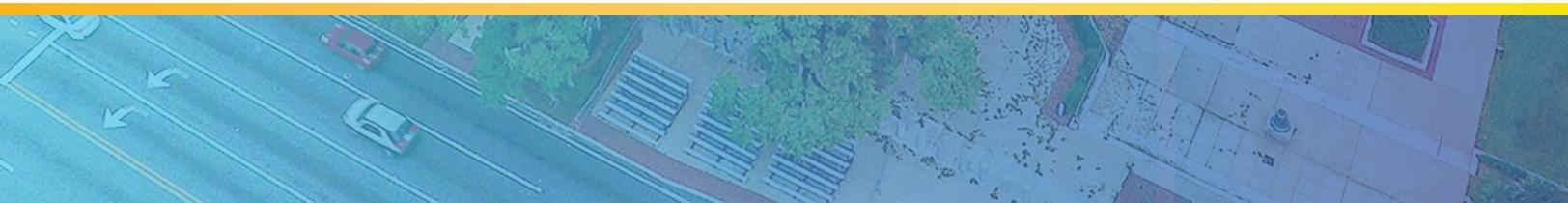




2020 LEGISLATIVE SESSION  
**FINAL REPORT**



## DEAR CITY OFFICIAL:

We are pleased to provide you with the Florida League of Cities' **2020 Legislative Session Final Report**. This document summarizes key legislation the League tracked this session.

It is important to note that the final report is only a partial list of the 3,517 bills filed during the 2020 Legislative Session. Of these, only 210 bills passed both chambers and were presented to the governor.

Many of the issues that did not pass this year will likely be debated during next year's session. Therefore, it is important that you continue to stay engaged in legislative advocacy year-round with your local delegation. This continual communication is an essential part of the League's overall lobbying efforts. It is key to building the framework for our success as we prepare for the 2021 Legislative Session.

Please feel free to contact the League's Legislative Affairs team at 850.222.9684 if you have questions or need further information on these or any other bills. Thank you for all your hard work and continued advocacy efforts!

In the fight for **Home Rule**,



**Issac Salver, President**  
Council Member, Bay Harbor Islands



**Michael Sittig**  
Executive Director

# BOARD OF DIRECTORS

## PRESIDENT

Isaac Salver, Council Member, Bay Harbor Islands

## FIRST VICE PRESIDENT

Tony Ortiz, Commissioner, Orlando

## SECOND VICE PRESIDENT

Randall P. Henderson, Mayor, Fort Myers

## DISTRICT DIRECTORS

- (1) Shannon Hayes, Mayor Pro Tem, Crestview
- (1) William Schaetzle, Councilman, Niceville
- (2) Mary Lawson Brown, Vice Mayor, Palatka
- (3) Robert F. Apgar, Mayor, DeLand
- (3) William Partington, Mayor, Ormond Beach
- (4) Carol McCormack, Mayor, Palm Shores
- (4) Kathy Meehan, Mayor, Melbourne
- (5) Louie Davis, Mayor, Waldo
- (5) Elise Dennison, Mayor, Leesburg
- (6) Geoff Kendrick, Commissioner, Winter Springs
- (6) Rosemary Wilsen, Commissioner, Ocoee
- (7) Sam Fite, Commissioner, Bowling Green
- (7) Marlene Wagner, Vice Mayor, Lake Hamilton
- (8) John Carroll, Commissioner, Largo
- (8) Dan Saracki, Councilmember, Oldsmar
- (9) Linda Hudson, Mayor, Fort Pierce
- (10) Brian Williams, Commissioner, Palmetto
- (11) William Ribble, Mayor, Estero
- (12) Andy Amoroso, Vice Mayor, Lake Worth Beach
- (12) Anne Gerwig, Mayor, Wellington
- (12) Jeff Hmara, Councilman, Royal Palm Beach
- (13) Margaret Bates, Vice Mayor, Lauderhill
- (13) Traci L. Callari, Commissioner, Hollywood
- (13) Gary Resnick, Commissioner, Wilton Manors
- (13) Greg Ross, Mayor, Cooper City
- (13) Iris Siple, Vice Mayor, Pembroke Pines
- (13) Susan Starkey, Vice Mayor, Davie
- (13) Dan Stermer, Mayor, Weston
- (14) Juan Carlos "JC" Bermudez, Mayor, Doral
- (14) Joseph Corradino, Mayor, Pinecrest
- (14) Claudia Cubillos, Mayor, El Portal
- (14) Andrea Jackson, Commissioner, North Bay Village

## 10 MOST POPULOUS CITIES

- Keon Hardemon, Commissioner, Miami
- Jane Castor, Mayor, Tampa
- Rick Kriseman, Mayor, St. Petersburg
- Robert Stuart, Commissioner, Orlando
- Carlos Hernandez, Mayor, Hialeah
- John Dailey, Mayor, Tallahassee
- Dean Trantalis, Mayor, Fort Lauderdale
- Jolien Caraballo, Councilwoman, Port St. Lucie
- Rick Williams, Council Member, Cape Coral
- Vacant, Jacksonville

## PAST PRESIDENTS

- Scott Black, Commissioner, Dade City
- Frank C. Ortis, Mayor, Pembroke Pines
- Joy Cooper, Mayor, Hallandale Beach
- Patricia Bates, Mayor, Altamonte Springs
- P.C. Wu, Councilman, Pensacola
- Matthew Surrency, Mayor, Hawthorne
- Leo E. Longworth, Commissioner, Bartow

## DIRECTOR AT-LARGE

- Roy S. Shiver, Commissioner, Florida City

## FCCMA

- Michael Cernech, City Manager, Tamarac

Michael Sittig, Executive Director

Kraig Conn, General Counsel

# TABLE OF CONTENTS

2020 Legislative Action Agenda.....	1
Florida League of Cities Legislative Affairs Team.....	2
Major Bills that Passed During the 2020 Session.....	3
Major Bills that Failed During the 2020 Session.....	13
Other Bills that Failed During the 2020 Session.....	20
Florida League of Cities Legislative Glossary.....	33

# 2020 FLORIDA LEAGUE OF CITIES LEGISLATIVE ACTION AGENDA

The Legislative Action Agenda reflects the priorities of 412 municipalities, as prepared by the Florida League of Cities' five legislative policy committees and adopted by the full membership at the League's 93rd Annual Conference, August 17, 2019, in Orlando.

Below are the priority statements included in the Legislative Action Agenda.

## **PRIVATE PROPERTY RIGHTS "BERT HARRIS ACT"**

The Florida League of Cities OPPOSES changes to the Bert J. Harris Jr. Private Property Rights Protection Act that do not consider everyone's property rights or that create one-sided lawsuits that shift inordinate financial burdens onto local taxpayers and limit the ability of cities to quickly resolve claims.

## **SALES TAX FAIRNESS**

The Florida League of Cities SUPPORTS legislation to reform Florida's sales and use tax laws that apply to online/e-commerce sales from out-of-state retailers. Changes are needed to ensure in-state retailers are treated equitably.

## **SHORT-TERM RENTALS**

The Florida League of Cities SUPPORTS legislation providing for a collaboration between the Florida Department of Business and Professional Regulation and cities to ensure that short-term rental properties abide by state and local regulations and be properly licensed and insured, are complying with state and local taxation requirements and comply with industry-accepted safety practices. The Florida League of Cities SUPPORTS legislation clarifying that existing grandfathered municipal short-term rental ordinances can be amended if the changes being made are equal to or less restrictive than the current regulation in place.

## **TRANSPORTATION FUNDING**

The Florida League of Cities SUPPORTS legislation that will provide local governments with new and innovative revenue options and resources to finance critical infrastructure, maintenance and construction needs to meet the ever-changing transportation demands driven by dramatic population growth and new technology (autonomous vehicles) throughout Florida.

## **WATER RESOURCES**

Water is an essential public asset that benefits Florida's economy, residents, visitors and environment. Presently, Florida spends less than 1/10 of 1 percent of its entire state budget on water supply and water quality improvements.

The Florida League of Cities SUPPORTS legislation to address Florida's water quality crisis and water supply deficiencies that:

- ▶ provides for an annual assessment of the state's water infrastructure and water quality improvement needs at the state, regional and local levels.
- ▶ establishes a framework for a state water infrastructure and water quality funding program that includes objective criteria tied to beneficial returns on investment, sustainable utility practices and intergovernmental coordination.
- ▶ identifies potential sources of funding or financing.

# FLORIDA LEAGUE OF CITIES LEGISLATIVE AFFAIRS TEAM



**SCOTT DUDLEY**  
**Legislative Director**  
*sdudley@flcities.com*



**REBECCA O'HARA**  
**Deputy General Counsel**  
Utilities, Natural Resources  
& Public Works  
*rohara@flcities.com*



**JEFF BRANCH**  
**Legislative Advocate**  
Transportation &  
Intergovernmental Relations  
*jbranch@flcities.com*



**TARA TAGGART**  
**Administrative Assistant**  
*ttaggart@flcities.com*



**CASEY COOK**  
**Senior Legislative  
Advocate**  
Municipal Administration  
*ccook@flcities.com*



**ALLISON PAYNE**  
**Manager, Advocacy Program  
& Federal Affairs**  
*apayne@flcities.com*



**DAVID CRUZ**  
**Deputy General Counsel/  
Legislative Counsel**  
Land Use &  
Economic Development  
*dcruz@flcities.com*



**MARY EDENFIELD**  
**Legislative Coordinator**  
*medenfield@flcities.com*



**AMBER HUGHES**  
**Senior Legislative  
Advocate**  
Finance, Taxation &  
Personnel  
*ahughes@flcities.com*



**MICHAELA METCALFE**  
**Administrative/Legal  
Assistant**  
*mmetcalfe@flcities.com*

# MAJOR BILLS THAT PASSED DURING THE 2020 SESSION

(in order by priority)

## **Broadband Internet Service (Supported)**

**CS/HB 969** (Drake) designates the Department of Economic Opportunity as lead state agency to facilitate expansion of broadband internet service in the state. The bill requires DEO to work collaboratively with certain entities including local governments. The bill creates the Florida Office of Broadband within DEO for the purpose of developing, marketing and promoting broadband internet services in this state. The bill allocates \$5 million of the funds transferred to Florida's Turnpike Enterprise for the Multiuse Corridors of Regional Economic Significance (M-CORES) program to be used for projects that assist in the development of broadband infrastructure within or adjacent to a multiuse corridor. Effective July 1, 2020. Chapter No. 2020-026. (Hughes)

## **Growth Management (Opposed – Unfunded Mandate)**

**CS/CS/SB 410** (Perry) is a comprehensive growth management bill and has several provisions that impact local governments. The bill requires all cities and counties to adopt by July 1, 2023, a new mandatory element in their comprehensive plans that addresses the protection of private property rights. The League opposed this concept due to the costs associated with making the comprehensive plan amendments by the deadline outlined in the bill. Additionally, the bill:

- ▶ Extends the 5G "shot clock" provided for in the Advanced Wireless Deployment Act to permit applications for ALL utilities in city and county right of way.
- ▶ Prohibits a charter county with a population of less than 750,000 from having a charter provision or comprehensive plan goal, objective or policy adopted after January 1, 2020, to impose a limitation on lands within a municipality unless the municipality, by referendum or local ordinance, adopts and imposes the provision, goal, objective or policy.
- ▶ Specifies that a party, or its successor in interest, may amend or cancel a development agreement without securing the consent of other parcel owners whose property was originally subject to the development agreement, as long as the amendment or cancellation does not directly modify the

allowable uses or entitlements of such owner's property.

- ▶ Allows agreements pertaining to existing developments of regional impact that are classified as essentially built out, which agreements were valid on or before April 6, 2018, to be amended including amendments exchanging land uses under certain circumstances.
- ▶ Prohibits a municipality from annexing an area within another municipal jurisdiction without the other municipality's consent.
- ▶ Provides that any newly incorporated cities that had a comprehensive plan effective after January 1, 2019, must incorporate development orders existing before the plan's effective date.

CS/CS/SB 410 was vetoed by the governor. (Cruz)

## **Impact Fees (Monitored – Preemption)**

**CS/CS/CS/SB 1066** (Gruters) prohibits the application of a new or increased impact fee to any pending permit applications. The bill provides that impact fee credits are assignable and transferable at any time after their establishment within the same impact fee zone or impact fee district, or an adjoining zone or district within the same local jurisdiction. Provisions that would have limited expenditures of impact fee revenue or required the creation of an impact fee review committee were all removed from the final bill. Effective July 1, 2020. Chapter No. 2020-058. (Cruz)

## **Housing (Monitored)**

**CS/CS/CS/HB 1339** (Yarborough) makes varied and comprehensive changes to Florida law impacting affordable housing. The bill:

- ▶ Allows a local government to adopt an ordinance to allow accessory dwelling units in any area zoned for single-family residential use.
- ▶ Requires the reporting of impact fee charges data within the annual financial audit report submitted to the Department of Financial Services.
- ▶ Requires reporting on annual expenditures for affordable housing in reports of economic status information to the Office of Economic and Demographic Research.

- ▶ Establishes biannual regional workshops for locally elected officials serving on affordable housing advisory committees to identify and share best affordable housing practices.
- ▶ Requires a municipality to fully offset costs to a developer if a linkage is assessed for a residential or mixed-use residential development.

