

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



Volume 51, Issue 2: January 17, 2025

## **ETHICS AND ELECTIONS**

### **Other Bills of Interest**

**SB 216** (Polsky) – Campaign Finance

**SB 280** (Arrington) and **HB 201** (Tant) – Candidate Qualification

## **FINANCE AND TAXATION**

### **Ad Valorem Property Tax Exemption for Surviving Spouses of Quadriplegics (Monitor)**

**HJR 163** (Tant) proposes an amendment to Section 6, Article VII of the Florida Constitution to permit the homestead property tax exemption of a deceased quadriplegic to pass on to the quadriplegic's surviving spouse. The joint resolution specifies that the proposal will appear on the ballot at the next general election or an earlier special election. The tax exemption would apply only to those surviving spouses who owned the property in question as a homestead at the time of death of the quadriplegic spouse. (Chapman)

### **Legal Tender (Monitor)**

**SB 132** (Rodriguez) establishes legal tender status for specie and electronic currency. Specie is money in the form of coins rather than notes. The bill provides that specie may not be characterized as personal property for taxation or regulatory purposes and provides exemptions from tax liability. The bill authorizes the recognition of specie legal tender for the payment of private debts, taxes, and state or local government fees. (Chapman)

### **Revenue Administration (Monitor)**

**SB 192** (Gruters) seeks to amend multiple Florida Statutes addressing specific tax terms and assessment procedures by repealing redundant sections and updating terminology. The bill replaces the term "tax assessor" with "property appraiser,"

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grants revised powers to county legislative bodies regarding tax levies and municipal service assessments and includes a special assessment exemption for agriculture property. The bill also adjusts the definitions related to property valuation and classifications. (Chapman)

### **Sales Tax Exemption for Disabled Veterans (Monitor)**

**HB 111** (Daniels) would establish a sales tax exemption for disabled veterans with a 100% service-connected disability rating. The bill requires eligible veterans to apply and submit documentation required by the Department of Revenue. (Chapman)

### **Tax Exemption for Disabled Ex-servicemembers (Monitor)**

**HB 39** (Daley) and **SB 218** (Arrington) seek to increase the property tax exemption for certain disabled ex-servicemembers in Florida from \$5,000 to \$10,000. The dollar amount of the exemption is the only change proposed to this existing homestead property tax exemption. (Chapman)

### **Tax Exemption for Surviving Spouses of Quadriplegics (Monitor)**

**HB 165** (Tant) is the implementing bill of **HJR 163** (Tant), should it be approved by Florida voters with 60% approval. The bill allows for the surviving spouse of a deceased quadriplegic to inherit the tax exemption benefits, provided the surviving spouse is still residing in the same homestead property. The bill permits the transfer of a tax discount to a new homestead property unless the surviving spouse remarries, sells, or otherwise disposes of the original homestead property. HB 165 gives the Department of Revenue emergency rulemaking authority to administer the bill's provisions. (Chapman)

### **Other Bills of Interest**

**SB 134** (Rodriguez) – Sales Tax Exemption of Bullion

**SB 266** (Harrell) and **HB 199** (Porras) – Tax Exemption of Vertical Takeoff and Landing Aircraft

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## **HOUSING**

### **Affordable Housing (Oppose)**

**SB 184** (Gaetz) requires local governments to allow accessory dwelling units by-right in any area zoned for single-family residential use, except for areas designated as planned unit developments or master planned communities. It prohibits a local government from requiring any increase in parking requirements for accessory dwelling units. The bill also authorizes local governments to provide density bonus incentives to any landowner who voluntarily donates real property to the local government for the purpose of providing housing that is affordable for military families receiving the basic allowance for housing. In addition, the bill requires the Florida Housing Finance Corporation to establish a model program for use in counties selected by the Corporation. The model program shall use mezzanine financing to encourage local housing authorities to stimulate the supply of affordable housing for owner occupancy. (O'Hara)

