



OFFICE OF INTERGOVERNMENTAL AFFAIRS  
MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

OCTOBER 31, 2023

This legislative session, the Florida Legislature passed a state budget totaling approximately \$117 billion, a substantial increase from last year's \$112.1 billion budget. Upon review, the Governor vetoed just under \$511 million, leaving the approved state budget at \$116.5 billion. The budget includes sizable reserves in the amount of \$10.9 billion.

The Governor signed the last presented bills on June 30, 2023.

The information compiled was provided by Miami-Dade's County Attorney's Office, the Office of Intergovernmental Affairs, and the contract lobbyists.

The sections are broken down as follows: Section A addresses Miami-Dade County Priorities as set by the Board of County Commissioners and other issues of significance; Sections B through G address issues in various policy areas.

**A. Miami-Dade Priorities & Other Key Issues**

1. **General Appropriations Act/State Budget/Septic-to-Sewer/Resiliency/Biscayne Bay**  
– **APPROVED** – The Governor signed into law SB 2500, effective July 1, 2023.

The conference report on SB 2500 is the general appropriations act and is the state budget for the fiscal year beginning July 1, 2023, through June 30, 2024. It is the only bill the Legislature is required to pass each year.

Here are some of the individual Miami-Dade County projects funded as line items in the conference report, as well as statewide funding of particular interest to Miami-Dade County:

**Miami-Dade County Funding (approved unless indicated otherwise)**

- Biscayne Bay- \$20 million
- Septic-to-Sewer, Connect 2 Protect Assistance - \$1 million
- Energy Optimization at Wastewater Facilities - \$375K (**Vetoed**)
- The Underline - \$2.5 million
- Zoo Miami Animal Hospital - \$250K (**Vetoed**)
- Housing First Mental Health (Homeless Trust) - \$562K

- Senior Congregate Meals - \$275K
- Laurel Wilt Disease - \$150K **(Vetoed)**
- Anti-Violence Initiative: Second Chance Services for Returning Residents - \$1.5 million
- Anti-Violence Initiative: Violence Interruption & Prevention Infrastructure - \$850K
- Anti-Violence Initiative: Community Healing & Mental Health - \$1.6 million
- Miami-Dade Fire Rescue – Fire Alarm System Upgrade - \$202.5K
- Miami-Dade Fire Rescue – Ballistics Equipment for Operations Staff - \$179.5K
- Miami-Dade Sewer Connection Assistance Schenley Park Neighborhood - \$2 million
- Miami-Dade Tropical Park Equestrian Center and Park General Improvements – \$250K **(Vetoed)**
- The Commodore Trail Heritage Education Program - \$216K**(Vetoed)**
- K-9 Behavioral Enrichment & Training to Enhance Rehoming - \$250K
- Fire Rescue Mobile Command Center - \$600K **(Vetoed)**
- Biscayne-Everglades Greenway - \$1.5 million **(Vetoed)**
- The South Dade Trail Multi-Use/Mobility Corridor - \$3 million
- Card Sound Road Safety Improvement Project - \$300K
- Miami-Dade Countywide Inflow Assessment - \$1 million
- Increasing Access to Opioid Treatment - \$737.5K **(Vetoed)**
- Project Lazarus Specialized Outreach - \$175K
- The Village of Casa Familia Miami-Dade - \$3.1 million
- Deering Estate Foundation’s Field Study Research Center - \$600K

**Statewide Funding (approved unless indicated otherwise)**

- Affordable/Workforce Housing (Funded in SB 102, passed and signed by Gov.)
- Community Violence Intervention and Prevention Grant Program - \$5 million **(Vetoed)**
- Septic-to-Sewer/Wastewater Grant Program (requires state law change for Miami-Dade to be eligible, see HB 1379 below) - \$200 million.
- Resilient Florida Grant Program/Statewide Flooding and Sea Level Rise Resilience Plan - \$300 million
- Resilient Florida Planning Grants – \$20 million
- Alternative Water Supply Grant Program - \$60 million
- Florida Recreation Development Assistance Grants - \$11.2 million
- Drinking Water Facility Construction State Revolving Loan - \$204.2 million
- Wastewater Treatment Facility Construction (Wastewater Revolving Loan Program) - \$304.6 million
- Coral Reef Restoration - \$9.5 million
- Florida Forever Programs (see HB 1379) - \$100 million
- Florida Wildlife Corridor - \$850 million
- Beach and Inlet Management Projects (DEP) - \$50 million
- Fire Rescue EMS Medicaid Reimbursement – Included in AHCA budget
- Challenge Grants/Rapid Rehousing, Homelessness Prevention Services to Vulnerable Populations - \$20 million
- Library Grants/Local Governments - \$20 million
- Library Construction Grants - \$9.8 million
- Library Grants Cooperatives - \$2 million
- Historical Preservation Grants and Initiatives - \$56 million
- Historic Preservation Special Category Grant ranked list - \$8.4 million
- Cultural and Museum Grants General Program Support ranked list - \$32.4 million