Effective July 1, 2020. Chapter No. 2020-027. (Branch)

#### **Public Procurement of Services (Supported)**

**CS/CS/HB 441** (DiCeglie) increases the maximum limit for continuing contracts covered by the Consultants' Competitive Negotiation Act from an estimated per project construction cost of \$2 million to \$4 million. The bill also increases the maximum limit for procuring a study using a continuing contract from \$200,000 per study to \$500,000 per study. Effective July 1, 2020. Chapter No. 2020-127. (Cook)

#### **Recreational Vehicle Parks (Oppose – Preemption)**

**CS/CS/HB 343** (Fetterhoff) is a comprehensive bill dealing with recreational vehicle parks. Of interest to local governments, a provision allows an RV park owner the ability to rebuild an RV park if destroyed by a natural disaster using the original density standards, which may preempt current local regulations on density, lot size or lot setback. Effective July 1, 2020. Chapter No. 2020-126. (Cruz)

#### **Towing and Immobilizing Vehicles and Vessels (Opposed – Preemption)**

**CS/CS/HB 133** (McClain) prohibits cities from enacting a rule or ordinance that imposes a fee or charge on authorized wrecker operators, but the bill provides that an authorized wrecker operator may impose and collect an administrative fee, which must be remitted to the city after it has been collected. The bill also prohibits cities from adopting or enforcing ordinances that impose fees on the registered owner of a vehicle that has been removed and impounded by an authorized wrecker operator, but any liens placed on the vehicle by the wrecker operator must include the value of an administrative fee or charge imposed by the city. The bill exempts certain counties with towing or immobilization licensing, regulatory or enforcement programs as of January 1, 2020, from the prohibition on imposing a fee or charge on an authorized wrecker operator or on a towing business. Effective October 1, 2020. Chapter No. 2020-174. (Cook)

#### **Environmental Enforcement (Monitored)**

**CS/CS/HB 1091** (Fine) increases penalties by 50% for violations of state environmental laws, including laws relating to pollution of groundwater and surface water, litter, coral reefs, aquatic preserves and solid waste. The bill provides that each day a violation occurs shall constitute a separate offense. The bill also encourages counties and municipalities to establish an evaluation and rehabilitation program for "sanitary sewer laterals" on residential and commercial properties to identify and reduce extraneous flow from leaking laterals. The bill specifies contents of the program, including the establishment of a publicly accessible database to store information concerning properties where a defective lateral has been identified. Also, the bill requires sellers to real property to disclose to prospective purchasers any known defects in the properties' sanitary sewer lateral. Effective July 1, 2020. Chapter No. 2020-159. (O'Hara)

#### **Verification of Employment Eligibility (Monitored)**

**CS/CS/CS/SB 664** (Lee) requires all public employers and their contractors and subcontractors to register and use the E-Verify system to verify the work authorization status of all newly hired employees beginning January 1, 2021. A public employer, contractor or subcontractor may not enter into a contract unless each party registers with and uses the E-Verify system. The bill directs public employers who believe that a contractor has knowingly violated the E-Verify requirement to terminate the contract. The bill also specifies that this termination would not be a breach of contract. A public employer is required to "order" a contractor to terminate its contract with a subcontractor if the public employer has a good faith belief that the subcontractor knowingly employs an unauthorized alien or is not using the E-Verify system. Contractors who have their public contract terminated in this manner would not be eligible for another contract for at least one year. A contractor is liable for any additional costs incurred by a public employer as a result of the termination of a contract. Any entity receiving economic development incentives awarded by the Department of Economic Opportunity after July 1, 2020, must also prove they are using the E-Verify. Finally, the bill requires private employers to use the E-Verify system for new employees or contract employees hired after January 1, 2021. The bill gives private employers the option to verify the

eligibility of a person using the Employment Eligibility Verification Form (I-9). Effective July 1, 2020. Chapter No. 2020-150. (Hughes)

### **Environmental Resource Management (Monitored)**

**CS/CS/CS/SB 712** (Mayfield) changes current law relating to water quality improvements including septic systems, basin management action plans, stormwater management systems, land application of biosolids, sanitary sewer overflows and wastewater projects grants.

- ▶ **Septic Tank Program** – The bill transfers regulation of septic tanks from the Department of Health to the Department of Environmental Protection and directs DEP to develop rules for the location of septic tanks to prevent groundwater and surface water contamination and to protect public health. The bill establishes a septic tank technical advisory committee to submit recommendations for advanced nutrient removal technologies and other regulatory matters.
- ▶ **Stormwater** – The bill directs the DEP and water management districts to initiate rulemaking to update stormwater design criteria by January 2021. It directs the agencies, as part of the rulemaking, to address low-impact design best management practices and design criteria to increase nutrient removal and measures for consistent application of the net improvement performance standard to ensure significant reductions of pollutant loadings. The bill also directs DEP to evaluate performance data relating to stormwater “self-certification” and to recommend improvements to the program to the Legislature, DEP and the Department of Economic Opportunity, with local government cooperation, are charged with developing a model stormwater management program that will include model ordinances that target nutrient reduction and green infrastructure.
- ▶ **BMAPs** – The bill requires a BMAP to include a wastewater plan if DEP determines wastewater treatment facilities are contributing more than 20% of nutrient pollution or if deemed necessary to achieve the nutrient total maximum daily load (TMDL) for the BMAP. The wastewater plan is to be developed by each responsible local government, and the plan must address the facility upgrades or changes necessary to meet TMDL requirements. The wastewater plan must include

a timeline for projects and estimated costs, and the plan must be adopted by July 2025. The bill prohibits DEP from requiring a higher cost project option for a wastewater plan if a lower cost option would achieve the same load reductions. The bill requires a BMAP to include a septic remediation plan if DEP determines that septic tanks are contributing more than 20% of nutrient pollution or if deemed necessary to achieve the nutrient TMDL for the BMAP. The septic remediation plan must be developed by each responsible local government and must identify projects necessary to reduce nutrient loads and include an inventory of existing septic tanks. The septic remediation plan must also identify septic tanks that will be connected to central sewer, replaced or upgraded, and it must include estimated costs to implement projects. The septic remediation plan must be adopted as part of the BMAP by July 2025. The bill also requires DEP to submit a report to the Legislature by July 2021 evaluating the costs of all septic system and wastewater treatment projects identified in BMAPs and identifying funding plans for the projects on a five-year basis. Also, the bill requires DEP to submit a report to the Legislature by July 2021 assessing the water quality monitoring being conducted for each BMAP that is subject to nutrient load reductions.

- ▶ **Agriculture** – The bill requires the Department of Agriculture and Consumer Services to collect fertilizer and nutrient records from producers enrolled in the agricultural best management practices program and provide such records to DEP. It requires DACS to conduct onsite inspections of enrollees every two years. The bill also authorizes the creation of a “cooperative agricultural regional water quality improvement element” for agricultural nonpoint sources as part of a basin management action plan under specified conditions and establishes qualifications for participating in the element.
- ▶ **Wastewater Grant Program** – The bill establishes a wastewater grant program in DEP to provide a 50% match for specified projects intended to reduce nutrient loads and identify projects that shall receive priority funding.
- ▶ **Biosolids** – The bill directs DEP to adopt rules for biosolids and requires the rules to be ratified by the Legislature. It specifies conditions for new biosolid land application permits or renewals of existing

permits after July 2020, including limitations on the application on soils where certain water table conditions exist and a requirement to be enrolled in the DACS best management practices program. The bill requires all permits to meet the requirements of the biosolids rules to be adopted by DEP no later than two years after the effective date of such rules. It grandfathers certain existing local ordinances relating to biosolids adopted before November 2019.

- ▶ **Sanitary Sewer Overflows** – The bill requires wastewater facilities to provide a power outage contingency plan and to develop an assessment, repair and replacement plan that complies with DEP rules to be adopted on this subject. The plans shall be reported to DEP and must include expenditures taken for assessment, repair and replacement. A wastewater facility's substantial compliance with these planning and reporting requirements may be evidence for mitigating applicable DEP environmental penalties. Also, a facility may receive a 10-year operating permit if it is meeting the goals of its action plan. The bill requires wastewater facilities to provide annual reports to DEP detailing revenues and expenditures as prescribed by DEP rule, and a facility's substantial compliance with this requirement may be evidence for mitigating DEP penalties. The bill requires DEP to submit an annual report to the Legislature detailing all facilities that experienced sanitary sewer overflows over the reporting period.
- ▶ **Additional DEP and Agency Reports and Rulemaking** – The bill requires DEP to report by July 2020 the status of upgrades by specified wastewater utilities that are required to meet advanced treatment standards under current law, and it also requires DEP to submit cost estimates for wastewater facility and septic system remediation projects to the Office of Economic and Demographic Research beginning July 2022. EDR is required to include these cost estimates in its annual water resources assessment.
- ▶ **Monetary Penalties** – The bill modifies current law requirements on administrative penalties assessed by DEP. Total administrative penalties increased from \$10,000 to \$50,000. Wastewater violation penalties are included under the defined administrative penalties. These penalties increased by 50%.

- ▶ **Bottled Water** – The bill requires DEP to conduct a study on the bottled water industry in Florida and specify the subjects to be addressed in the study. The results of the study must be submitted to the governor and Legislature by June 2021.
- ▶ **Water Management District Annual Reports** – The bill requires water management districts to submit a copy of their annual reports to the Office of Economic and Demographic Research and requires the reports to include, in the listing of projects to implement a BMAP, any projects converting septic systems to sewer or enhanced nutrient-reducing systems.
- ▶ **Legal Standing** – The bill prohibits local governments from recognizing or granting certain legal rights to the natural environment (e.g., granting legal standing to waterbodies) or granting enforcement of such rights to persons or political subdivision.
- ▶ **Reuse of Reclaimed Water** – The bill directs DEP to develop rules by December 2020 based on the Potable Reuse Commission's 2020 report for advancing a potable reuse framework in Florida. The rules must address contaminants of emerging concern and meet or exceed drinking water quality standards.

Effective July 1, 2020, except as otherwise provided. Chapter No. 2020-151. (O'Hara)

#### **Fire Prevention and Control (Supported)**

**SB 1092** (Bean) creates the Firefighter Cancer Decontamination Grant Program. The matching grant will provide financial assistance to help fire departments procure equipment, supplies and educational training materials designed to mitigate exposure to hazardous, cancer-causing chemicals. The Division of State Fire Marshal within the Department of Financial Services will administer the program and annually award grants to fire departments on an as-needed basis. The bill authorizes the State Fire Marshal to adopt rules and procedures to administer the program, including for the approval of applications and development of need-based criteria. The bill includes a \$250,000 appropriation to implement the bill. Effective July 1, 2020. Chapter No. 2020-96. (Hughes)

#### **FRS: Employer Contribution Rates (Monitored)**

**HB 5007** (Appropriations Committee) revises the required employer retirement contribution rates for

each membership class and subclass of the Florida Retirement System. The total combined employer contributions estimated to be paid into the Florida Retirement System Trust Fund in Fiscal Year 2020-2021 will increase by approximately \$404.6 million above the contributions paid in Fiscal Year 2019-2020. Effective July 1, 2020. Chapter No. 2020-116. (Hughes)

### **Deregulation of Professions and Occupations (Monitored)**

**CS/HB 1193** (Ingoglia) designates the Occupational Freedom and Opportunity Act. This comprehensive 127-page bill removes regulations on certain professions currently overseen by the Department of Business and Professional Regulation. These professions include hair braiders, hair and body wrappers, boxing timekeepers and announcers. The bill revises current general licensing provisions to require that a department or board of specified professions and occupations enter into a reciprocal licensing agreement with other states if the practice permits such agreements. The bill also requires that boards or departments post online which jurisdictions have similar licensing agreements or licenses or examinations. The bill preempts the licensing of mobile food dispensing vehicles (food trucks) to the state DBPR and prohibits local governments from prohibiting the operation of food trucks. Additionally, the bill reduces the number of members on the Florida Building Commission. As a result, the bill deletes the authority of the Florida League of Cities and the Florida Association of Counties to recommend a list of candidates for consideration to the Florida Building Commission. Effective July 1, 2020. Chapter No. 2020-163. (Cruz)

### **Taxation (Monitored)**

**CS/HB 7097** (Ways and Means) is the "tax package" for the 2020 Legislative Session and includes several tax reductions and other tax-related modifications. Of note, the bill includes two sales tax holidays: a three-day back-to-school holiday and a seven-day disaster preparedness holiday. The bill includes a requirement that any future levy of the Charter County and Regional Transportation System Sales Surtax in any eligible county be limited to 30 years in duration. The bill also includes a requirement that School Capital Outlay sales surtaxes approved in the future be proportionately shared with charter schools. The bill increases the population limit, under which a coun-

ty is authorized to use its tourist development tax revenues for zoological parks, fishing piers and nature centers from 750,000 to 950,000.

Regarding property taxes, the bill amends the requirements for hospitals to qualify for a charitable tax exemption. Non-profit hospitals will be required to document the value of charitable services they provide, and their current charity tax exemption will be limited to the value of that charity care. The bill exempts from property tax the following: vacant affordable housing units and units occupied by persons or families who met the qualifying income thresholds at the time they began their tenancy but whose income grew through the income thresholds. The bill also exempts from property tax an affordable housing project owned by certain limited liability companies. The bill updates the qualifying operations for the deployed servicemember tax exemption. The bill amends statutory provisions that address conflict of interest for special magistrates and restricts information that may be mailed with the yearly Truth in Millage (TRIM) notice.

The bill also prohibits an owner of a public building from soliciting any payment for providing the allocation letter needed to receive a federal income tax deduction for energy-efficient construction. The bill also includes several provisions proposed by the Department of Revenue designed to enhance its administration of state taxes and oversight of property taxation such as providing flexibility in property tax noticing requirements during declared states of emergency and extends the deadline for property owners affected by Hurricane Michael to begin rebuilding and retain their prior assessment limitation. The total estimated reduction for local government revenues in fiscal year 2020-21 is \$10.8 million. Except as otherwise provided, the bill is effective July 1, 2020. Chapter No. 2020-10. (Hughes)

### **Peer-to-peer Support for First Responders (Monitored)**

**CS/CS/HB 573** (Casello) provides confidentiality for peer-to-peer communications between first responders, such as law enforcement officers, firefighters, emergency medical technicians, paramedics, public safety communications officers and dispatchers. The bill defines a peer support communication as oral, electronic or written communications between a first responder and a first responder peer. The communication must be made with a mutual expectation of confi-

dentiality and for the purpose of discussing physical or emotional issues associated with the first responder's employment. Under the bill, a first responder peer is a first responder who is not a health care practitioner, who has experience providing physical or emotional support to first responders and who has been designated by the first responder's employing agency to provide peer support and has received training to do so. The bill generally prohibits the disclosure of a first responder's peer support communication with a first responder. The bill protects the confidentiality of the communications by prohibiting the first responder peer from divulging the communications or from testifying in civil, criminal, administrative and disciplinary proceedings regarding the communications, subject to the specific exceptions. Effective July 1, 2020. Chapter No. 2020-104. (Hughes)

#### **Disability Retirement Benefits (Monitored)**

**SB 936** (Gainer) allows a Florida Retirement System member who is receiving care at a federal Veterans' Health Administration facility to provide certification by two licensed physicians employed by the facility as proof of total and permanent disability, regardless of the state in which the physicians are licensed. Effective July 1, 2020. Chapter No. 2020-19. (Hughes)

#### **Public Records Exemption – Email Addresses/Tax Notices (Supported)**

**SB 7004** (Finance and Tax) maintains the current public record exemption for taxpayer email addresses held by tax collectors for certain tax notice purposes. Effective October 1, 2020. Chapter No. 2020-166. (Hughes)

#### **Constitutional Amendment: Homestead Property Tax Increased Portability Period (Monitored)**

**HJR 369** (Roth) proposes an amendment to the state constitution to increase the period, from two to three years, when accrued Save-Our-Homes benefits may be transferred from a prior homestead to a new homestead. The amendment proposed in the joint resolution will take effect on January 1, 2021, if approved by at least 60 percent of voters during the 2020 general election. (Hughes)

#### **Implementing Bill: Homestead Property Tax Increased Portability Period (Monitored)**

**HB 371** (Roth) increases the timeframe, from two to three years, during which the accrued benefit from

specified limitations on homestead property tax assessments may be transferred from a prior homestead to a new homestead. If approved by the voters, these provisions take effect January 1, 2021. (Hughes)

#### **Constitutional Amendment: Surviving Spouse Ad Valorem Tax Reduction (Monitored)**

**HJR 877** (Killebrew) proposes an amendment to the Florida Constitution to allow the same ad valorem tax discount on homestead property for combat-disabled veterans age 65 or older to carry over to the surviving spouse of a veteran receiving the discount if the surviving spouse holds legal title to the homestead and permanently resides there. If approved by the voters, these provisions take effect January 1, 2021. (Hughes)

#### **Regional Rural Development Grants Program (Supported)**

**CS/SB 426** (Montford) revises how the Regional Rural Development Grants Program and the Rural Infrastructure Fund operates. Specifically, the bill:

- ▶ Requires grant recipients to serve or be located within a rural area of opportunity.
- ▶ Authorizes organizations that serve an entire rural area of opportunity to receive grants of up to \$50,000 annually.
- ▶ Reduces the percentage of grant funds that must be matched with non-state funds from 100 percent to 25 percent of the state's contribution.
- ▶ Specifies that regional economic development organizations may use grant funds to build their professional capacity and provide technical assistance.
- ▶ Adds as eligible use of funds: upgrades to or development of public tourism infrastructure and improvements to broadband internet service access in unserved or underserved rural communities.
- ▶ Requires projects that improve service and access to be through a partnership that was publicly noticed and competitively bid.
- ▶ Establishes certain contract and public notice requirements.

