele (SB 1632 – Brodeur) - **PASSED**

- Requires any county or municipality with a basin management action plan (BMAP) within its jurisdiction to include within the capital improvement element of its comprehensive plan a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP.
  - The bill requires the future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection element of comprehensive plans to:
    - Address coordinating the treatment or upgrade of facilities providing such services and to prioritize advanced waste treatment;
    - Include an element to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon to any group of more than 50 built or unbuilt residential lots with a density of more than one OSTDS per acre; and
    - Identify the name of the intended wastewater facility receiving sanitary sewer flows after connection, the capacity of the facility and any associated transmission facilities, the projected wastewater flow at the facility for the next 20 years including septic-to-sewer conversions and new construction, and a timeline for the construction of sanitary sewer service.
  - Each comprehensive plan must be updated to include this element by July 1, 2024, and as needed thereafter to account for future applicable developments. This provision does not apply to a local government designated as a RAO.
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area adopted under s. 403.067, F.S., a reasonable assurance plan, or a pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available. In addition, on lots of 1 acre or less within such areas where a publicly owned or investor-owned sewerage system is not available, the bill requires the installation of enhanced nutrient-reducing OSTDSs or other wastewater treatment systems that achieve at least 65 percent nutrient reduction.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that: are not attaining nutrient or nutrient-related standards; have an established total maximum daily load (TMDL); or are located within a BMAP area, a reasonable assurance plan area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.
- Requires DEP, relevant local governments, and relevant local public and private wastewater utilities, as part of a BMAP that includes an Outstanding Florida Spring, to develop an OSTDS remediation plan for a spring if DEP determines OSTDSs within a BMAP contribute at least 20 percent of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the TMDL.
- Establishes the Indian River Lagoon Protection Program within DEP.
- Dedicates \$100 million annually to DEP from the Land Acquisition Trust Fund for the acquisition of lands through the Florida Forever Program.



## **SB 798/HB 975- Solid Waste Management (Ingoglia/Holcomb) – FAILED**

- The bill prohibits counties and municipalities from prohibiting or unreasonably restraining private entities from providing solid waste management services within the local government's jurisdiction. This includes negotiating exclusive commercial solid waste franchise agreements.
- Counties and municipalities may require these entities to require a permit, license, or non-exclusive franchise equivalent, though the cost may not exceed a nominal amount for administration.
- The bill also sunsets all active commercial solid waste franchise agreements at the conclusion of their current contract and prohibits exclusive renewal.
- However, local governments could continue to charge existing franchise fees in excess of administrative costs for the duration of any active contract.

# ACCESS 67



- **HB 1221- Broadband Internet Service Providers – Tomkow (SB 626 – DiCeglie) - PASSED**

- Provides explicit authority for rural electric cooperatives in Florida to provide specified communications services in the following circumstances:
  - The cooperative provides broadband Internet service directly or in partnership with a third party; or
  - The cooperative receives broadband grant funding pursuant to the Florida Broadband Opportunity Program or from any other federal or state program offering grants to expand broadband Internet service to unserved areas of the state.
  - If a cooperative provides a communications service under these terms, all poles owned by the cooperative are subject to the Public Service Commission's (PSC) pole attachment regulations on the same terms as poles owned by investor-owned electric utilities.
  - Thus, the financial and legal responsibilities of parties to rural electric cooperative pole attachment arrangements may substantially change depending on the PSC's implementation of its authority over pole attachment rates, charges, terms, and conditions.
  - Grants access to books and records of a rural electric cooperative and provides for the continued confidential treatment of certain records under existing public record exemptions and provides that the bill may not be construed to impair the contract rights of a party to a valid pole attachment agreement in existence before July 1, 2023.



# WATER & ENVIRONMENTAL SUSTAINABILITY



## Other bills of interest **PASSED:**

- HB 1405—Biosolids - Tuck (SB 880—Brodeur)
- HB 7027—Ratification of Rules of the Department of Environmental Protection - Overdorf
- SB 162—Water and Wastewater Facility Operators - Collins (HB 23—Bell)
- HB 111—Flooding and Sea Level Rise Vulnerability Studies - Hunschofsky (SB 1170—Calatayud)
- HB 1191—Use of Phosphogypsum - McClure (SB 1258—Trumbull)
- HB 847—Vessel Regulations - Stark (SB 1082—DiCeglie)
- **Fertilizer Preemption, SB 2502 Implementing bill**
  - To implement specific appropriation 146, a county or municipal government may not adopt or amend a fertilizer management ordinance, pursuant to s. 403.9337, Florida Statutes, which provides for a prohibited application period not in existence on June 30, 2023. This section expires in one year, July 1, 2024.



## **SB 1418 – Emergency Communications - Bradley (HB 745 - McFarland) - PASSED**

- Revises the distribution formula for the Emergency Communications System Fund. To fund local E911 systems, voice communications service providers charge a fee to their subscribers. These fees are ultimately distributed to counties, among other entities. Under current law, counties receive 76% of the distributions for the wireless category of voice communication services. The bill would increase this allocation to 95% for counties.
- The bill modifies the composition of the Emergency Communications Board, as well as the scope of its authority. Under current law, the board consists of a system director and ten members appointed by the Governor, five of whom are county representatives. The bill would reduce these numbers to eight appointees, four of whom represent county interests.
- The bill would require changes, modifications, or upgrades to the emergency communication systems or services be made in cooperation and coordination with the head of each public safety agency, or their designee, served by the primary public safety answering point in each county.