### **Housing for Legally Verified Agricultural Workers (Monitor)**

**SB 84** (Collins) prohibits governmental entities from adopting or enforcing any legislation that inhibits the construction of housing for legally verified agricultural workers on land operated as a bona fide farm. The bill defines the terms "housing site" and "legally verified agricultural worker." It provides that housing unit for legally verified agricultural workers must meet specified criteria, including separation, maximum square footage, setback, and screening requirements. The bill also specifies provisions for removal of housing that fails to satisfy minimum criteria and grandfathers housing sites constructed before July 2025 unless the housing site is modified. (O'Hara)

### **Other Bills of Interest**

**HB 43** (Edmonds) – Reusable Tenant Screening Reports

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## **INSURANCE**

### **Other Bills of Interest**

**HB 4003** (Skidmore) – Federal Catastrophe Risk Pool

## **LAND USE AND COMPREHENSIVE PLANNING**

### **Food Insecure Areas (Support)**

**HB 89** (Rayner, McFarland) addresses food insecurity by allowing local governments to modify land use regulations to support small-footprint grocery stores in designated areas. The bill enables local governments to alter land development regulations to permit the establishment of small-footprint grocery stores in food-insecure areas. The legislation grants local governments the authority to require mandatory reporting from these stores on specified matters. (Cruz)

### **Transportation Concurrency (Monitor)**

**HB 203** (Grow) modifies requirements for local government comprehensive plans in Florida, including transportation concurrency. Under current law, the capital improvements element of these plans must identify the facilities needed to achieve adopted levels of service within a five-year period. The bill adds the phrase “or to maintain current levels of service” to this requirement. As a result, comprehensive plans will now need to identify the facilities necessary to meet adopted levels of service within five years or maintain existing service levels. (Cruz)

## **NATURAL RESOURCES AND PUBLIC LAND**

### **Nature-based Methods for Improving Coastal Resilience (Monitor)**

**SB 50** (Garcia) directs the Florida Department of Environmental Protection (DEP) to adopt rules governing nature-based methods to improve coastal resilience. The bill requires DEP to include provisions in the rules encouraging local governments to

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develop or participate in coastal resilience and ecosystem restoration projects. DEP will also be required to identify vulnerable properties along the coastline and encourage partnerships with local governments to create protection and restoration zone programs, including eligible opportunities through the Resilient Florida Grant Program. (Singer)

### **Recreational Customary Use of Beaches (Support)**

**SB 284** (Rouson) repeals Florida Statute 163.035, which limits the ability of local governments establishing "customary use" ordinances to allow public access to private beaches. Customary use is a legal doctrine that can be used by local governments to create a public right to access beaches above the mean high-water line, even if such beach area is privately owned. A 2018 law prohibits local governments from enacting ordinances or rules that grant public access to private beach property above the mean high-water line unless a court has made a judicial declaration affirming such use. This bill repeals this preemption, effectively eliminating the requirement for a judicial declaration before public access can be granted to private beach areas when local governments use the customary use doctrine. (Singer)

### **State Land Management (Support)**

**SB 80** (Harrell) establishes the State Park Preservation Act, addressing concerns raised by the controversial and now withdrawn Great Outdoors Initiative, which had proposed adding golf courses, hotels and other recreational infrastructure to various state parks. The bill requires the Florida Department of Environmental Protection (DEP) to hold public hearings when developing or updating land management plans. The bill also requires DEP to publish notice and electronic copies of proposed plans within a specific timeframe before public hearings. Relevant to local governments, the bill also mandates that any large parcels or projects within more than one county must receive input at a public hearing from an advisory group formed of several individuals, including a local elected official. (Singer)

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## Other Bills of Interest

**SB 56** (Garcia) – Weather Modification Activities

## OTHER

### **Display of Flags by Governmental Entities (Monitor)**

**HB 75** (Borrero) and **SB 100** (Fine) prohibit governmental entities from erecting or displaying flags representing political viewpoints or ideologies. The bills clarify that they do not limit the ability of private individuals to express private speech or exercise their First Amendment rights, nor the ability of governmental entities to display or erect flags that are authorized by general law. The bills further require that when a governmental entity is displaying the United States flag, the flag must be in a prominent position superior to other flags that are displayed. The bills permit active or retired members of the National Guard or armed forces to use reasonable force at any time to prevent the desecration, destruction, or removal of the United States flag or to replace the United States flag in a position of prominence unless ordered not to by law enforcement acting within the scope of their duties. (Wagoner)