Effective July 1, 2020. Chapter No. 2020-030. (Cook)

#### **Visit Florida Reauthorization (Monitored)**

**SB 362** (Hooper) revises the scheduled repeal of Visit Florida from July 1, 2020, to October 1, 2023. The bill takes effect upon becoming law (April 8, 2020). Chapter No. 2020-16. (Cook)

### **Substance Abuse Services (Supported)**

**CS/CS/SB 1120** (Harrell) addresses individuals who have been disqualified for employment with substance abuse service providers following a failed background screening. Effective July 1, 2020. Chapter No. 2020-038. (Cook)

### **Public Records/Disaster Recovery Assistance (Monitored)**

**CS/SB 966** (Gainer) makes confidential and exempt from public disclosure requirements property photographs and applicant financial documentation provided to the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality or a local housing finance agency specified information from an applicant for, or a participant in, a federal, state or local housing assistance program for the purposes of disaster recovery assistance for a presidentially declared disaster. Effective July 1, 2020. Chapter No. 2020-034. (Cook)

### **Public Records/Site-specific Location Information of Endangered and Threatened Species (Monitored)**

**CS/HB 549** (Overdorf) provides that site-specific location information concerning a federally designated endangered or threatened species or a state-designated threatened species held by an agency is exempt from public records requirements. The bill specifies that the exemption does not apply to animals in captivity. The bill specifies that the release of such information would jeopardize the continued existence of endangered and threatened species by increasing the risk of exposure to poachers or by threatening the integrity of the site due to increased use or traffic. The public necessity statement also provides that the protection of such information would protect private property owners from potential trespass and related liability issues when endangered or threatened species are found on their properties and would encourage such property owners, as well as researchers, to provide agencies with the information they might not otherwise provide if such location information were made public. Chapter No. 2020-129. (Cook)

### **Public Records and Meetings/911, E911 or Public Safety Radio Communication System (Monitored)**

**CS/CS/SB 1060** (Thurston) makes confidential and exempt from public records disclosure requirements certain plans and geographical maps relating to 911,

E911 or public safety radio communication structures or facilities owned and operated by a state agency. Any portion of a meeting that would reveal the confidential and exempt information is made exempt from the public meeting requirements. An agency is authorized to disclose the confidential and exempt information to:

- ▶ Another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities.
- ▶ A licensed architect, engineer or contractor who is performing work on or related to the 911 or E911 communication system infrastructure including towers, antennae, equipment or facilities used to provide 911 or E911 communication services, or other 911 or E911 communication structures or facilities owned and operated by an agency.
- ▶ Upon a showing of good cause before a court of competent jurisdiction.

The bill takes effect upon becoming law (April 8, 2020). Chapter No. 2020-013. (Cook)

### **Public Nuisances (Monitored)**

**CS/CS/HB 625** (Newton) addresses public nuisance properties. The bill:

- ▶ Extends and increases the frequency of notice so a property owner has sufficient time to receive notice and correct the use of the property.
- ▶ Allows for shorter notice where the public nuisance presents a danger of immediate and irreparable injury.
- ▶ Specifies what information must be provided in the notice and the requirements for serving the notice.
- ▶ Deletes the requirement that a criminal gang or member or associate of such gang must use a location "on two or more occasions" for the purpose of engaging in a criminal gang-related activity for such use to qualify as a public nuisance that can be abated or enjoined.
- ▶ Provides that any place or premises that has been used on more than two occasions within a six-month period as the site of dealing in stolen property, assault, aggravated assault, battery, aggravated battery, burglary, theft or robbery by sudden snatching may be declared a public nuisance and may be abated or enjoined.
- ▶ Provides that a rental property that is declared a public nuisance based upon the previously described circumstances may not be abated or

subject to forfeiture under the Florida Contraband Forfeiture Act if the nuisance was committed by someone other than the owner of the property and the property owner commences rehabilitation of the property within 30 days after the property is declared a public nuisance and completes the rehabilitation within a reasonable time thereafter. Effective July 1, 2020. Chapter No. 2020-130. (Cook)

#### **Law Enforcement Vehicles (Monitored)**

**CS/SB 476** (Hooper) provides that community associations may not prohibit a law enforcement officer who is a unit owner from parking his or her law enforcement vehicle in an area where the unit owner or his or her guest otherwise has a right to park. Effective upon becoming law (February 21, 2020). Chapter No. 2020-5. (Cook)

#### **Fireworks (Monitored)**

**CS/CS/CS/SB 140** (Hutson) creates an exemption allowing for the use of fireworks on three days: New Year's Day (January 1), Independence Day (July 4) and New Year's Eve (December 31). The bill takes effect upon becoming law (April 8, 2020). Chapter No. 2020-11. (Cook)

#### **Emergency Reporting (Monitored)**

**CS/CS/SB 538** (Diaz) requires a municipality or county to report certain emergency incidents to the State Monitored Office within the Division of Emergency Management as soon as practicable following the initial response of the local government. Effective July 1, 2020. Chapter No. 2020-053. (Branch)

#### **Essential State Infrastructure (Opposed – Mandate)**

**CS/SB 7018** (Infrastructure and Security) requires the Public Service Commission, in coordination with the Department of Transportation and the Department of Agriculture and Consumer Services, to develop and recommend a plan for the development of electric vehicle charging station infrastructure along the State Highway System. The bill expands the "shot clock" and "deemed approved" requirements to permit applications for all utilities in the right of way in a municipality or county. The bill also allows agricultural property owners who have granted a conservation easement over their property to unilaterally encumber the conservation easement by allowing the use of the land for a linear facility and related appurtenances. The bill di-

rects DOT to plan, design and construct staging areas for emergencies as part of the turnpike system. These sites are intended to be designated staging areas for emergency supplies to facilitate the prompt provision of emergency assistance to the public in response to a declared state of emergency. Effective July 1, 2020. Chapter No. 2020-21. (Branch, O'Hara)

#### **Transportation Network Companies (Opposed – Preemption)**

**CS/ CS/ HB 1039** (Rommel) establishes a regulatory framework for digital advertising on transportation network company vehicles and luxury ground transportation network company vehicles, preempting such regulation to the state. The bill preempts local governments that are currently collecting revenue from the regulation of digital advertising on vehicles. The bill is effective June 23, 2020. Chapter No. 2020-087. (Branch)

#### **Local Government Public Construction Works (Monitored)**

**CS/CS/ HB 279** (Smith, D.) requires a local government, in deciding whether it is in the public's best interest for the local government to perform a public building construction project using its own services, to fully account for all costs associated with performing and completing the work, including the cost of direct materials to be used in the construction. The bill clarifies that a local government shall list all other governmental entities that may have additional permits or fees generated by the project when issuing a bidding document. Effective July 1, 2020. Chapter No. 2020-155. (Branch)

#### **Retainage (Opposed – Preemption)**

**CS/ HB 101** (Andrade) reduces the amount of retainage to 5% that municipalities can retain across an entire construction project. Currently, municipalities can withhold up to 10% of retainage for the first half of a construction project and up to 5% on the last half. Effective October 1, 2020. Chapter No. 173. (Branch)

#### **Commercial Service Airports (Opposed – Mandate)**

**CS/CS/ HB 915** (Avila) revises several provisions to enhance transparency and accountability for large-hub commercial service airports. The bill requires that at least once every seven years the auditor general conduct operational and financial audits of the state's large-hub commercial service airports. The bill also requires the members of the governing bodies

of large-hub commercial service airports to submit the more detailed financial disclosure (Form 6) to the Commission on Ethics. The governing body of each commercial service airport is required to establish and maintain a website containing specified information including meeting notices, agendas, approved budgets and certain documents submitted to the Federal Aviation Administration. Effective October 1, 2020. Chapter No. 2020-167. (Branch)

### **Electric Bicycles (Supported)**

**CS/CS/HB 971** (Grant, M.) creates regulation governing the operation of e-bikes and provides that an e-bike or an operator of an e-bike must be afforded all the rights and privileges of a bicycle. The bill authorizes an e-bike to operate where bicycles are allowed including, but not limited to, streets, highways, roadways, shoulders and bicycle lanes. However, local governments are authorized to regulate the operation of e-bikes in the prescribed areas. Effective July 1, 2020. Chapter 2020-069. (Branch)

### **Prohibition Against Abuse of Public Position (Monitored)**

**HB 7009** (Committee on Public Integrity & Ethics) reenacts provisions of the Florida Code of Ethics for Public Officers and Employees that provide penalties for violations of the statute. Re-enactment of the provision makes the statutory penalties applicable to Amendment 12 to the Florida Constitution adopted by voters in the 2019 general election. Amendment 12 prohibits a public officer or public employee from abusing his or her public office to obtain a disproportionate benefit. Effective December 31, 2020. Chapter No. 2020-182. (O'Hara)

### **Recycling/Environmental Regulation (Monitored)**

**CS/HB 73** (Overdorf) requires that contracts between local governments and vendors, as well as requests for proposals or other solicitations, for the collection, transport and processing of residential recycling materials must include provisions to define and reduce levels of contamination in the materials collected. Specifically, the contracts or solicitations must identify strategies and obligations of the local government to reduce contamination, procedures for identifying, procedures for managing and rejecting contaminated materials, strategies for education and enforcement, and a definition of the term "contaminated recyclable

material" that is appropriate for the local community. The bill specifies that a collector, transporter or processor is not required to collect, transport or process contaminated recyclable material, except pursuant to the terms of an executed contract. The bill's requirements apply only to contracts executed or renewed after October 1, 2020. Also, the bill clarifies an exemption in current law from state environmental permitting requirements for various projects by specifying that local governments may not require a person to provide additional verification from the Department of Environmental Protection of entitlement to such an exemption. The bill also modifies an existing state permit exemption for the replacement and repair of existing docks and piers by specifying the replacement or repair must be "within 5 feet of the same location and no larger in size" and that no additional aquatic resources may be adversely and permanently impacted by such replacement or repair. Effective July 1, 2020. Chapter No. 2020-041. (O'Hara)

### **Florida Drug and Cosmetic Act (Opposed)**

**SB 172** (Bradley) preempts the regulation of over-the-counter proprietary drugs or cosmetics (includes sunscreen) to the state. Effective July 1, 2020. Chapter No. 2020-118. (O'Hara)

### **Public Financing of Construction Projects (Monitored)**

**CS/CS/SB 178** (Rodriguez) requires public entities to conduct a sea-level impact projection (SLIP) study on state-funded buildings within the coastal building zone before commencing construction. The study must be submitted to the Department of Environmental Protection and published on the agency's website before commencing construction. Buildings subject to this requirement would include construction projects of a municipality, county or any other public agency that is using state-appropriated funds for the project. The bill requires the DEP to develop rules establishing standards for conducting a SLIP study and specifies required components to be addressed in the rules. Also, DEP must also approve and publish copies of all SLIP studies for at least 10 years. The bill authorizes DEP to bring a civil action to seek injunctive relief to cease construction or seek recovery of state funds expended on a coastal structure if construction commences without complying with requirements for the SLIP study and review. Effective July 1, 2020. Chapter No. 2020-119. (O'Hara)

### **Underground Facility Damage Prevention and Safety (Monitored)**

**CS/CS/HB 1095** (Fitzenhagen) amends the Underground Facility Damage Prevention and Safety Act. The purpose of the Act is to identify and locate underground facilities before an excavation or demolition. The Act authorizes a free-access notification system, Sunshine 811. The bill amends the Act by expanding the list of entities that may issue citations for violations of the Act to include the state fire marshal and municipal and county fire chiefs. It increases the maximum civil penalty for certain violations of the Act that involve an underground pipe or facility transporting hazardous materials regulated by the federal Pipeline and Hazardous Material Safety Administration and provides for 80 percent of the civil penalty to be distributed to the entity that issued the citation. The bill establishes a civil penalty for knowingly removing or damaging a permanent marker placed to identify the location of an underground facility. It requires excavators and underground facility operators to transmit reports of incidents that involve high-priority subsurface installations for investigation by the state fire marshal and issuance of a civil penalty for a violation found to the proximate cause of the incident. Portions of this civil penalty must be distributed between Sunshine 811 and the state fire marshal (to fund programs that assist fire departments with equipment, supplies, and training designed to mitigate firefighter exposure to hazardous, cancer-causing chemicals). The bill requires Sunshine 811 to review reports made to the state fire marshal and other complaints of alleged violations of the Act, identify issues and make recommendations to the governor and Legislature. Lastly, the bill imposes term limits on the State Office of Public Counsel, providing a person appointed to this position may not serve more than 12 consecutive years. Effective July 1, 2020. Chapter No. 2020-137. (O'Hara)

### **Fish and Wildlife Activities (Monitored)**

**CS/CS/CS/SB 1414** (Mayfield) expands current law that prohibits any person from interfering with the lawful taking of fish, game or other nongame animals by another person within wildlife or fish management areas to include the lawful taking of game, fish or nongame animals in or on any public lands or in or on any public waters. The bill also prohibits the

sale, importing or possession of green iguanas or tegu lizards, with specified exceptions. Effective July 1, 2020. Chapter No. 2020-137. (O'Hara)