- Culture Builds Florida - \$3.2 million
- Visit Florida - \$80 million
- Petroleum Tank Cleanups - \$195 million
- Local Government Cyber Security Grants - \$40 million
- Law Enforcement Drone Grants - \$25 million
- Crime Lab Services - \$69.7 million
- Transportation Work Program (Total) - \$13,6 billion
- Aviation Development Grants - \$404 million
- Public Transit Development Grant - \$461.7 million
- Seaport – Economic Development/Access Program/Investment Program/Grants - \$149.3 million
- Transportation Disadvantaged Grants and Aid - \$62.3 million
- Grant Program for Transportation Disadvantaged - \$6 million
- SunTrail Network Planning, Design, Construction - \$200 million
- Mosquito Control Program - \$2.66 million
- Sargassum Clean-Up Grants - \$5 million

**2. Wastewater Grant Program/Septic-to-Sewer Funding/Reasonable Assurance Plan/RAP/Biscayne Bay/Wastewater Treatment/Septic Tanks/Comprehensive Plans/Florida Forever – APPROVED** – The Governor signed into law HB 1379, the department package for the Florida Department of Environmental Protection (DEP) and relates to the wastewater grant program, wastewater treatment, septic tanks and other onsite sewage treatment and disposal systems (OSTDSs), sanitary sewer services, and the acquisition of state lands, effective July 1, 2023.

Among other provisions and regarding the wastewater grant program, HB 1379:

- Renames the program as the water quality improvement grant program and expands the purpose of the grant program to include impaired water bodies, which includes portions of Biscayne Bay and other water bodies within Miami-Dade County.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that: are not attaining nutrient or nutrient-related standards; have an established total maximum daily load (TMDL); or are located within a basin management action plan (BMAP) area, a reasonable assurance plan (RAP) area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.
- Authorizes DEP to provide such grants for the following types of projects:
  - Connecting septic tanks to central sewer facilities.
  - Upgrading domestic wastewater treatment facilities to advanced waste treatment or greater.
  - Repairing, upgrading, expanding, or constructing stormwater treatment facilities that result in improvements to surface water or groundwater quality.
  - Repairing, upgrading, expanding, or constructing domestic wastewater treatment facilities that result in improvements to surface water or groundwater quality, including domestic wastewater reuse and collection systems.
  - Those identified pursuant to the development of a BMAP or a cooperative agricultural regional water quality improvement element.
  - Those identified in a wastewater treatment plan or a septic tank remediation plan.

- Those listed in a city or county capital improvement element in their respective comprehensive plans.
- Those projects retrofitting septic tanks to upgrade such systems to enhanced nutrient-reducing septic tanks where central sewerage is unavailable.
- Removes the requirement that each grant have a minimum 50 percent local match of funds, but allows DEP to consider percent cost-share identified by an applicant (except in for rural areas of opportunity) when prioritizing projects; and
- Requires DEP to coordinate with local governments and stakeholders to identify the most effective and beneficial water quality improvement projects.

HB 1379 also dedicates \$100 million annually to DEP from the Land Acquisition Trust Fund for the acquisition of lands through the Florida Forever Program.

HB 1379 incorporates language from bills filed by Miami-Dade delegation members to expand the wastewater grant program to include Miami-Dade County. These bills were HB 827 by Representatives Fabian Basabe (R – North Bay Village) and Vicki Lopez (R – Coral Gables) and SB 458 by Senator Ana Maria Rodriguez (R – Doral). HB 827 and SB 458 died in committee when the language was included in HB 1379.

*This was the subject of Resolution No. R-1169-22. (Critical Priority)*

3. **County Constitutional Officers, Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections, Clerk of Court – APPROVED** – The Governor signed into law HB 1373 by Representative Juan Fernandez-Barquin (R – Miami), effective July 1, 2023.