### **Municipal Job Engine Charter Schools (Monitor)**

**HB 123** (Andrade) and **SB 140** (Gaetz) are comprehensive bills aimed at making significant changes related to charter schools and school district property management. Of interest to municipalities, the bills will allow municipalities in school districts that have received below an "A" grade for five consecutive years to apply to establish a "job engine charter school." Municipal job engine charter schools will aim to attract job-producing businesses by offering specialized educational programs aligned with local economic needs. Municipalities granted a job engine charter must provide annual reports detailing investments to attract and maintain private-sector industries, ensuring the use of secure facilities, and accepting financial responsibility for the charter school's debts. The bills require school districts experiencing declining enrollment over a five-year period to dispose of surplus properties identified by the

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State Board of Education. This surplus property must be prioritized for affordable housing for teachers, first responders, and military personnel, for use as charter school facilities, which could include municipal-run charters, or for local government projects, such as recreational facilities. (Cruz)

### **Regulation of Presidential Libraries (Monitor)**

**HB 69** (Andrade) and **SB 118** (Brodeur) preempt all regulation, maintenance, operations, and activities of presidential libraries to the state. The bills define a “presidential library” as an institution designated under the Presidential Libraries Act. (Wagoner)

### **School Buses (Monitor)**

**SB 52** (Garcia) expands the definition of “school bus” to include transportation of students to and from charter and private schools throughout statute. (Wagoner)

### **Smoking in Public Places (Support)**

**SB 226** (Gruters) creates a state prohibition on smoking or vaping in “public places”. “Public place” is defined as a place where the public has access, including but not limited to streets, sidewalks, public parks, beaches, and government buildings. The bill expands the definition of “smoking” to include marijuana products. However, the prohibition would not apply to smoking cigars in public places. (Wagoner)

## **PERSONNEL AND COLLECTIVE BARGAINING**

### **Firefighter Benefits (Monitor)**

**SB 66** (Garcia) and **HB 87** (Casello) seek to expand the Florida firefighters’ cancer treatment benefits by adding Acute Myeloid Leukemia to the list of “cancers” presumed to have been incurred in the line of duty. The adjustment to the definition is the only change being proposed to Section 112.1816, Florida Statutes, in this bill.

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Additionally, language is being added to the bill to state the Legislature determines and declares that this act fulfills an important state interest. (Chapman)

### **Heat Illness Prevention (Monitor)**

**HB 35** (Gottlieb) implements mandatory outdoor heat exposure safety programs for employers defined in Section 121.021(10), Florida Statutes, which identifies municipalities as subject to this bill. The safety programs apply to employers with outdoor workers in industries like agriculture, construction, and landscaping, but exempt employees working outdoors for less than 15 minutes per hour through the workday. The bill also mandates the development and administration of training programs, drinking water and shade provisions. Further the Department of Agriculture and Consumer Services and the Department of Health are directed to adopt rules to implement the program, including training and certification compliance. (Chapman).

### **Peer Support for First Responders (Monitor)**

**SB 86** (Burgess) expands the definition of "first responder" for the purpose of qualifying for peer support benefits. Currently, Florida law provides a confidential peer support program offering emotional, physical, or moral support to first responders, including firefighters, police officers, emergency medical service workers and 911 telecommunicators. SB 86 would extend eligibility for this program to include all non-officer employees of law enforcement agencies. (Chapman)

### **Protections for Public Employees Who Use Medical Marijuana as Qualified Patients (Monitor)**

**HB 83** (Rosenwald) and **SB 142** (Polsky) seek to establish protections for public employees who use medical marijuana (and are qualified patients) from adverse personnel action. This bill also requires accommodations be made unless it presents an undue hardship to the employer. An employee who tests positive for marijuana use must be notified in writing by the employer and may explain or contest the positive result within five business days of the notice being given. Adverse personnel