### **Local Government Efficiency Task Force (Monitored)**

**HB 5003** (Appropriations Committee) is the implementing bill for the 2020-21 General Appropriations Act. It contains language establishing the Local Government Efficiency Task Force within the Legislature to review the governance structure and function of local governments and make recommendations on any changes that may be necessary to make such governments more efficient. The Task Force shall consist of six members with the governor, the Senate president, and speaker of the House of Representatives each appointing two members. The Task Force is directed to convene its first meeting by November 15, 2020, and is authorized to conduct meetings in person or by electronic means. The Task Force shall submit a report to the governor and Legislature by June 1, 2021. Chapter No. 2020-114. (O'Hara)

### **Constitutional Amendments Proposed by Initiative (Monitored)**

**CS/CS/CS/SB 1794** (Hutson) strengthens the requirements and processes for amending the Florida Constitution by citizen initiative. The legislation increases the geographic diversity and number of petition signatures that must be verified. The bill creates a cause of action for citizens to challenge a petition circulator's registration. Additionally, the bill requires the ballot for a citizen initiative include an estimate on the financial impact. Effective April 8, 2020. Chapter No. 2020-15. (Cruz)

### **Dissolution of the City of Weeki Wachee (Monitored)**

**HB 1215** (Ingoglia) is a local bill that abolishes the City of Weeki Wachee in Hernando County and transfers assets and legitimate liabilities of municipality to the county. Effective June 9, 2020. (Cruz)

# MAJOR BILLS THAT FAILED DURING THE 2020 SESSION

(in order of importance)

## **Vacation Rentals (Opposed – Preemption)**

**CS/CS/HB 1011** (Fischer) and **CS/SB 1128** (Diaz) would have preempted to the state the regulation of vacation rentals and repealed any local vacation rental ordinances or regulations adopted since 2011. The bills would have defined “advertising platforms” and preempted the regulation of advertising platforms to the state as well while putting in place statewide standards for the regulation of advertising platforms such as Airbnb, VRBO and HomeAway. The bills died after several lawmakers and the governor expressed concerns over taking away local authority. We expect similar bills to be filed next year. (Cook)

## **Private Property Rights (Opposed)**

**CS/HB 519** (Grant, J.) and **CS/SB 1766** (Lee) would have opened the door for an explosion of potential lawsuits against cities by making one-sided changes to the Bert J. Harris Act and leaving taxpayers to pay the price. The Harris Act gives landowners a way to seek compensation when a local government takes action that impacts the value of their property. The Harris Act is detailed and fair. It allows local governments to negotiate with property owners who are filing a claim and calls on courts to consider the unique conditions of each claim.

The bills would have required any settlement reached on a Bert Harris claim to be automatically applied by the government entity to all “similarly situated” residential properties that are subject to the same rules or regulations. In essence, this provision would have undone legislative action a government entity undertakes by requiring a settlement on one case be applied across the board, turning Harris Act settlements into quasi class-action lawsuits. The bills did not define the term “similarly situated property,” which would have opened the door for more litigation. The bills would have significantly amended the attorney fee provisions of the Harris Act, allowing only property owners to recover costs if they prevail. Additionally, the legislation would have included business losses as part of a Bert Harris claim. The Florida League of Cities opposed making one-sided

changes to the Harris Act that only benefit attorneys and leaves taxpayers footing the bill. The bills died in the Senate. (Cruz)

## **Sales and Use Tax (Supported)**

**SB 126** (Gruters) and **HB 159** (Clemons) would have required retailers with no physical presence in Florida to collect Florida’s sales tax on sales of taxable items delivered to purchasers in Florida if the retailer makes a substantial number of sales into Florida or provides for the taxation of sales facilitated through a marketplace provider. The bills would have also deleted a provision that exempts an out-of-state dealer that makes retail sales into this state from collecting and remitting any local discretionary surtax. The bills died in committee. (Hughes)

## **Communication Services Tax (Opposed – Mandate)**

**HB 701** (Fischer) and **SB 1174** (Hutson) would have reformed the communications services tax (CST) to clarify that certain streaming services are subject to the tax and create uniform rates. The bills would have reduced the local CST rate to 5% or less by January 1, 2021, and 4% or less by January 1, 2022. The bills also reduced the state CST rate from 4.92% to 4.9% and the noncharter county CST rate to 2% by January 1, 2022. The bills would have repealed the local option sales surtax conversion that is levied on communications services. The Revenue Estimating Conference estimated the bills would have negatively impacted local government revenues by \$190 million each year. The bills died in committee. (Hughes)

## **Sovereign Immunity (Opposed)**

**CS/SB 1302** (Flores) would have increased the per-occurrence limit on the collectability of judgments against government entities from \$300,000 to \$500,000 and eliminated the \$200,000-per-claimant limit. The bill would have tied the new \$500,000 sovereign immunity limit to a consumer price index to allow the cap to automatically increase with inflation. The purpose of sovereign immunity is to allow government entities to carry out police powers to protect the health, safety and welfare of their residents with-

out the constant threat of lawsuit putting taxpayer dollars at risk. The bill had the potential to result in increased damage awards against governments and will incentivize lawsuits against governments. The bill died in committee. (Cruz)

#### **Home-Based Businesses (Opposed – Preemption)**

**CS/HB 537** (Donalds) and **SB 778** (Perry) would have created a sweeping preemption that prohibited local governments from enacting or enforcing any ordinance, regulation or policy or take any action to license or otherwise regulate a home-based business in a manner that is different from other businesses in a local government's jurisdiction. The bills would have created a cause of action to allow any adversely affected current or prospective home-based business owner to challenge any local government action regulating home-based businesses. **CS/HB 537** died awaiting final action by the House, and **SB 778** died in committee. (Cruz)

#### **Local Government Fiscal Transparency (Opposed – Mandate)**

**HB 1149** (DiCeglie) and **SB 1702** (Diaz) would have amended multiple provisions related to local government financial transparency. The bills expanded public notice and public hearing requirements for local option tax increases, other than property taxes and taxes adopted by referendum, and new long-term tax-supported debt issuances. Each local government was required to prominently post on its website the voting records on any action taken by its governing board related to tax increases and new tax-supported debt issuances. The bills imposed requirements on county property appraisers and local governments relating to Truth in Millage (TRIM) notices, millage rate history and the amount of tax levied by each taxing authority on each parcel. Additionally, local governments would have been required to conduct a debt affordability analysis before approving the issuance of new long-term tax-supported debt. The bills also would have revised the local government reporting requirements for economic development incentives. **SB 1702** died in committee. **HB 1149** died awaiting action by the full Senate. (Hughes)

#### **Local Government Reporting (Opposed – Mandate)**

**CS/HB 7069** (State Affairs) and **SB 1512** (Diaz) would have repealed an existing reporting requirement that

municipalities report certain budget and economic data to the Office of Economic and Demographic Research and replaced it with a new reporting requirement. The bills required municipalities and counties to electronically submit to the Department of Financial Services all necessary information needed to facilitate the department preparing a local government report and interactive website that could be used to compare and rank local governments. Some of the information that was to be required to be submitted included government spending per capita, government debt per capita, crime rates, school grades, median income and unemployment. **CS/HB 7069** would have also required that the local government grade cities and counties, using an "A" through "F" grading scale, on factors such as government spending, debt, public safety and education. **CS/HB 7069** died awaiting action by the full House. **SB 1512** died in committee. (Hughes)

#### **Dissolution of Municipalities (Opposed)**

**SB 1522** (Broxson) and **CS/CS/HB 1209** (Fischer) would have required any municipality that meets one or more specified criteria to hold a referendum on municipal dissolution. Those criteria included:

- ▶ The municipality was determined to be in a state of financial emergency after June 17, 2004, and in a state of financial emergency for two or more years.
- ▶ The municipality failed to comply with the terms of any signed agreement with the governor's office as part of a financial emergency where a financial emergency board has been established.
- ▶ The municipality submitted its required annual financial report and its annual financial audit report more than three months late for two or more consecutive years.
- ▶ A grand jury or auditor general audit report was issued within the past three years that contained a significant number of findings, and the municipality failed to resolve five or more of those findings within twelve months from the issuance of the report.

Both bills died in committee. (Cruz)

#### **Deregulation of Professions (Opposed – Preemption)**

**CS/HB 3** (Grant, M.) and **CS/SB 1336** (Perry) would have expressly preempted the licensing of occupations to the state. The bill defined occupation to include a paid job, work, trade, employment or profession and defines licensing to include any training, education, test, certification, registration, procedure or

license that are required for a person to perform an occupation. The bills provided limited exceptions for specified local licenses and any local government licensing of occupations that was expressly authorized by general law. The bills died in the Senate. (Cruz)

#### **Local Licensing (Opposed)**

**SB 890** (Perry) and **HB 1161** (Plakon) would have provided that an individual with a valid active local license be allowed to work in any local government jurisdiction without having to obtain additional local licensing, take additional examinations or pay additional local licensing fees. The multijurisdictional approval would not have impeded a local government's ability to collect business taxes from businesses operating within the local government's boundaries. The bills died in committee. (Cruz)

#### **Public Records (Monitored)**

**CS/SB 162** (Perry) would have prohibited an agency from responding to a request to inspect or copy a public record by filing a civil action against the individual or entity making the request. The bill effectively prohibited a city from initiating a declaratory judgment seeking a judicial interpretation on the application on a public records exemption. The bill died awaiting action by the full Senate. (Cook)

#### **Legal Notices (Supported)**

**CS/CS/HB 7** (Fine) and **SB 1340** (Gruters) would have allowed cities the option of publishing legal notices on a publicly accessible website instead of purchasing an advertisement in a newspaper if certain conditions were met. **CS/CS/HB 7** died awaiting action by the full Senate, and **SB 1340** died in committee. (Cook)

#### **Smoking (Supported)**

**SB 630** (Mayfield) would have allowed cities to restrict smoking in municipally owned parks. **SB 630** died awaiting action by the full Senate. The House companion, **HB 457** (LaMarca) died in committee. (Cook)

#### **Pet Stores (Opposed – Preemption)**

**HB 1237** (Avila) and **SB 1698** (Diaz) would have preempted the regulation of pet stores to the state and prohibited cities from banning these businesses. The bills died in committee. (Cook)

#### **Firefighters' Bill of Rights (Opposed – Preemption)**

**HB 215** (Casello) and **CS/SB 620** (Hooper) would have made comprehensive revisions to the Firefighters' Bill of Rights, which provides specific rights to a firefighter under investigation and when subject to interrogation for alleged misconduct that could lead to disciplinary action. The bills provided firefighters most of the same rights under an informal inquiry as the firefighter has during an interrogation. The bills died in committee. (Hughes)

#### **Preemption of Conditions of Employment (Opposed – Preemption)**

**HB 305** (Rommel) and **SB 1126** (Gruters) would have prohibited a political subdivision, including a municipality, from establishing, mandating or otherwise requiring an employer to offer conditions of employment not otherwise required by state or federal law. The bills would have expressly preempted the regulation of minimum wage and other conditions of employment to the state. The bills did not limit the authority of a political subdivision to regulate minimum wage or to require conditions of employment for employees of the political subdivision, employees of a contractor or subcontractor who provides goods or services to the political subdivision and employees of an employer receiving a direct tax abatement or subsidy from the political subdivision as a condition of the direct tax abatement or subsidy. The bills died in committee. (Hughes)

#### **Supermajority Vote Required to Impose, Authorize or Raise Local Taxes or Fees (Opposed – Mandate)**

**HJR 477** (Rommel) proposed an amendment to the Florida Constitution that would have required that any local tax or fee that is imposed, authorized or raised by a local jurisdiction, including municipalities, be approved by two-thirds of the membership of the jurisdiction. The bill died in committee. (Hughes)

#### **Tax Administration (Monitored)**

**SB 7060** (Finance and Tax) would have made changes to tax-related statutes as recommended by the Department of Revenue. The bill died awaiting action by the full Senate. (Hughes)

#### **Broadband Mapping (Supported)**

**HB 1309** (Ausley) and **SB 1776** (Montford) would have required the Department of Management Services to develop geographic information system maps in

collaboration with internet service providers. The bills died in committee. (Hughes)

#### **Communications Services (Supported)**

**HB 6075** (Eskamani) and **SB 1848** (Rodriguez, J.) would have deleted certain provisions that limit the authority of municipalities and counties to regulate communications service providers in publicly owned rights of way. The bills would have also repealed the Advanced Wireless Infrastructure Deployment Act that relates primarily to the installation of small wireless facilities in public rights of way. The bills died in committee. (Hughes)

#### **Traffic and Pedestrian Safety (Opposed – Unfunded Mandate)**

**CS/SB 1000** (Perry) and **CS/CS/CS/HB 1371** (Fine) would have required that crosswalks located at any place other than an intersection of a public street, highway or road be controlled by pedestrian and traffic signals that meet requirements of the Florida Department of Transportation Manual on Uniform Traffic Control Devices. **CS/SB 1000** died in committee, and **CS/CS/CS/HB 1371** died waiting on action by the full Senate. (Branch)

#### **Fire Station Diesel Exhaust Capture Systems (Monitored)**

**HB 85** (Casello) would have required the Florida Building Commission to incorporate into the Florida Building Code specified requirements relating to the installation of "diesel exhaust capture systems" in fire stations. The bill died in committee. (Branch)

#### **Use of Wireless Communications Devices While Driving "Hands-Free" (Monitored)**

**HB 249** (Slosberg) would have prohibited a person from operating a motor vehicle while holding or touching a wireless communication device. The bill died in committee. (Branch)

#### **Traffic Offenses (Supported)**

**SB 308** (Baxley) and **HB 455** (McClain) would have provided criminal penalties for a person who commits a moving violation that causes serious bodily injury to or causes the death of a vulnerable road user. Of interest to cities, current law would have defined "vulnerable road user" to include a person engaged in work on a highway such as a utility service worker. The bills died in committee. (Branch)

#### **State Preemption of the Regulation of Hoisting Equipment (Supported)**

**SB 272** (Rodriguez) would have created an exception to a state preemption preventing local governments from regulating hoisting equipment at local worksites. This preemption would not have applied as it related to precautions specific to hurricane preparedness. The bill died in committee. (Branch)

#### **Electric Vehicle Charging Stations (Monitored)**

**SB 452** (Rodriguez) and **HB 943** (Daley) would have required the Department of Transportation, with the Office of Energy within the Department of Agriculture and Consumer Services and the Florida Clean Cities Coalitions, to develop a master plan for installing electric vehicle charging stations on the state highway system. The bills died in committee. (Branch)

#### **State Housing Trust Fund (Supported)**

**SB 306** (Mayfield) and **HB 381** (Silvers) would have specified that funds deposited in the State Housing Trust Fund and the Local Government Housing Trust Fund may not be transferred or used for any other purpose. The bills died in committee. (Branch)