HB 1373 relates to the five county constitutional officers (Clerk of Court, Property Appraiser, Sheriff, Supervisor of Elections, Tax Collector) and provides that:

- A county may not create any office, special district, or governmental unit, or expand the powers or authority of any existing office, special district, or governmental unit, for the purpose of exercising any power or authority allocated exclusively to a sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the court by the State Constitution or general law.
- A county commissioner who votes in favor of a proposed ordinance to create an office, special district, or governmental unit, or expand the powers or authority of an existing office, special district, or governmental unit, for the purpose of exercising any power or authority allocated exclusively to a sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the court by the State Constitution or general law is guilty of misfeasance or malfeasance in office.
- If a county adopts such an ordinance, the state may withhold all or part of any distribution under local government revenue sharing.
- The county budget may not provide funding to any office, special district, or governmental unit exercising any power or authority allocated exclusively to a sheriff, tax collector, property appraiser, supervisor of elections, or clerk of the court by the State Constitution or general law.

4. **Sheriff Jurisdiction, Powers – APPROVED** – The Governor signed into law HB 1595 by Representatives Taylor Yarkosky (R – Clermont) and Juan Fernandez-Barquin (R – Miami), effective immediately.

HB 1595:

- Requires that there be an elected sheriff in each Florida county and prohibits the transfer of the sheriff's duties to another officer or office;
- Specifies that a sheriff has exclusive policing jurisdiction in the unincorporated areas of each county and the sheriff's jurisdiction and powers runs through the entire county regardless of incorporated cities or other independent districts or governmental entities in the county;
- Provides that the sheriff's jurisdiction is concurrent with any city, district, or other law enforcement agency that has jurisdiction in a city or district;
- Requires that a county develop and approve a budget for the sheriff taking office;
- Requires that a county conduct an inventory and audit of all assets of any county police department and any other law enforcement agency that the sheriff will administer;
- Requires that a county prepare and deliver certain property and documents to the sheriff upon taking office;
- Provides for a three-year phase-in period of support services that the county shall provide and the elected sheriff shall use from January 7, 2025 to September 30, 2028, which includes support services such as property management, communications, risk management, information technology, procurement, health insurance, human resources, legal, workers compensation, and fleet management;
- Provides for a phase-in period for changing the paint, labeling and markings on sheriff vehicles and other assets to minimize cost to taxpayers; and
- Provides that, if the county provides contracted police services to any municipality in that county before the sheriff-elect takes office, the sheriff shall assume the contract upon taking office. This provision relates to the Town of Miami Lakes, the Village of Palmetto Bay, and the Town of Cutler Bay. HB 1595 does not require the sheriff to provide police services for a minimum number of years.

The final version of HB 1595 did not include:

- Language requiring the Board of County Commissioners to provide a written certification to the Governor, the President of the Senate, and the Speaker of the House of Representatives that requirements of the bill have been met.
- A provision authorizing the Governor to remove or suspend county commissioners if such a certification is not provided.

5. **Taxation – APPROVED** – The Governor signed into law HB 7063, effective July 1, 2023, except as otherwise provided in the bill and includes the following provisions:

1. *Local Option Food and Beverage Tax for Homeless Services, Domestic Violence Centers*

HB 7063 includes language allowing cities or towns presently imposing a municipal resort tax to levy the local option food and beverage tax for homeless services and domestic violence centers if approved by voters in referenda in those cities. This

language relates to Bal Harbour Village, the City of Miami Beach, and the Town of Surfside, which are currently exempt from the tax.

*The Board identified this issue as one of the County's priorities for the 2023 Session in Resolution No. R-1169-22.*

2. Sales Tax Holidays - HB 7063 includes the following sales tax holidays:

- Establishes Two Back-to-School Sales Tax Holidays, a 14-day “back-to-school” sales tax holidays from July 24 to August 6, 2023, and January 1 to January 14, 2024.
- Establishes Two Two-Week 2023 Disaster Preparedness Sales Tax Holidays including pet supplies from May 27, 2023, to June 9, 2023, and August 26, 2023, to September 8, 2023, for disaster preparedness supplies.
- Expands Freedom Week to Freedom Summer, a 3-month Sales Tax Holiday on Recreational Items from May 29 to September 4, 2023.
- Establishes the 2023 Skilled Worker Tools Sales Tax Holiday, which is a seven-day sales tax holiday from September 2 to 8, 2023.
- Establishes a one-year sales tax exemption from July 1, 2023 to June 30, 2024, on the retail sale of indoor gas ranges and stoves and certain energy efficient appliances.