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action includes discriminatory employment actions such as refusal to hire, suspension of current position, or demotion due to the patient's status for medical marijuana use. This bill allows public employers to take adverse personnel action if an employee's job performance is impaired by medical marijuana and provides exceptions. (Chapman)

### Other Bills of Interest

**SB 76** (Berman) – Paid Parental Leave

## PUBLIC SAFETY

### Victims of Domestic Violence and Dating Violence (Oppose)

**HB 19** (Hinson) and **SB 240** (Berman) create the “Helping Abuse Victims Escape Now (HAVEN) Act,” providing a coordinating council created under the Department of Law Enforcement, which will oversee the development of a dynamic website for domestic and dating violence victims. Of concern to cities, the bill includes a provision that preempts local governments from enacting or enforcing regulations that conflict with the creation and implementation of the HAVEN Act. The bill specifies that any local laws, rules, or regulations related to matters covered by the HAVEN Act, such as the operation of the dynamic website and related victim services, are superseded by this state law. (Wagoner)

### Other Bills of Interest

**HB 65** (Hunschofsky) – Sale, Transfer, and Storage of Firearms

**SB 88** (Wright) – Utility Terrain Vehicles

**HB 113** (Chamberlin) – Fleeing or Attempting to Elude a Law Enforcement Officer

**HB 175** (Baker) and **SB 234** (Leek) – Criminal Offenses Against Law Enforcement Officers and Other Personnel

**SB 210** (Harrell) – Animal Cremation

**SB 214** (Polsky) – Special Observances

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**SB 268** (Jones) – Public Records/Public Officers

## **RESILIENCY**

### **Other Bills of Interest**

**HB 143** (Barnaby) and **SB 62** (Rodriguez) – Resilient Buildings

## **SOLID WASTE**

### **Comprehensive Waste Reduction and Recycling Plan (Support)**

**HB 189** (Hart) and **SB 200** (Berman) mandate the Department of Environmental Protection (DEP) to develop a comprehensive waste reduction and recycling plan by July 1, 2026. Of interest to municipalities, SB 200 requires the Department to include a three-year plan to implement strategies providing recycling assistance to local governments. (Singer)

## **TORT LIABILITY**

### **Other Bills of Interest**

**SB 48** (Garcia) – Judicial Sales Procedures

## **UTILITIES**

### **Municipal Water and Sewer Utility Rates (Monitor)**

**HB 11** (Robinson, F.) and **SB 202** (Jones) require a municipality that operates a water or sewer utility providing services to customers in another recipient municipality using a facility or plant located in the recipient municipality to charge customers in the recipient municipality the same rates, fees, and charges it imposes on customers within its own municipal boundaries. (O'Hara)

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## **WATER QUALITY/WASTEWATER**

### **Safe Waterways Act (Monitor)**

**HB 73** (Gossett-Seidman) and **SB 156** (Rodriguez) establish the Safe Waterways Act, requiring municipalities and counties to "immediately notify" the Department of Environmental Protection (DEP) of any incidents affecting the quality of beach waters or public bathing places. Public boat docks, marinas, and piers will also be required to immediately notify the jurisdictional municipality or county of any such incidents that may affect the quality of beach waters. The bills also require DEP to "immediately notify" the municipality or county where the affected beach waters or public bathing places are located upon issuing a health advisory. The bills specify that municipalities and counties will be responsible for posting and maintaining signage around the beaches and public bathing places they own, in accordance with DEP specifications, which must be placed at access points during health advisories until water quality standards are restored. The bill further expands a current preemption, giving the state exclusive authority over health advisories related to bacteriological sampling of beach waters and public bathing places. The bill also transfers responsibilities for bacteriological sampling of beach waters and public bathing places from the Department of Health to the DEP. DEP must adopt and enforce rules and issue health advisories for beach waters and public bathing places when bacteriological water sampling results fail to meet health standards. (Singer)