#### **High-speed Passenger Rail (Monitored)**

**CS/SB 676** (Mayfield) and **HB 465** (Sirois) would have provided guidelines for the creation of safe and cost-effective transportation options for residents and visitors of this state, including a high-speed rail system. The bills would have enhanced the safety requirements of high-speed passenger rail to protect the health, safety and welfare of the public. The bills also would have required the Florida Division of Emergency Management to offer training to local emergency officials on responding to an accident involving rail passengers or hazardous materials. The bills died in committee. (Branch)

#### **Florida Building Code (Monitored)**

**SB 710** (Albritton) would have established new requirements to the Florida Building Code that the entire envelope of multistory residential buildings, certain new coastal construction, new residential construction in a high-velocity hurricane zone and hurricane shelters be constructed with high wind-resistant construction materials. The bill died in committee. (Branch)

### **Placement of Electronic Billboards (Monitored)**

**SB 1666** (Albritton) and **HB 619** (Overdorf) would have authorized the placement of electronic billboards on lands designated as agricultural under specified conditions. The bills died in committee. (Branch)

### **Building Design (Opposed – Mandate)**

**SB 954** (Perry) and **CS/CS/HB 459** (Overdorf) would have preempted local governments from adopting zoning and development regulations that require specific building design elements for single- and two-family dwellings unless certain conditions are met. SB 954 died in committee, and CS/CS/HB 459 died awaiting action by the full House. (Branch)

### **Fees/Electric Vehicle (Supported)**

**SB 1346** (Brandes) and **HB 1221** (Slosberg) would have created additional fees and a licensing tax for electric and hybrid vehicles. The proceeds from these additional fees and taxes would have been deposited equally into the State Transportation Trust Fund and the newly created Electric Vehicle Infrastructure Grant Program. The bills died in committee. (Branch)

### **Electric Vehicle (Supported)**

**SB 1230** (Brandes) and **HB 1219** (Toledo) would have created the Electric Vehicle Infrastructure Grant Program to provide financial assistance to municipalities and other entities for the installation of electric vehicle charging infrastructure. The bills would have authorized the Department of Transportation to develop and publish criteria for the grant application. The bills died in committee. (Branch)

### **Tax on Aviation Fuel (Opposed – Unfunded Mandate)**

**SB 1192** (Gruters) and **HB 6061** (Roach) would have repealed the excise tax imposed on aviation fuel, aviation gasoline and kerosene sold or brought into the state. Repealing the excise tax on aviation fuel would have reduced the amount of money going to the State Transportation Trust Fund. The bills died in committee. (Branch)

### **Fire-Safety and Prevention (Monitored)**

**CS/SB 1594** (Powell) and **HB 1263** (Watson, C.) would have prohibited individuals from influencing fire-safety inspectors by threatening, coercing or attempting to interfere with an inspection. The bills would have

also provided criminal penalties for these violations. The bills died in committee. (Branch)

### **Red Light Cameras (Opposed – Preemption)**

**HB 6083** (Rodriguez, Anthony) would have preempted cities, counties and the Florida Department of Highway Safety and Motor Vehicles from installing, maintaining or using red light cameras effective July 1, 2023. The bill died in committee. (Branch)

### **Charter Schools Zoning (Opposed – Mandate)**

**CS/CS/HB 1029** (Rodriguez, Anthony) and **CS/SB 1578** (Hutson) included language that would have given charter schools the authority to expand under their preexisting zoning without obtaining a special exception or rezoning. CS/SB 1578 died in committee, and CS/CS/HB 1029 died awaiting action by the full House. (Branch)

### **Motor Vehicle Rentals (Supported)**

**CS/SB 478** (Perry) and **CS/CS/HB 377** (Latvala) would have required peer-to-peer (P2P) car-sharing service sites to impose a \$2 per day surcharge upon lease or rental motor vehicle through the P2P car-sharing program, which is similar to the requirements of a traditional car rental company. The bills died in committee. (Branch)

### **Emergency Mitigation and Response (Supported)**

**CS/SB 502** (Montford) would have created the Hurricane Michael Recovery Task Force under the Division of Emergency Management. The task force was to make recommendations to the Legislature regarding additional assistance needed from the effects of Hurricane Michael. The bill died in committee. (Branch)

### **Emergency Staging Areas (Monitored)**

**SB 7020** (Infrastructure and Security) would have authorized the Florida Department of Transportation to plan, design and construct staging areas for emergencies as part of the turnpike system. This bill is amended on CS/SB 7018 (Infrastructure and Security), which passed. (See above.) SB 7020 died waiting on action by the full House. (Branch)

### **Drones (Supported)**

**CS/SB 520** (Gruters) and **HB 1433** (Yarborough) would have allowed police and fire departments to use drones to manage crowd control and traffic as well as gather evidence at a crime or traffic crash

scene. The bills would have also permitted a state agency or political subdivision to operate drones for assessing damage after a natural disaster. CS/SB 520 died in committee, and HB 1433 died awaiting action by the House. (Branch)

#### **Local Government Efficiency and Crime Task Forces (Monitored)**

**CS/HB 7101** (State Affairs Committee) would have established the Local Government Efficiency Task Force within the Legislature to review the governance structure and function of local governments and whether any changes are necessary to make such governments more efficient. Also, the bill would have established the Urban Core Crime and Violence Task Force within the Florida Department of Law Enforcement to develop recommendations to help facilitate the reduction of crime and violence. HB 5003, which passed and is the implementing bill for the 2020-21 General Appropriations Act, contains language establishing the Local Government Efficiency Task Force. CS/HB 7101 died in committee. (O'Hara)

#### **Government Integrity (Monitored)**

**SB 1538** (Gruters), **CS/CS/SB 1270** (Lee) and **CS/CS/HB 1111** (Tomkow) created the position of Florida integrity officer to investigate complaints alleging waste, fraud, abuse, misconduct or gross mismanagement in connection with the expenditure of public funds within and by state and local government. CS/CS/SB 1270 and CS/CS/HB 1111 also established standards for the fiduciary duty of care for appointed public officers and executive officers of specified governmental entities. The bills required the appointment of any executive officer or general counsel to be approved by a majority vote of the governmental entity. They further provided that all legal counsel employed by a governmental entity must represent the legal interest and position of the governing body of the governmental entity and not the interest of any individual or employee of the governmental entity, except as directed by the governmental entity or as authorized by law. The bills expressly stated the new provisions do not create a legal cause of action against an executive officer, appointed public official or governmental entity. SB 1538 did not make it out of its first committee. CS/CS/SB 1270 passed through both the House and the Senate but ultimately died awaiting final action by the Senate. CS/CS/HB 1111 died in the House. (O'Hara)

#### **Local Government Accountability (Opposed – Preemption)**

**SB 766** (Perry) and **HB 611** (Sabatini) would have imposed mandatory lobbyist registration requirements on all local government entities as defined in the bills. The bills would have also amended statutory meeting notice requirements for cities and counties. The bills died in committee. (O'Hara)

#### **Recycled/Reclaimed Water (Opposed – Mandate)**

**CS/CS/HB 715** (Maggard) and **CS/CS/SB 1656** (Albritton) would have authorized the Department of Environmental Protection to develop rules for the implementation of potable water reuse. The bills required local governments to authorize the use of residential graywater technologies and to provide incentives to developers to provide such technologies. CS/CS/SB 1656 would have prohibited domestic wastewater utilities from disposing of effluent, reclaimed water or reuse water by surface water discharge beginning January 2026, with specified exceptions. CS/CS/HB 715 would have required wastewater utilities to submit to DEP a plan for eliminating nonbeneficial surface water discharges within five years, with specified exceptions and caveats. CS/CS/HB 715 died in the Senate. CS/CS/SB 1656 died in committee. (O'Hara)

#### **Water Resources (Supported)**

**HB 147** (Jacobs) and **SB 690** (Albritton) directed the Florida Department of Environmental Protection to develop a comprehensive and quantitative needs-based overview of the state's water resources. To determine the level of need, the overview was to include an assessment of funds necessary for current and future demands for infrastructure, including amounts necessary to address hazard mitigation, infrastructure replacement costs, future capacity costs, natural resources protection and restoration, and flood protection. Also, the overview was required to include potential funding options to meet anticipated demands. The bills died in committee. (O'Hara)

#### **Statewide Office of Resiliency (Supported)**

**SB 7016** (Infrastructure & Security Committee) and **HB 1073** (Stevenson) established the Statewide Office of Resiliency within the Executive Office of the Governor and provided for the establishment of a chief resiliency officer by the governor. The bills would

have created the Statewide Sea-Level Rise Task Force within the Department of Environmental Protection for the purpose of recommending consensus projections of the anticipated sea-level rise and flooding impacts along the state's coastline. SB 7016 died in the House, and HB 1073 died in committee. (O'Hara)

**Marketable Record Title Act (Monitored)**

**CS/CS/HB 733** (Smith, D.) and **CS/SB 802** (Perry) would have revised the Marketable Record Title Act (MRTA) to clarify an exception to its main provisions and bolster the current prohibition on discriminatory deed provisions. The bills would have provided for summary removal of discriminatory restrictions from the governing documents of a property owners' association. The bills died in the Senate. (Cruz)

# OTHER BILLS THAT FAILED DURING THE 2020 SESSION

(in order by subject area)

## ECONOMIC DEVELOPMENT

### Economic Development (Supported)

**HB 779** (Roach) and **CS/CS/SB 922** (Gruters) would have amended current law to extend special economic development to qualified businesses located in a county affected by Hurricane Michael. HB 779 died in committee, and CS/CS/SB 922 died awaiting action by the full House. (Cook)

### Opportunity Zoning (Monitored)

**HB 1429** (Omphroy) and **SB 1612** (Powell) would have created a process whereby cities could apply to the Department of Economic Opportunity for approval for the designated opportunity zones to receive state incentives. The bills died in committee. (Cook)

### Sports Development Program (Monitored)

**HB 6057** (Avila) and **HB 1369** (Pigman) would have repealed provisions relating to state funding for constructing, reconstructing, renovating or improving facilities primarily used for sporting events. The bills died awaiting action by the full House. (Cook)

## ETHICS AND ELECTIONS

### Elections (Opposed – Preemption)

**CS/CS/SB 1372** (Brandes) would have made technical election administration changes for the 2020 general election cycle. Also, the bill expressly preempted a local government from imposing any limitation on contributions to a political committee or electioneering communications organization, or limitations on any expenditures for an electioneering organization or an independent expenditure. The bill died in committee. (O'Hara)

### Ethics Reform (Monitored)

**CS/HB 1185** (Brannon) and **SB 1530** (Baxley) would have prohibited a governmental entity or an elected official from authorizing the use of an elected official's name, likeness or other symbol of office in a public service announcement during the elected offi-

cial's qualifying period before election or re-election, if such announcement is paid for with public funds or if the time or space for such announcement is donated by the media. The bills also modified lobbyist registration and reporting requirements applicable to lobbying before the executive branch. CS/HB 1185 died in the Senate. SB 1530 died in committee. (O'Hara)

### Local Government Lobbyist Registration Fees (Opposed – Preemption and Mandate)

**SB 768** (Perry) is linked to **SB 766** (Perry) and would have established a statewide local government lobbyist registration fee. The bill prohibited a local government from charging a fee for the registration of lobbyists or principals, or for the enforcement of lobbyist regulation except as may be reasonable and necessary to cover the cost of such enforcement. The bills died in committee. (O'Hara)

### Primary Elections (Monitored)

**SB 442** (Rader) would have required a universal primary to be held to select candidates for any state office, U.S. representative or senator, or any county, municipal or district office and required all candidates to appear on a single ballot. All qualified electors, regardless of party affiliation, would have been authorized to vote in the primary election. The bill died in committee. (O'Hara)

### Public Officers and Employees (Supported)

**CS/SB 1490** (Bradley) and **CS/HB 1435** (Williamson) authorized specified reporting individuals or procurement employees as defined in the Code of Ethics (but not including any elected officer) to accept gifts or compensation to be used toward costs incurred due to serious bodily injury or disease of the individual or child of such person. CS/SB 1490 died in the House. CS/HB 1435 died in committee. (O'Hara)

### Standards of Conduct (Monitored)

**HB 1417** (Polo) would have amended the state Code of Ethics to prohibit officers of a legislative body from receiving compensation for serving on a board, commission, committee, council or authority, other than their assigned legislative committee, as part of their

employment or contractual relationship with an entity that is regulated by another agency (and not the legislative body). The bill died in committee. (O'Hara)

#### **Voting Conflicts (Monitored)**

**SB 1850** (Rodriguez) would have required a state officer who abstains from voting due to a prohibited conflict to publicly disclose, before the vote being taken, the nature and manner of the conflict. The bill died in committee. (O'Hara)

## **FINANCE AND TAXATION**

#### **Education Property Tax Exemption (Monitored)**

**CS/SB 1236** (Gruters) would have expanded the current ad valorem exemption for property used for educational purposes to exempt land that is not owned by the educational institution but is used for educational purposes under a lease. The bill died in committee. (Hughes)

#### **First Responder Property Tax Exemption (Monitored)**

**HB 281** (Hattersley) and **SB 484** (Simmons) would have expanded the definition of "first responder" for purposes of eligibility for specified property tax exemptions to include a law enforcement officer or firefighter who, before becoming a resident of this state, sustained a total and permanent disability in the line of duty while serving as a full-time paid law enforcement officer or firefighter in another state. The bills died in committee. (Hughes)

#### **Homestead Exemptions (Monitored)**

**CS/HB 223** (Buchanan) and **CS/SB 514** (Gruters) would have provided that a person receiving a homestead ad valorem tax exemption in Florida and simultaneously receiving a similar exemption in another state that required permanent residency in that state is entitled to the Florida homestead exemption if that person or family unit could demonstrate that they did not apply for the exemption and that they have relinquished the exemption in the other state. **CS/SB 514** died in committee, and **CS/HB 223** died awaiting action by the full Senate. (Hughes)

#### **Local Option Sales Tax (Supported)**

**SB 1016** (Rouson) would have refined the term "infrastructure" for purposes of the Local Government

Infrastructure Surtax to include authorized expenditures for certain affordable residential housing. The bill died in committee. (Hughes)

#### **Municipal Service Taxing Units and Municipal Service Benefit Units (Monitored)**

**SB 1330** (Gruters) would have required that establishment, merger or abolishment of a municipal service taxing unit (MSTU) or municipal service benefit unit (MSBU) be approved by majority vote of certain qualified electors who would be or are subject to any service charge, special assessment or tax within the unit in an election that is called for such purpose by the governing body of the county. The bill died in committee. (Hughes)

#### **Public Deposits (Supported)**

**SB 990** (Hutson) and **HB 721** (Roth) would have allowed the state's chief financial officer to designate credit unions as qualified public depositories after meeting certain criteria. The bills died in committee. (Hughes)

#### **Public Record Exemption: Taxpayer Information (Supported)**

**SB 930** (Gainer) and **HB 769** (Trumbull) exempted from public records requirements certain financial and taxpayer personal identifying information held by a county or municipality in connection with the collection or administration of a local business tax. The bills died in committee. (Hughes)