## County Contributions to Medicaid

- Section 27 of SB 2502, the budget implementing bill
- Provides that local specially assessed funds used for direct payment program (DPP) payments made to hospitals serving Medicaid enrollees are not counted toward the state Medicaid expenditures.
- Expected to save counties over \$18 million.





## Other bills of interest **PASSED:**

- HB 119 - Visiting County and Municipal Detention Facilities - Benjamin (SB 1510 - Pizzo)
- SB 144 - Lactation Spaces - Berman (HB 87 - Gantt)
- SB 1550 – Prescription Drugs - Brodeur (HB 1509 - Chaney)
- HB 7061 - Sheriffs Providing Child Protective Investigative Services - Koster (SB 7056 by HHS Approps.)



## HB 1209- Economic Development – Shoaf (SB 1482 – Simon) - PASSED

- Specifies that an agency agreement that provides state or federal financial assistance to local government entities within a rural area of opportunity (RAO) must allow the agency to provide for the payment of invoices to the county or municipality for verified and eligible performance that has been completed in accordance with the terms and conditions in the agreement. This provision is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and must be exercised by the agency when a county or municipality demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments.
  - Similar provision from HB 412/SB 1628- Financial Assistance for Rural Communities (Abbott/Simon)

### Changes to the Rural Infrastructure Fund include:

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



## HB 1343/SB 1184-Agricultural Lands (Tuck/Collins)- **FAILED**

- The bill prohibited counties from levying special assessments on land classified as agricultural, with the exception of assessment revenues pledged for debt service. This applied to any such bonds issued before July 1, 2023. The special assessment prohibition does not apply to non-agricultural structures on the property, whether residential or not, as well as the structures' curtilage.
  - This language was ultimately included within the final tax package, HB 7063 and PASSED.
- The bill provided for the construction or installation of housing for agricultural employees is an authorized use of farm land zoned for agricultural use. The bill also provided additional criteria for construction/installation of the housing, though the two chambers could not reach a consensus on specifics. Authorization for construction does not require approval by ordinance or resolution of the governmental entity where the land is located.





## Other bills of interest **FAILED**:

- Organic Materials/Landscaping Preemption
- HB 1529/SB 1678 –Agricultural Property (Roth/Calatayud)
- SB 292/HB 307- Healthy Food Financing Initiative Program (Jones/Bartleman)
- HB 399/SB 674- Food Recovery (Roth/Harrell)
- HB 727/SB 778- Food Insecure Areas (Rayner-Goolsby/Rouson)



## **SB 552- Public Records/Broadband Opportunity Program – Hooper (HB 1437 - Esposito) - PASSED**

- The bill makes confidential and exempt from public record inspection and copying requirements certain information relating to communications services locations, project proposals, and challenges submitted to the Department of Economic Opportunity (department) under the Broadband Opportunity Program, or pursuant to a federal broadband access grant program implemented by the department.
  - Provides that the exemption does not apply to the department's requirement to publish a description of proposed unserved areas to be served and proposed broadband Internet speeds of the areas to be served on the department's website. The exemption is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2028, unless reviewed and reenacted by the Legislature.

# TECHNOLOGY



## Bills of interest:

- SB 1068/HB 1071-Drone Delivery Services (Collins/Duggan)-**PASSED**
- SB 284/HB 1025- Energy (Brodeur/Caruso)- **PASSED**
- HB 645/SB 908- Unmanned Aircraft Systems (Brackett/Rodriguez)- **PASSED**
- HB 1511/SB 1708- Cybersecurity (Giallombardo/DiCeglie)- **FAILED**
- SB 2508- State Cybersecurity Operations (Appropriations)- **FAILED**





## HB 401/SB 604 – Sovereign Immunity - Beltran/Gruters - **FAILED**

- Current statutory limits for bringing tort claims against the state are \$200,000 per person or \$300,000 per incident
- The House version would raise these caps to \$2.5 million and \$5 million, respectively
- The Senate version would raise these caps to \$400,000 and \$600,000, respectively
- The Senate version also provides for an annual adjustment to the cap, based on regional CPI growth or a similar index
- The bill eliminates the statute of limitations for filing sexual battery actions against the state, its agencies or subdivisions, if the victim was younger than 16



## **SB 256 – Employee Organizations Representing Public Employees – Ingoglia (HB 1445) - PASSED**

- Requires employees eligible for union representation to sign a membership authorization form in order to be a member of an employee organization beginning July 1, 2023.
- Permits members to revoke their membership to an employee union at any time through written request
- Prohibits a union employer from requiring an employer to deduct dues/assessments from a public employee's salary.
- The following new requirements do not apply to a bargaining agent representing law enforcement, corrections officers, parole officers, or firefighters:
  - Requires an employee organization to submit information regarding whether eligible employees pay dues to the employee organization. If less than 60 percent of the employees eligible for representation paid dues to the employee organization certified as the bargaining agent, the organization must petition PERC for recertification as a bargaining agent.
  - Authorizes the PERC to initiate an investigation to confirm the validity of the information submitted in the registration or renewal of registration.
- Prohibits an employee organization from offering anything of value to a public officer which the public officer is prohibited from accepting.
- Waives requirements for mass transit employees that may jeopardize the eligibility to receive Federal Transit Administration funding.

# FINANCE, TAX, & ADMINISTRATION



## HB 7063 – Taxation - H Ways & Means (SB 7062 - Ingoglia) – **SIGNED BY GOVERNOR**

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