



**PUBLIC
POLICY**



2024 Session Preview

FACERS Legislative Briefing
November 16th, 2023



SB 28/HB 107 (Hooper/Esposito) – *License Taxes*

- Imposes additional tax on the registration of Electric Vehicles (EV's) and Plug-in Hybrid Electric Vehicles (PHEV's):
 - \$200 annually for EV's and \$50 for PHEV's
 - Increases to \$250 and \$100, respectively, in 2029
 - 36% allocation for counties
- Intent is to supplement “lost” fuel tax revenues from more electric vehicles on the road
- Hooper's 2023 bill, SB 1070, passed the Senate before dying in House Messages; No House companion existed last year
- Other States: GA, AL, MS, LA, et al.

2024 Legislation



SB 266/HB 287 (Hooper/Esposito) – *Department of Transportation*

- Creates the "Local Agency Program" in statute (s. 339.2820, F.S.)
 - Purpose: Provide assistance/oversight to subrecipient local governments to design and construct transportation facilities using federal funds
 - Local Agencies within the program are directed to prioritize projects that are eligible for federal reimbursement
 - Local Agency contracts are expected to, at a minimum, meet the statutory Division I General Requirements and maintain an appropriate contingency fund for projects.
- Department of Transportation may not commit more than 20% of state fuel taxes to public transit projects
 - Exception: MPO Projects with BOCC supermajority approval



HB 149 (Alvarez) – *Continuing Contracts*

- Revises the maximum threshold for construction costs under a “continuing contract”
- Current law: \$4 million (per individual project)
- HB 149: \$10 million
- Significance: Firms under a continuing contract are able to provide professional services on multiple projects under the cost threshold, without having to resubmit a competitive bid for each respective project
 - Streamlines procurement process, reduces administrative costs
- Additionally, the bill expressly requires that DOT rotate between 3-5 eligible firms on projects concerning geotechnical services and materials testing.

2024 Legislation



HB 267 (Esposito) - *Residential Building Permits*

- Drastically reshapes the local approval process for building permits; seeks to reorganize the residential building permit process with other building permit timelines in statute and uniformly tighten these timeframes
- Current law regarding single family residential building permits provides for an initial 30-day review by the building department; if an application is denied, the applicant must be given an opportunity to cure any deficiencies; the building department then has an additional 10 days to review the resubmission. For each additional day after these 10 days, the permit fee is reduced by 20%.
- Current law for most non-residential building permits provides for a maximum 120-day review
- HB 267 revises these timelines as follows: 3 days for an initial “completeness” review of basic filing requirements; 9 days to request additional information; 9 more days for a second request for information; 9 days for final approval/denial of the application. 30 days in total.
- Additionally, the bill provides for a 75% reduction of the application fee if a private provider is used for plan review/inspections; current statute provides for a discount proportional to the service provided.



HB 479 (W. Robinson) – *Alternative Mobility Funding Systems*

- Provides that only the local government that approves a building permit may charge for transportation impacts within its jurisdiction.
- Directs the permitting local government to 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.

Special Session 2023C



HB 1C/SB 2C (Shoaf/Simon) – *Disaster Relief*

- Provides a number of appropriations related to Hurricane Idalia recovery, including:
 - \$10 million to the Small County Outreach Program (SCOP) for transportation projects within the Hurricane Idalia Disaster Declaration
 - \$5 million to the Rural Infrastructure Fund for fiscally constrained counties impacted by Hurricane Idalia; eligible projects include surface transportation infrastructure, stormwater systems, and other water and wastewater facilities
- Amends the provisions of SB 250 from the 2023 regular session
 - Following Hurricanes Ian and Nicole in 2022, SB 250 imposed a moratorium on local land use restrictions, comprehensive plan amendments, and development review procedures in any county within a 100-mile radius of either named storm's landfall. Effective until October 1, 2024
 - HB 1C removes the 100-mile threshold and specifically designates Charlotte, Collier, Desoto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, and Sarasota as the counties in question
 - This notably **excludes** several counties that were previously subject to SB 250's restrictions, including Pinellas, Hillsborough, Polk, Miami-Dade, Monroe, Broward, Palm Beach, Martin, Indian River, Okeechobee, Osceola, St. Lucie, Brevard, Volusia, Seminole, Orange, and Lake Counties.
 - It also extends the moratorium on land use and development restrictions until October 1, 2026



American Rescue Plan Act (ARPA) 2023 Interim Final Rule

- Florida's counties received an allocation of about \$4.2B as part of the ARPA's State and Local Fiscal Recovery Funds (SLFRF)
- In August 2023, the U.S. Treasury Department issued an Interim Final Rule expanding the eligible uses of these funds to include transportation projects
- A county's contribution to projects of this nature may not exceed the greater of \$10 million or 30% of the county's total SLFRF allocation
- Deadline: Funds must be obligated to projects by December 31, 2024 and expended by September 30, 2026

FOR MORE
INFORMATION



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