#### **Senior Citizen and Teacher Property Tax Protection (Monitored)**

**HB 141** (Bush) would have prohibited tax collectors from assessing or collecting certain charges on property tax bills from low-income seniors and schoolteachers at public schools who meet certain requirements. The bill died in committee. (Hughes)

#### **Special Election (Monitored)**

**HB 881** (Killebrew) and **CS/SB 1078** (Wright) would have provided for a special election to be held on Tuesday, August 18, 2020, to approve or reject **HJR 877** (Killebrew), **SJR 1076** (Wright) or a similar joint resolution having substantially the same specific intent and purpose. The bills died in committee. (Hughes)

### **Tourist Development Tax (Monitored)**

**SB 334** (Stewart) would have expanded the authorized use of the tourist development tax to include promoting or incentivizing film or television productions in this state. The bill died in committee. (Hughes)

## **HOUSING**

### **Assisted and Independent Living Facility Task Force (Supported)**

**CS/CS/SB 364** (Rader) and **CS/CS/CS/HB 39** (Gottlieb) would have created the Assisted and Independent Living Facility Task Force within the Agency for Person with Disabilities. The bills died awaiting action by the House. (Branch)

## **IMMIGRATION**

### **Sanctuary Cities/Federal Immigration Enforcement (Monitored)**

**HB 6023** (Polo) would have repealed legislation from the 2019 Session relating to state and local government enforcement of federal immigration laws. The bill died in committee. (Cruz)

## **INTERGOVERNMENTAL**

### **Legislation by Initiative (Monitored)**

**HB 545** (Geller) and **SB 1452** (Torres) would have created the right for citizens to propose legislation by ballot initiative. Of interest to cities: laws that change the boundaries of any municipality, county or special legislative or congressional district would not have been eligible to be proposed by initiative. The bills died in committee. (Cruz)

### **Legislative Preemption (Supported)**

**SB 1674** (Farmer) would have provided that the legislature may not preempt to the state a field of regulation or other subject of legislation unless it is passed by a two-thirds vote of each house. The bill would have required a supermajority vote of each house for a general law that preempts a subject of legislation to the state. The bill died in committee. (Cruz)

## **LAND USE AND COMPREHENSIVE PLANNING**

### **Development Orders (Monitored)**

**SB 250** (Berman) and **HB 6019** (Casello) would have repealed a provision of law passed during the 2019 session regarding challenges of development orders. Current law allows prevailing party in a challenge to a development order to recover reasonable attorney fees and costs incurred in defending the development order. SB 250 and HB 6019 bill would have repealed this attorney fees provision. The bills died in committee. (Cruz)

### **Real Property (Supported)**

**HB 6063** (Jenne) and **SB 1680** (Berman) would have repealed legislation passed in 2018 regarding customary use. Under current law, a governmental entity may not maintain an ordinance or rule that is based on customary use granting access to the public on private property of a beach above the mean high-water line unless it is based on a judicial declaration. The bills died in committee. (Cruz)

### **Recreational Vehicle Parks (Opposed – Preemption)**

**CS/CS/SB 772** (Hutson) and **CS/CS/CS/HB 647** (Drake) would have preempted local government regulations to allow any recreational vehicle park that was damaged or destroyed as a result of wind, water or other natural disaster to be rebuilt on the same site using the same density standards that were approved or permitted before the park was damaged or destroyed. However, this language was amended onto **CS/CS/HB 343** (Fetterhoff) that passed both chambers and takes effect July 1, 2020 (pending action by the governor). CS/CS/SB 772 died in committee. CS/CS/CS/HB 647 died in the House. (Cruz)

### **Takings Claims Within Areas of Critical State Concern (Supported)**

**SB 748** (Flores) and **CS/CS/HB 587** (Raschein) would have provided a local government entity located within an area of critical state concern to split with the state any award of compensation, costs, attorney fees and prejudgment interest awarded to a property owner if the court found liability against the state and the local government. The bills died in committee. (Cruz)

## OTHER

### **Monuments and Memorials (Opposed – Preemption)**

**HB 31** (Hill) would have preempted the ability of local governments from removing, altering, renaming or otherwise disturbing a memorial or monument on public property placed in memory of a veteran or war. This preemption would have included the removal of Civil War memorials made to honor or commemorate the war, soldiers or government officials that aided the war effort. The bill died in committee. (Cruz)

### **State Cyber Resiliency Act (Supported)**

**HM 525** (Hill) was a memorial bill urging Congress to support the State Cyber Resiliency Act and to direct the U.S. Department of Homeland Security to administer state and local cybersecurity grants to assist state, local and tribal governments in preventing, preparing for, protecting against and responding to cyberthreats. The bill died in committee. (Cook)

### **Universal Changing Places (Monitored)**

**HB 669** (Newton) and **SB 1106** (Baxley) required local governments and other entities that operate a place of public accommodation or public building or facility to install and maintain at least one universal changing place at locations in a family or assisted-use restroom facility for persons of either sex who have a physical disability. The bills died in committee. (Cook)

### **Fireworks (Monitored)**

**HB 6015** (Andrade) would have repealed provisions relating to the testing and approval of sparklers, sale of fireworks, seizure of illegal fireworks, restrictions upon storage of sparklers and penalties for violations. The bill died in committee. (Cook)

## PARKS AND RECREATION

### **Civic Education (Supported)**

**HB 581** (Aloupis) and **SB 918** (Brandes) would have established minimum requirements for a student to complete a civic literacy practicum beginning with the 2021-2022 school year to help students evaluate the roles, rights and responsibilities of U.S. citizens and determine methods of active participation in society, government and the political system. The bills died awaiting action by the full House. (Cook)

### **Constitution Revision Commission (Monitored)**

**SB 142** (Brandes), **SB 176** (Rodriguez), **HB 303** (Drake) and **HB 301** (Drake) all involve the Constitution Revision Commission (CRC). Due to criticism of how the 2018 CRC handled the bundling of constitutional amendments on the 2018 ballot, SB 142, HB 301 and HB 303 sought to abolish the CRC, and SB 176 sought to require that any future CRC proposals be limited to a single subject. SB 142 died in the Senate. SB 176, HB 303 and HB 301 died in committee. (Cruz)

### **Cyber Florida – Local Government Training and Technical Assistance (Supported)**

**HB 4533** (Antone) would have appropriated \$5 million to the Department of Management Services to fund a grant program through Cyber Florida – Local Government Training and Technical Assistance. The bill died in committee. (Cook)

### **Government-sponsored Recreation Programs (Monitored)**

**HB 83** (Duran) created a waiver of exemption from childcare facility licensing requirements for government-sponsored recreation programs that meet certain criteria, including having adopted their own standards of care. **CS/CS/SB 668** (Book) revised the definition of the term "childcare facility" to exclude government-sponsored recreation programs. The bills died in committee. (Cook)

### **Legislative Review of Occupational Regulations (Monitored)**

**CS/HB 707** (Renner) and **CS/SB 1124** (Diaz) would have established a schedule for systematic review of the costs and benefits of occupational regulatory programs. The bills required the Legislature to review each program before the scheduled date on which each occupational regulatory program is set to expire to determine whether to allow the program to expire, renew the program without modifications, renew the program with modifications or provide for other appropriate actions. The bills died in the Senate. (Cruz)

### **Youth Athletic Activities (Monitored)**

**HB 99** (Andrade) and **SB 1406** (Broxson) required entities that administer high-risk youth athletic activities or training related to such activities on land owned, leased, operated or maintained by the state or a political subdivision to require any unpaid or

volunteer athletics personnel to complete a course approved by the Department of Health that provides information on how to prevent or decrease the chances of a participant from sustaining a serious physical injury. The bills died in committee. (Cook)

## PERSONNEL

### **Background Screening (Monitored)**

**SB 616** (Powell) and **HB 473** (Omphroy) would have prohibited a public employer from inquiring into or considering an applicant's criminal history on an initial employment application unless otherwise required by law. The bills died in committee. (Hughes)

### **Employee Organization Dues and Uniform Assessments (Monitored)**

**SB 804** (Brandes) and **CS/HB 1** (Grant, J.) would have revised the requirements for an employee to authorize the deduction and collection of dues and uniform assessments by an employer. SB 804 died in committee, and CS/HB 1 died awaiting action by the full House. (Hughes)

### **FRS: Investment Plan (Monitored)**

**SB 992** (Brandes) would have made several changes related to employer and employee contributions, as well as account allocations, under the Florida Retirement System Investment Plan. The bill died in committee. (Hughes)

### **FRS: Special Risk Class (Monitored)**

**SB 1630** (Flores) and **HB 785** (Rodriguez, Anthony) would have added employees of water, sewer or other public works departments of participating employers who work in hazardous conditions to the Special Risk Class of the Florida Retirement System. The bills died in committee. (Hughes)

### **FRS: Special Risk Class (Monitored)**

**HB 1033** (Raschein) would have extended membership in the Special Risk Class to individuals employed by a local government as a pilot or registered nurse and who perform their primary duties on an air ambulance service and operated by the local government. The bill died in committee. (Hughes)

### **FRS: Special Risk Cost-of-Living Adjustment (Monitored)**

**HB 425** (Clemons) and **CS/SB 858** (Gruters) would have required the Department of Management Services to calculate a cost-of-living factor for each retiree and beneficiary who was a member of the Special Risk Class on June 30, 2011, is a member of the Special Risk Class on his or her effective date of retirement and retires on or after July 1, 2011, with service credit earned before July 1, 2011. The bills died in committee. (Hughes)

### **Prohibited Discrimination (Monitored)**

**CS/SB 566** (Bracy) and **HB 761** (Brown) would have amended the Florida Civil Rights Act of 1992 to incorporate certain hairstyles as protected from discrimination. The bills died in committee. (Hughes)

### **Salary Incentives for Law Enforcement Officers (Monitored)**

**HB 75** (Hill) would have revised payment amounts under the salary incentive program for law enforcement officers. The bill died in committee. (Hughes)

### **Verification of Employment Eligibility (Monitored)**

**SB 1822** (Gruters) would have required public employers, contractors and subcontractors to register with and use the E-Verify system to verify the work authorization status of all newly hired employees. Similar provisions were passed in **CS/CS/CS/SB 664** (Lee). The bill died in committee. (Hughes)

## PUBLIC RECORDS AND PUBLIC MEETINGS

### **Electronic Payment of Governmental Fees (Monitored)**

**SB 196** (Taddeo) would have required cities to provide an electronic payment option for the payment of fees associated with a public record request. The bill died in committee. (Cook)

## PUBLIC SAFETY

### **Cannabis Offenses (Monitored)**

**SB 242** (Braynon) and **HB 25** (Jones) proposed reducing criminal penalties for possession of 20 grams or less of cannabis and products containing less than 600 milligrams of THC and specify that first-time juvenile violators are eligible for civil citation or other

pre-arrest diversion programs. The bills died in committee. (Cook)

#### **Carrying of Firearms (Monitored)**

**HB 273** (Sabatini) removed a requirement that a license is needed to carry a concealed weapon or firearm. The bill died in committee. (Cook)

#### **Preemption of Firearms and Ammunition (Supported)**

**SB 134** (Taddeo) and **HB 6009** (Daley) would have repealed the current statutory preemption prohibiting cities from regulating firearms and ammunition. The bills died in committee. (Cook)

#### **Prohibited Places for Weapons and Firearms (Monitored)**

**CS/HB 183** (Ponder) and **SB 1524** (Gainer) would have authorized city and county commissioners who are appropriately licensed to carry concealed weapons or firearms to a meeting of the governing body of which he or she is a member. **SB 1524** died in committee, and **CS/HB 183** died awaiting action by the House. (Cook)

#### **Prohibited Places for Weapons and Firearms (Monitored)**

**SB 428** (Braynon) added performing arts centers or legitimate theaters to the list of places where weapons or firearms are prohibited. The bill died in committee. (Cook)

#### **Public Safety (Monitored)**

**SB 7028** (Infrastructure and Security) addressed several issues related to guns and public safety. The bill died in committee. (Cook)

#### **Public Safety Communication Systems (Opposed – Mandate)**

**SB 1472** (Book) would have authorized the governor to mandate certain improvements to a local government's public safety communications system if the Department of Management Services finds that the system is inadequate. The bill died in committee. (Cook)

#### **Public Swimming Pools (Opposed – Mandate)**

**HB 1405** (Greico) required public swimming pools to have a telephone available for all public swimming pool users in case of an emergency. The bill died in committee. (Cook)

### **OTHER BILLS THAT FAILED**

#### **Statewide Active Shooter Response Planning (Monitored)**

**CS/SB 788** (Book) and **HB 997** (Casello) required the Florida Department of Law Enforcement, in consultation with law enforcement agencies throughout the state, to establish a uniform statewide rule on preparing for and responding to an active assailant. The bills died in committee. (Cook)

#### **Use of Force by Law Enforcement Officers (Monitored)**

**SB 562** (Bracy) would have revised the circumstances under which a law enforcement officer is authorized to use objectively reasonable force. The bill died in committee. (Cook)

#### **911 Public Safety Telecommunicators (Monitored – Mandate)**

**HB 995** (Davis) and **SB 1014** (Rouson) required certain 911 public safety telecommunicators to receive telephone CPR training and the Department of Health to establish a procedure to monitor adherence to this training. The bills died in committee. (Cook)

### **TELECOMMUNICATIONS**

#### **Broadband Mapping Appropriation (Supported)**

**HB 9221** (LaMarca) would have provided a \$500,000 appropriation for the Study of Broadband Service and Infrastructure Investment. The bill died in committee. (Hughes)

#### **Information About Municipalities and Counties (Monitored)**

**SJR 1502** (Diaz) and **HB 7061** (State Affairs Committee) would have proposed an amendment to the Florida Constitution requiring Florida's chief financial officer to annually provide information about counties and municipalities to residents in a manner that allows residents to compare economic and noneconomic factors of each local government. **HB 7061** died waiting on action by the Senate, and **SJR 1502** died in committee. (Hughes)

### **TORT LIABILITY**

#### **Attorney Contingency Fees (Opposed)**

**SB 1574** (Baxley) and **HB 7043** (Judiciary Committee) would have prohibited local or regional governmental

entities from entering into contingency fee contracts with a private attorney or law firm to receive an aggregate contingency fee more than a specified amount when handling a lawsuit on behalf of the government entity. The bills died in committee. (Cruz)

#### **Hospital Districts (Opposed)**

**HB 535** (Santiago) and **SB 1072** (Wright) would have exempted special district hospital districts from contributing to a redevelopment trust fund of a community redevelopment agency if the community redevelopment agency extends the time certain for completing redevelopment financing on or after July 1, 2016. The bills died in committee. (Cruz)