3. Freeze on Local Cell Phone and TV Tax

HB 7063 freezes local communications services tax rates for three years. The local communications services tax rate in effect on January 1, 2023, may not be increased before January 1, 2026.

4. Permanent Sales Tax Relief

HB 7063 creates permanent sales tax exemptions on:

- Baby and toddler diapers, wipes, clothing, shoes, strollers, cribs and many other baby and toddler safety items.
- Adult diapers and incontinence products.
- Oral hygiene products, including toothbrushes, toothpaste, and floss.
- Materials used to construct or repair permanent or temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems, used in agricultural operations on lands classified as agricultural lands.
- The purchase of machinery and equipment that is used in the production, storage, transportation, compression, or blending of renewable natural gas that is used as transportation fuel or for electric generation or is of a quality capable of being injected into a natural gas pipeline.
- Gun safes and trigger locks, and other devices designed for the safe storage of firearms.

5. Property Tax Relief

HB 7063 includes the following property tax relief:

- Allows disabled veterans and surviving spouses who are entitled to complete homestead exemptions to receive refunds of taxes they had to pay in the year they purchase a homestead.
- Clarifies that disabled veterans and surviving spouses may transfer their homestead exemptions to another property.
- Expands the exemption for surviving spouses of first responders killed in the line of duty to include spouses of federal law enforcement officers.
- Prohibits the levy of special assessments on agricultural lands.
- Clarifies that parsonages, burial grounds, and tombs owned by houses of worship are used for religious purposes and are therefore exempt.
- Extends the educational property exemption to certain schools who lease property.
- Makes clarifying changes to Florida's automatic property tax refund process for properties that are damaged and become uninhabitable.

6. Business Tax Relief

HB 7063 includes the following business tax relief:

- Cuts the business rent tax from 5.5 percent to 4.5 percent beginning in December 2023.
- Creates a tax credit for investment in equipment to produce breast milk fortifiers.
- Increases the annual Brownfield Rehabilitation program cap by \$25 million.
- Increases the annual credit limit for the Strong Families Tax Credit from \$10 million to \$20 million to help provide more child welfare services in Florida communities.
- Creates a tax credit for installing graywater treatment systems on residential property.

6. **Miami-Dade Expressway Authority/MDX/Greater Miami Expressway Agency/GMX/Transportation/Public Transit/Automated License Plate Recognition Systems – APPROVED** – The Governor signed into law HB 1305, an omnibus transportation bill, effective July 1, 2023. Among other provisions, HB 1305 reestablishes the Greater Miami Expressway Agency (GMX) and provides that GMX is the state agency that governs the expressway system within the geographical boundaries of Miami-Dade County and the portion of northeast Monroe County which includes County Road 94/Loop Road and the portion of Monroe County bounded on the north and east by the borders of Monroe County and on the south and west by County Road 94. These provisions are effective immediately, please see below.

In addition, HB 1305:

- Requires a public transit provider's transportation development plan to be consistent, to the maximum extent feasible, with the long-range transportation plan of the local metropolitan planning organization;

- Removes the requirement that each public transit provider’s productivity and performance report specifically address potential enhancements to productivity and performance that would have the effect of increasing the farebox recovery ratio; and
- Requires public transit providers to publish productivity and performance information on its website, instead of in the local newspaper;
- Authorizes installation of automated license plate recognition systems within the rights-of-way of the State Highway System, at the discretion of the Florida Department of Transportation (DOT), when installed at the request of a law enforcement agency for the purpose of collecting active criminal intelligence or investigative information;
- Provides that DOT may not, when granting airport site approval, require a written memorandum of understanding or letter of agreement with other airport sites regarding air traffic pattern separation procedures unless it is required by the Federal Aviation Administration or is deemed necessary by DOT;
- Increases the maximum debt service coverage level for the State Transportation Trust Fund from \$350 million to \$425 million;
- Increases the term from 12 years to 18 years for state bonds for federal aid highway construction; and
- Authorizes the Florida Development Finance Corporation to finance certain public-private partnership projects undertaken by DOT.

7. **Omnibus Workforce and Affordable Housing Package/Funding/Property Tax Exemptions/Preemption Height, Density – APPROVED** – The Governor signed into law SB 102 by Senator Alexis Calatayud (R – Miami), effective July 1, 2023, except otherwise provided in the bill.