#### **Legislative Review of Proposed Regulation of Unregulated Functions (Monitored)**

**HB 1155** (Hage) and **SB 1614** (Perry) would have created a process by which any proposed legislation that regulates a profession not currently regulated by the state must adhere to to become law. The bills died in committee. (Cruz)

#### **Specialty Contracting Services (Monitored)**

**CS/HB 1169** (McClure) and **CS/SB 1102** (Gruters) would have allowed any person not required under current law to be certified or registered to perform specialty contracting services if they work under the supervision of a person who is certified or registered. The bills died in the Senate. (Cruz)

## **TRANSPORTATION**

#### **Transportation (Opposed – Mandate)**

**CS/CS/CS/HB 395** (Andrade) was the transportation package for the Florida Department of Transportation. Of concerns to municipalities, the bill would have expanded the "shot clock" and "deemed approved" requirements to permit applications for all utilities in the right of way. The bill died waiting on action by the Senate. (Branch)

## **UTILITIES AND NATURAL RESOURCES**

#### **Acquisition of Water and Wastewater Systems (Opposed)**

**CS/SB 658** (Albritton) would have authorized a public water or wastewater utility to establish

the rate base of an existing water or wastewater system it acquires using the fair market value of the utility, would have required the Florida Public Service Commission to provide specified information relating to utility valuation and would have required the commission to develop related rules. **CS/SB 658** would also have required a municipality providing water or sewer service to customers in another municipality from infrastructure located in the recipient municipality to charge customers in the recipient municipality the same rates as it does customers inside its municipal boundaries. **CS/HB 207** (McClain) would have provided an alternative method by which the Public Service Commission may establish the rate base value for an acquired utility system and established a procedure for appraisal of the acquired utility system and directed the Commission to develop rules for implementation. **CS/HB 207** would also have provided conditions under which certain entities may acquire title to any water or wastewater plant facilities that were previously acquired by eminent domain. **CS/SB 658** died in committee. **CS/HB 207** died in the House. (O'Hara)

#### **Advanced Well Stimulation Treatment – Fracking (Supported)**

**SB 200** (Montford) and **HB 547** (Fitzenhagen) prohibited the performance of "high-pressure well stimulation" and "matrix acidization" (commonly referred to as fracking) as defined in the bills. The bills died in committee. (O'Hara)

#### **Anchoring Limitation Areas (Monitored)**

**CS/SB 606** (Bean) and **HB 417** (Duggan) would have added the Ortega River and the Cedar River in Duval County as statutorily designated "anchoring limitation areas." The bills died in committee. (O'Hara)

#### **Apalachicola Environmental Stewardship Act (Monitored)**

**CS/SB 638** (Montford) and **CS/HB 1347** (Shoaf) directed that for five years starting in the 2020-2021 fiscal year, at least \$5 million of Florida Forever proceeds be directed to projects to improve surface water and groundwater quality within the Apalachicola Bay Area of Critical State Concern. The bills died in committee. (O'Hara)

### **Basin Management Action Plans (Monitored)**

**CS/HB 1363** (Overdorf) imposed additional requirements on entities and agencies subject to Basin Management Action Plans (BMAP) established to achieve Total Maximum Daily Load requirements. Provisions of this bill relating to the establishment of cooperative agricultural regional water quality improvement element were incorporated into **CS/CS/CS/SB 712** (Mayfield), which passed the legislature; however, CS/HB 1363 died in committee. (O'Hara)

### **Beverage Container Deposits (Monitored)**

**SB 50** (Rader) would have required consumers to pay deposit fees on specified beverage containers at the point of sale. The bill preempted local governments from imposing or collecting any assessment or fee on deposit beverage containers for the same purposes as specified in the bills. The bill died in committee. (O'Hara)

### **Biosolids Management (Monitored)**

**HB 1267** (Grall) and **SB 1654** (Mayfield) prohibited the land application of biosolids on sites where the application zone interacts with the seasonal high-water table and prohibited the Department of Environmental Protection from issuing or renewing certain permits for such sites. Some portions of these bills were incorporated into **CS/CS/CS/SB 712** (Mayfield), which passed the legislature; however, HB 1267 and SB 1654 died in committee. (O'Hara)

### **Boating-Restricted Areas (Supported)**

**SB 1788** (Stewart) authorized counties and municipalities to establish by ordinance boating-restricted areas within 200 feet of any shoreline. The bill died in committee. (O'Hara)

### **Bottled Water Excise Tax (Monitored)**

**SB 1112** (Taddeo) would have imposed an excise tax upon bottled water operators at a rate of 12.5 cents per gallon of water extracted from waters of the state. It directed proceeds of the tax to be deposited into the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund and directed that proceeds must be used to provide grants and loans to local governments, with priority given to projects that connect septic systems to central wastewater facilities. The bill died in committee. (O'Hara)

### **Bottled Water Fees (Monitored)**

**SB 1098** (Cruz) directed the Department of Environmental Protection to assess bottled water companies a fee of 5 cents per gallon on water extracted for the production of bottled water, including water from an approved source (e.g., a water utility). The bill provided for fees to be deposited into the Water Protection and Sustainability Trust Fund. **SB 1096** (Cruz) was a companion bill that was contingent on the passage of SB 1098. SB 1096 required DEP to monitor the consumptive use permits for all bottled water companies to ensure compliance with limits of allowable water extraction and water from an approved source. It imposed a daily fine for bottled water companies that withhold the payment of fees and provided an exception for bottled water companies extracting less than 55 million gallons per year. The bills died in committee. (O'Hara)

### **Brownfields (Supported)**

**CS/CS/CS/HB 1001** (Stone) and **CS/SB 1350** (Baxley) revised provisions of the Florida Brownfields program including conditions under which an applicant that has rehabilitated a contaminated site might receive tax credits. Also, the bills set forth defenses to certain causes of action concerning specified discharges or other types of pollution resulting from specified discharges. CS/CS/CS/HB 1001 died in the House, and CS/SB 1350 died in committee. (O'Hara)

### **Brownfields Site Rehabilitation (Supported)**

**CS/SB 1152** (Broxson) provided that potential brownfield sites owned by the state or a local government that are impacted by certain substances used in fire suppressants and firefighting foams (perfluoroalkyl and polyfluoroalkyl substances, or PFAS) were eligible to participate in a brownfield site rehabilitation agreement regardless of whether such contamination was caused by or contributed by the state or local government after July 1997. The bill died in committee. (O'Hara)

### **Clean Energy (Opposed – Mandate)**

**HB 1419** (Good) would have authorized a local government, college or university to install and operate renewable energy systems on any property owned by the entity to offset the entity's electricity requirements. The bill authorized a contracted third-party to

sell the electricity generated by a renewable energy generating system to a local government, college or university and provided that such sales shall not be deemed retail sales of electricity. The bill died in committee. (O'Hara)

#### **Clean Energy Programs (Opposed – Preemption)**

**HB 225** (Zika) and **SB 824** (Hooper) would have substantially amended current law relating to Property Assessed Clean Energy programs and requirements. The bills provided additional requirements and restrictions on PACE contracts with property owners, including provisions that a PACE loan is subordinate to various other liens and first mortgages. The bills died in committee. (O'Hara)

#### **Climate Change (Supported)**

**CS/SB 1572** (Stewart) is a resolution of the Florida Senate expressing its recognition of the state's susceptibility to climate change and its intention to adopt policies to combat climate change and sea-level rise. (O'Hara)

#### **Climate Fiscal Responsibility (Supported)**

**SB 280** (Rodriguez) directed the state Economic Estimating Conference to annually prepare a climate fiscal responsibility report in cooperation with various state agencies that analyzed the estimated impact of climate change on the state's general obligation credit rating, debt capacity and tax base associated with increased frequency and intensity of natural disasters, as well as long-term trends like sea-level rise and global temperature changes. SB 280 died in committee. (O'Hara)

#### **Climate Health Planning (Supported)**

**SB 278** (Rodriguez) required the Florida Department of Health to prepare an annual climate health planning report to assess the threat to human health caused by climate change and to develop strategies to help the state's communities prepare for the health effects of climate change. SB 278 died in committee. (O'Hara)

#### **Construction Materials Mining Activities (Monitored)**

**SB 1560** (Braynon) and **HB 1431** (Polo) addressed duties of the state fire marshal relating to construction materials mining and blasting activities. The bills died in committee. (O'Hara)

#### **Department of Environmental Protection (Monitored)**

**HB 5401** (Agriculture & Natural Resources Appropriations) would have transferred the powers, duties and functions of the Office of Energy from the Department of Agriculture to the Department of Environmental Protection. The bill died in the Senate. (O'Hara)

#### **Diesel Exhaust Fluid (Monitored)**

**CS/CS/HB 569** (Overdorf) and **CS/SB 1036** (Albritton) would have required the presence, storage or use of diesel exhaust fluid on the premises of public airports meeting specified conditions to be phased out by October 2030. CS/CS/HB 569 passed the House but died in the Senate. CS/SB 1036 died in committee. (O'Hara)

#### **Discharge of Domestic Wastewater (Opposed – Mandate)**

**SB 454** (Rodriguez) prohibited the construction of new deep injection wells for domestic wastewater discharge or the expansion of existing wells, limited the discharge capacity of domestic wastewater deep well injection and required permit holders to install a functioning reuse system by specified dates. The bill died in the House. (O'Hara)

#### **Displacement of Private Waste Companies (Opposed)**

**CS/CS/CS/SB 996** (Albritton) and **HB 639** (McClure) required a local government that displaced an existing solid waste provider to, in addition to the procedural and three-year notice requirements in current law, pay the provider an amount equal to the company's preceding 18 months' gross receipts for the service in the displaced area. Also, CS/CS/CS/SB 996 exempted fiscally constrained counties from statutory recycling goals. The bills died in committee. (O'Hara)

#### **Energy (Monitored)**

**HB 1351** (Fernandez) and **SB 1824** (Rader) among other things, revised an existing law prohibition against local governments, deed restrictions or other agreements having the effect of prohibiting solar collectors or renewable energy devices from being installed on buildings. The bills died in committee. (O'Hara)

#### **Energy 2040 Task Force (Supported)**

**SB 144** (Brandes) created the Energy 2040 Task Force within the Florida Public Service Commission to pro-

ject the state's electric energy needs over the next 20 years and determine how to best meet those needs while increasing competition and consumer choice. The bill died in committee. (O'Hara)

#### **Environmental Protection (Monitored)**

**SB 1798** (Bradley) required water management district governing boards to charge a fee of at least \$1 million for a consumptive use permit to directly or indirectly use water derived from a spring for bottled drinking water. The bill directed proceeds from the fee to be used for springs restoration. The bill died in committee. (O'Hara)

#### **Environmental Protection (Supported)**

**CS/SB 1878** (Bradley) required a minimum annual appropriation of \$625 million for Everglades restoration and the protection of water resources in the state and provides requirements for the allocation of such funding. The bill died in committee. (O'Hara)

#### **Environmental Protection Act (Opposed – Preemption)**

**HB 1199** (Ingoglia) would have prohibited local governments from recognizing or granting certain legal rights to the natural environment (e.g., granting legal standing to waterbodies) or granting enforcement of such rights to persons or political subdivision. These provisions were amended into **CS/CS/CS/SB 712**, which passed the legislature, but HB 1199 died in the House. (O'Hara)

#### **Environmental Resource Management (Opposed – Preemption)**

**CS/SB 1382** (Albritton) prohibited local governments from recognizing or granting certain legal rights to the natural environment (e.g., granting legal standing to waterbodies) or granting enforcement of such rights to persons or political subdivision. The bill also authorized basin management action plans to include a cooperative agricultural regional water quality management element or a cooperative urban, suburban, commercial or institutional regional water quality improvement element. Provisions of this bill relating to legal standing and the development of cooperative agricultural regional water quality management elements were incorporated into **CS/CS/CS/SB 712**, which passed the legislature; however, CS/SB 1382 died in committee. (O'Hara)

#### **Everglades Protection Area (Monitored)**

**CS/HB 775** (Aloupis) and **SB 1390** (Simmons) would have required comprehensive plans and plan amendments adopted by local governments whose boundaries include the Everglades Protection Area to follow the state coordinated review process for state agency compliance review under existing law. They required the Department of Environmental Protection to coordinate with the affected local governments on mitigation measures for plans or plan amendments that would impact Everglades restoration. The bills died in committee. (O'Hara)

#### **Florida Climate and Resiliency Research Program (Supported)**

**SB 1232** (Rouson) and **HB 913** (Diamond) would have established an interagency Florida Climate and Resiliency Research Program within the Florida Department of Environmental Protection to assist the state in assessing and responding to the effects of climate change. The bills required the program to deliver an annual Florida Resiliency Plan to the Legislature, beginning January 2021, that would have included the program's assessment of climate effects and recommendations on mitigation strategies. The bills died in committee. (O'Hara)

#### **Florida Forever (Monitored)**

**SB 7024** (Committee on the Environment & Natural Resources) would have added connection of wildlife habitat with wildlife crossings as a permissible purpose for land acquisition under the Florida Forever program. It required the Department of Environmental Protection to consult with other state agencies about the acquisitions of lands subject to coastal flooding as a result of sea-level rise to complement other agencies' projects. The bill allocated \$10 million annually from the Florida Forever Trust Fund for conservation lands or lands subject to coastal flooding from sea-level rise in areas impacted by hurricanes in the immediately preceding five-year fiscal year. The bill died in committee. (O'Hara)

#### **Florida Land Subsidence Research Initiative (Monitored)**

**HB 1157** (Ingoglia) and **SB 1284** (Diaz) created the Florida Land Subsidence Research Initiative as a partnership between the Florida Department of Environmental Protection and Florida International University to determine the rate of land subsidence in the

state by measuring changes in land elevation. HB 1157 passed all of its committees in the House but died on the House floor. SB 1284 died in committee. (O'Hara)

#### **Florida National Estuary Program Act (Monitored)**

**HB 791** (Fitzenhagen) and **SB 1608** (Mayfield) required the Department of Environmental Protection to give funding consideration to each of the state's estuaries of national significance and required the funds be used for projects identified in the estuaries' adopted comprehensive conservation and management plan. HB 791 died in committee, and SB 1608 was withdrawn before its first committee reference. (O'Hara)

#### **Florida Safe Drinking Water Act (Monitored)**

**SB 1720** (Cruz) and **HB 1427** (Diamond) directed the Department of Environmental Protection to implement rules for statewide drinking water maximum contaminant levels for specified substances, including perfluorooctanesulfonic acid and perfluorooctanoic acid, which are used in firefighting foam, and any other pollutant for which two or more states have issued guidance. The bills specified any maximum contaminant level established by rule must protect the public health and may not exceed any maximum contaminant level established by the Environmental Protection Agency. The bills died in committee. (O'Hara)

#### **Fossil Fuel Combustion Products in Landfills (Monitored)**

**SB 1432** (Torres) would have prohibited landfills from receiving fossil fuel combustion products. The bill died in committee. (O'Hara)

#### **Identification of Underground Facilities (Supported)**

**SB 592** (Pizzo) and **HB 6039** (Duran) deleted a preemption in current law that prohibits local governments from regulating the types of paint or marking device, or from requiring removal of such marks used to identify underground facilities. The bills died in committee. (O'Hara)

#### **Indian River Lagoon State Matching Grant Program (Monitored)**

**HB 153** (Fine) and **SB 640** (Harrell) provided that certain projects identified in the Indian River Lagoon Comprehensive Conservation and Management Plan would be eligible for funding consideration from the Department of Environmental Protection. Projects

would have included the upgrade of facilities to advanced waste treatment, expansion of service connections of wastewater facilities and septic-to-sewer-conversions. The bills died in committee. (O'Hara)

#### **Land Acquisition Trust Fund (Supported)**

**SB 332** (Stewart) and **HB 849** (Altman) would have appropriated \$100 million annually from the state Land Acquisition Trust Fund to the Florida Forever Trust Fund and prohibited the use of moneys in the Land Acquisition Trust Fund from being used for agency executive direction and support services. The bills died in committee. (O'Hara)

#### **Land Acquisition Trust Fund (Monitored)**

**SB 438** (Harrell) and **HB 489** (Plasencia) provided that 7.6% or \$50 million be appropriated each year from the Land Acquisition Trust Fund for projects dedicated to the conservation and management of the Indian River Lagoon. The bills died in committee. (O'Hara)

#### **Land Acquisition Trust Fund (Monitored)**

**SB 722** (Montford) provided for \$50 million to be allocated for five years from the Land Acquisition Trust Fund for projects dedicated to conservation and management activities in specified counties impacted by Hurricane Michael. The bill died in committee. (O'Hara)

#### **Local Government Recycling Programs (Monitored)**

**HB 1031** (Killebrew) and **CS/SB 724** (Albritton) would have extended the date by which each county must meet a statutorily established 75% recycling goal for recyclable waste from 2020 to 2024 and exempted fiscally constrained counties from statutory recycling goals. The bills died in committee. (O'Hara)

#### **Marina Evacuations (Monitored)**

**CS/CS/SB 826** (Mayfield) and **HB 1329** (Plasencia) would have prohibited vessels under 500 gross tons in weight from remaining in the waters of marinas in a deep-water seaport that have been deemed not suitable for refuge upon issuance of a hurricane warning. The bill died in the House. (O'Hara)

#### **Medically Essential Electric Utility Service (Monitored)**

**HB 773** (Maggard) would have provided notification requirements for electric utilities relating to the certification process for obtaining medically essential electric service and service disconnection, including a

requirement to post the certification process on their websites and to provide a written explanation of the certification process to each residential utility customer upon opening an account and at least semi-annually. The bill died in the Senate. (O'Hara)

#### **Municipal Electric Utilities (Opposed – Mandate)**

**HB 653** (Caruso) prohibited municipal electric utilities from using revenues generated from the electric utility to finance general government functions. It also provided that electric utility revenues must be used exclusively for electric utility functions or improving infrastructure of the electric utility. The bill died in committee. (O'Hara)

#### **Preemption of Recyclable and Polystyrene Materials (Supported)**

**SB 182** (Stewart) deleted current law preemptions of local laws relating to the regulation of auxiliary containers, wrappings or disposable plastic bags and repealed the current law preemption of local laws regarding the use or sale of polystyrene products. The bill died in committee. (O'Hara)

#### **Preemption of Tree Pruning, Trimming and Removal (Supported)**

**HB 6077** (Eskamani) repealed provisions of law enacted in the 2019 Legislative Session that imposed requirements and restrictions on local regulation of tree pruning, trimming or removal on residential property. The bill died in committee. (O'Hara)

#### **Property Assessed Clean Energy Program (Supported)**

**HB 365** (Watson, B.) and **SB 770** (Rodriguez) expanded qualifying improvements under the Property Assessed Clean Energy program. The bills included sewage treatment and seawall improvements as "qualifying improvements" eligible for PACE financing. Also, **SB 770** included in the program improvements to the underground infrastructure of homes to promote greater resiliency. The bills died in committee. (O'Hara)

#### **Recyclable Materials (Supported)**

**SB 1722** (Taddeo) would have required the Department of Environmental Protection to review and update its 2010 Retail Bags Report and analyze the need for regulation of auxiliary containers, wrappings or disposable plastic bags. The bill required the updated report be provided to the Legislature by

December 2020. It would have further provided that until the Legislature adopted the recommendations of the report or until July 2021, whichever is earlier, a local government may not regulate such products. The bill died in committee. (O'Hara)

#### **Renewable Energy (Opposed – Mandate)**

**SB 446** (Brandes) would have allowed business owners to operate a renewable energy source device and to sell the generated electricity to adjacent businesses, and it provided that such sales would not be considered or regulated as retail sales of electricity. The bill died in committee. (O'Hara)

#### **Sargassum Seaweed Matching Grant Program (Supported)**

**SB 648** (Berman) directed the Department of Environmental Protection to develop a Sargassum Seaweed Matching Grant Program to provide annual grants to qualified local government entities to fund projects related to the buildup of Sargassum seaweed in coastal communities. The bill died in committee. (O'Hara)

#### **Stormwater Management Systems (Supported)**

**SB 686** (Gruters) and **HB 405** (Good) directed the Department of Environmental Protection to adopt statewide environmental resource permitting rules for stormwater management in coordination with the water management districts. The bills provided for a rebuttable presumption that a stormwater system designed, constructed and maintained in accordance with the criteria adopted by the DEP and districts and a valid permit issued pursuant to such standards does not cause or contribute to violations of applicable water quality standards. Some portions of these bills were incorporated into **CS/CS/CS/SB 712** (Mayfield), which passed the legislature; however, **SB 686** and **HB 405** died in committee. (O'Hara)

#### **Utility Construction Contracting Services (Opposed – Mandate)**

**SB 1710** (Torres) prohibited electric utilities from engaging in construction contracting as defined in Chapter 489, Florida Statutes, and prohibited such utility or affiliate from providing bookkeeping, billing, financial, legal or insurance products or services that are related to construction contracting, including warranty products or construction liens. The bill died in committee. (O'Hara)

### **Vessels (Supported)**

**HB 1407** (Webb) and **CS/SB 1378** (Rouson) prohibited the operation of vessels faster than slow speed, minimum wake upon approaching any emergency vessel under specified conditions or upon approaching any construction vessel under specified conditions. The bills also prohibited the anchoring or mooring of vessels within 20 feet of a mangrove or to upland vegetation on public lands. The bills authorized specified law enforcement officers and agencies to relocate at-risk vessels in violation of this anchoring or mooring prohibition. The bills died in committee. (O'Hara)

### **Private Property Rights – Renewable Energy (Monitored)**

**SB 288** (Rodriguez) would have exempted from the definition of "public utility" property owners who own and operate a renewable solar energy source device with a capacity of up to 2.5 megawatts on the property, produce renewable energy from that device and provide or sell the renewable energy to users located on that property. The bill died in committee. (O'Hara)

### **Prohibition of Plastic Carryout Bags and Straws (Monitored)**

**SB 40** (Rader) would have prohibited stores and food service businesses from providing plastic carryout bags to customers, with specified exceptions. Also, the bill would have prohibited a food service business from selling or providing single-use plastic straws to customers except upon request by a person who requires a straw due to a disability or medical condition. The bill died in committee. (O'Hara)

### **Public Notification of Pollution (Monitored)**

**SB 492** (Cruz) would have amended the Public Notification of Pollution statute to impose new duties on local governments, the Department of Environmental Protection and the Department of Health. The bill included the discharge of perfluorooctanoic acid or perfluorooctanesulfonic acid as reportable releases of pollution under the statute, as well as the discharge of any substance that, if it impacted a water system, would result in a violation of state water quality standards. The bill died in committee. (O'Hara)

### **Sanitary Sewer Laterals (Monitored)**

**SB 150** (Brandes) would have encouraged municipalities and counties to establish an evaluation and rehabilitation program for sanitary sewer laterals on residential and commercial properties within their respective jurisdictions to identify and reduce leakage from lateral lines. Provisions of this bill were incorporated into CS/CS/HB 1091 (Fine), which passed the legislature; however, SB 150 died in committee. (O'Hara)

### **State Renewable Energy Goals (Monitored)**

**HB 97** (Eskamani) and **SB 256** (Rodriguez) would have directed the Office of Energy within the Department of Agriculture and Consumer Services to develop a statewide plan to generate the state's electricity from renewable energy by specified dates, requiring 40 percent renewable energy by 2030 and 100 percent by 2050. The bills died in committee. (O'Hara)

### **Tax Credit for Carbon Farming (Monitored)**

**SB 286** (Rodriguez) and **HB 1069** (Joseph) would have established a carbon tax credit to reward and incent farmers in Florida to maintain or adopt agricultural practices that help maximize the state's carbon sequestration potential. The bills died in committee. (O'Hara)

### **Vessel Safety (Monitored)**

**SB 1786** (Stewart) would have prohibited a vessel operator from allowing passengers to ride on the bow of a vessel and sets forth circumstances under which causing wake to law enforcement vessels constitutes careless operation by a vessel operator. The bill died in committee. (O'Hara)

# FLORIDA LEAGUE OF CITIES

## LEGISLATIVE GLOSSARY

- ACT**  
a bill that has passed both houses of the Legislature.
- ADJOURNMENT SINE DIE**  
motion to adjourn sine die concludes a legislative session.
- ADOPTION**  
refers to favorable action by a chamber on an amendment, motion, resolution or memorial.
- AMENDMENT**  
makes a change to a bill after the bill has been filed. This change can happen in committee or on the floor of the House or Senate.
- BILL**  
legislation, including joint resolutions, concurrent resolutions, memorials or other measures upon which a council or committee may be required to report.
- BILL NUMBER**  
bills are issued a number based on the order they are filed and received by bill drafting. House bills receive odd numbers, while Senate bills receive even numbers.
- CHAIR**  
the presiding officer for a floor session or committee meeting.
- CLAIMS BILL**  
presents a claim for compensation for an individual or entity for injuries caused by negligence or error on the part of a public office, local government or agency.
- COMMITTEE**  
a panel of legislators appointed by the Senate president or speaker of the House to perform specific duties, such as considering legislation and conducting hearings and/or investigations.
- COMMITTEES OF REFERENCE**  
each bill is assigned to committees after it is filed. Often, the more committees a bill is assigned is an indication of its chances to pass or fail.
- COMPANION BILL**  
bills introduced in the House and Senate that are identical or substantially similar in wording.
- “DIED IN COMMITTEE”**  
refers to when a bill is not heard on the floor of the respective chamber in which it was introduced. A bill must pass all committees of reference or be pulled from remaining committees in order to pass. A bill that dies in committee fails to pass each of its committee references during committee weeks and session.
- ENGROSSED BILL**  
the version of a bill that incorporates adopted floor amendments, which were added subsequently to the bill passing its committees of reference. The revision is done in the house of origin and engrossed under the supervision of the secretary of the Senate or the clerk of the House.
- ENROLLED BILL**  
once a bill has passed, it is enrolled in the house of origin. After that piece of legislation is enrolled and signed by officers of both houses (president and speaker), it is sent to the governor for action and transmittal to the secretary of state. An enrolled bill may be signed by the governor and enacted into law or vetoed.
- FLORIDA STATUTES**  
an edited compilation of general laws of the state.
- GENERAL BILL**  
a bill of general or statewide interest or whose provisions apply to the entire state.
- HOUSE RESOLUTION**  
a measure expressing the will of a legislative house on a matter confined to that house, dealing with organizational issues, or conveying the good wishes of that chamber. Often used to congratulate Floridians or recognize significant achievements.

**INTERIM**

refers to the period between the adjournment sine die of a regular session and the convening of the next regular session.

**JOINT RESOLUTION**

used to propose amendments to the Florida Constitution. They are also the form of legislation used for redistricting state legislative seats.

**LAW**

an act becomes a law after it has been approved and signed by the governor; without the governor's signature after his or her ability to veto the act within seven days of presentation; or after the Legislature overrides the governor's veto by a vote of two-thirds in each house.

**LOCAL BILL**

a bill that applies to an area or group that is less than the total population of the state.

**MEMORIAL**

a type of concurrent resolution addressed to an executive agency or another legislative body, usually Congress, which expresses the sentiment of the Florida Legislature on a matter outside its legislative jurisdiction.

**MESSAGE**

the houses of the Legislature send formal communications to each other regarding action taken on bills. This measure is usually reserved for the last couple of weeks of a legislative session. If a bill dies in messages, it has passed each chamber in form; however, one of the two chambers has made a change or amended the bill so that the two versions are no longer identical.

**PROPOSED COMMITTEE BILL (PCB)**

a draft legislative measure taken up by a committee for the purpose of considering whether or not to introduce it in the name of the committee.

**PROVISO**

language used in a general appropriations bill to qualify or restrict the way in which a specific appropriation is to be expended.

**REFERENDUM**

a vote by the citizens upon a measure that has been presented to them for either approval or rejection.

**REPEAL**

the deletion by law of an entire section, subsection or paragraph of language from the Florida statutes.

**SESSION**

Regular Session: the annual session that begins on the first Tuesday after the first Monday in March of each odd-numbered year, and on the first Tuesday after the first Monday in March, or such other date as may be fixed by law, of each even-numbered year, for a period not to exceed 60 consecutive days. There is no limit on the subject matter that may be introduced in a regular session.

Special Session: special sessions may be called by proclamation of the governor, by joint proclamation of the House speaker and the Senate president or by the members of the Legislature for the purpose of considering specific legislation and shall not exceed 20 consecutive days unless extended by a three-fifths vote of each house. For members of the Legislature to call a special session, three-fifths of the members of both houses must vote in favor of calling a special session.

**SPECIAL ORDER CALENDAR**

a list of bills determined by the Rules chairman considered to be of high importance and priority scheduled for consideration in a specific order during a floor session on a particular day.

**SPONSOR**

the legislator or committee that files a bill for introduction.

**TEMPORARILY POSTPONED**

a motion can be made in the chamber or in committee to temporarily defer a consideration of a measure.

**VETO**

an objection by the governor to an act passed by the Legislature. Vetoes can be overridden by vote of two-thirds of the membership of each chamber. A line item veto may be performed by the governor of specific measures in the general appropriations bill (the budget).



For more information on the  
League's legislative initiatives, please contact:

**FLORIDA LEAGUE OF CITIES**

P.O. Box 1757

Tallahassee, FL 32302-1757

Phone: 850.222.9684

Fax: 850.222.3806

Email: [legislative@flcities.com](mailto:legislative@flcities.com)

[flcities.com](http://flcities.com)