SB 102 is an omnibus workforce and affordable housing bill that appropriates significant state funding to housing, provides for additional property tax exemptions, and preempts local governments relating to height and density of workforce and affordable housing developments in commercial and industrial zoned areas.

8. **Homeowner Associations Bill of Rights/Hammocks – APPROVED** – The Governor signed into law HB 919 by Representative Juan Carlos Porras (R – Miami), effective October 1, 2023.

HB 919 relates to homeowners’ association (HOA) officers and directors and revises requirements for HOAs to:

- Provide that an officer or director must be removed from office, and their access to official records denied, if charged with the crimes of:
  - forgery of a ballot envelope or voting certificate used in a homeowners' association election;
  - theft or embezzlement of association funds;
  - destruction of or refusing to allow inspection of association records in furtherance of any crime; or
  - obstruction of justice;
- Provide criminal and civil penalties for an officer, director, or manager who accepts kickbacks;



- Require directors and officers of an association, including a developer-controlled association, to disclose specified activities which may pose a conflict of interest;
- Revise the notice requirements for imposing and collecting fines, including providing members notice of how to cure a violation, if applicable;
- Provide criminal prohibitions related to fraudulent voting activities that are punishable as first-degree misdemeanors, including preventing members from voting, and menacing, threatening, or using bribery to directly or indirectly influence or deter a member from voting;
- Revise the requirements for the association's use of a member's mailing and e-mail address for purposes of sending notices, including allowing a member to designate a mailing or e-mail address different than the property address or previously provided e-mail for all required notices; and
- Require that, if an homeowners' association collects a deposit from a member to pay for expenses that may be incurred as a result of construction on a member's parcel, or other reason for such deposit, such funds must not be comingled with any other association funds. The member may request an accounting of such funds, and the association must remit payment of unused funds within 30 days after completion.

*This was the subject of Resolution No. R-230-23.*

9. **Condominium, Cooperative Associations/Surfside/Milestone Inspections/Reserves/Property Insurance/Flood Insurance** – APPROVED – The Governor signed into law SB 154 by Senator Jennifer Bradley (R - Fleming Island), effective immediately.

During Special Session 2022D, the Legislature enacted SB 4-D to provide building safety inspection requirements (milestone inspections) and reserve requirements (structural integrity reserve study, or SIRS) for condominium and cooperative association buildings.

SB 154 clarifies provisions created by SB 4-D. Specifically, the bill:

- Requires certain condominium and cooperative buildings to have a milestone inspection when they reach 25 years of age, without regard to location, and allows local governments to extend the deadline to complete a milestone inspection, under certain circumstances;
- Allows condominiums and cooperatives to use prior inspection reports completed within the last 5 years for both the milestone inspection and SIRS, under certain circumstances;
- Requires phase 2 of milestone inspections to begin within 180 days of completing phase 1, if necessary;
- Allows a certified reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts to perform the SIRS visual inspection;
- Limits setting mandatory reserves for only those SIRS items that have 25 years or less of useful life left;
- Requires the Florida Building Commission to create a building safety and inspection program;

- Requires milestone inspection and SIRS reports and disclosures to be included in sales contracts;
- Provides that the responsibility to maintain certain common elements may be assigned to the unit owner by the declaration;
- Allows unit owners to utilize pre-suit mediation to resolve certain disputes related to milestone inspections and SIRS;
- Allows certain multicondominiums to utilize an alternative funding method approved by the Department of Business and Professional Regulation in lieu of maintaining reserves for SIRS items; and
- Provides that the responsibility to maintain certain common elements may be assigned to the unit owner by the declaration.

**10. Legal Challenges to Local Ordinances/Suspension of Ordinances/Preemption/Business Impact Statements/Continuation of Noticed Meeting – APPROVED** – The Governor signed into law SB 170 by Senator Jay Trumbull (R – Panama City), effective October 1, 2023.

SB 170 relates to the passage and legal challenge of local ordinances and was one of Senate President Kathleen Passidomo (R – Naples) priorities for the 2023 session. It is substantially similar to the final version of SB 280 by Senator Travis Hutson (R – Palm Coast) from the 2022 regular session.

1. Ordinance Challenges/Suspension

SB 170 prohibits a county or municipality from enforcing any ordinance that is the subject of legal action challenging the ordinance’s validity on the grounds that it is preempted by the Florida Constitution or state law or is arbitrary or unreasonable if:

- The legal action is filed no later than 90 days after the ordinance’s adoption;
- The complainant requests suspension in the initial complaint or petition; and
- The county or municipality has been served with a copy of the complaint or petition.

2. Attorney Fees, Costs, and Damages

SB 170 provides that a court may award attorney fees and costs and damages to a plaintiff who successfully challenges a local ordinance on the grounds that the ordinance is arbitrary or unreasonable.

3. Business Impact Estimates

SB 170 requires each county and municipality to prepare a business impact estimate before adopting certain proposed ordinances.

4. Ordinances/Notice/Continuance to a Subsequent Meeting

SB 170 provides that consideration of a properly noticed proposed ordinance may be continued to a subsequent meeting without need of additional notice if, at the initial meeting, the date, time, and location of the subsequent meeting is publicly stated, and the continuation of the proposed ordinance is included on the agenda or similar

communication produced for the subsequent meeting. The bill states that this provision is remedial in nature, intended to clarify existing law, and applies retroactively. This provision addresses a recent 4th District Court of Appeal opinion and is intended to clarify existing law.

**11. Florida Retirement System/FRS/DROP/Employer Contribution Rates – APPROVED**

– The Governor signed into law SB 7024, a committee bill by the Senate Governmental Oversight and Accountability Committee, relating to the Florida Retirement System (FRS) and Deferred Retirement Option Program (DROP) and is effective immediately, except as otherwise provided in the bill.

SB 7024:

- Modifies the normal retirement date for Special Risk Class members initially enrolled on or after July 1, 2011, to be the earlier of 25 years of creditable service, or age 55.

*This was the subject of resolution no. R-325-23*

- Makes the following modification to the DROP program:
  - Eliminates the restrictive entry window for eligible members to participate in DROP, allowing for entry into DROP at any age as long as years of service or age and vesting requirements are met;
  - Extends the maximum amount of time for eligible members to participate in DROP from 60 to 96 calendar months for all classes, and from 96 to 120 calendar months for education personnel; and
  - Increases the interest rate applied to a member's accrued monthly benefit from 1.3 percent to 4 percent.
- Increases the monthly retiree health insurance subsidy from \$5 to \$7.50 for each year of service. The maximum benefit is adjusted from \$150 to \$225 per month and the minimum benefit is adjusted from \$30 to \$45 per month.
- Increases the allocations to investment plan accounts by 2 percent for each membership class in the investment plan.
- Revises the employer FRS contribution rates based on the actuarial valuation and actuarial studies.
- Increases allocations for member disability coverage and line-of-duty death benefits.

**12. Authorization of Restrictions Concerning Dogs/Preemption/Pit Bull Ban/Public Housing Authorities – APPROVED** – The Governor signed into law SB 942 by Senator Alexis Calatayud (R - Miami) and has an effective date of October 1, 2023.

SB 942 removes a provision currently in statute allowing local governments to enforce dog breed-specific regulations if such regulation was enacted by ordinance before October 1, 1990. This change preempts the Miami-Dade County ordinance prohibiting pit bulls.

SB 942 also adds size and weight to the prohibited dog characteristics a local government

may not use to regulate dogs in its jurisdiction and places the same restrictions on public housing authorities.

**B. Education, Library, Cultural Affairs and Parks & Recreation**

- 13. Nursing Education Pathway for Military Combat Medics - APPROVED** – The Governor signed into law SB 274, effective immediately.

SB 274 creates the Pathway for Military Combat Medics Act and expands the award of postsecondary credit for military training and education courses to promote uniformity in the application of military combat medic training and education toward postsecondary credit or career education clock hours by public postsecondary educational institutions.

*This was the subject of Resolution No. R-136-23.*

- 14. Education Funding/District Cost Differential/Miami-Dade Public Schools/ESOL- APPROVED** - The Governor signed into law HB 5101 by Representative Josie Tomkow (R - Auburndale), effective July 1, 2023. HB 5101 is a budget conforming bill that conforms statutes to the funding decisions related to PreK-12 education in the state budget.

Among other provisions, HB 5101:

- Renames the district cost differential (DCD) the comparable wage factor (CWF) and authorizes its application in calculating the base FEPF funding only when a school district's CWF is greater than 1.000.
- Repeals the weighted enrollment ceiling for the Group 2 education programs which includes the English Students of Other Languages education program.

- 15. Library Cooperative Funding – APPROVED** – The Governor signed into law SB 726 by Senator Ana Maria Rodriguez (R – Doral), effective July 1, 2023.

SB 726 removes the cap of \$400,000 for the annual grant to any of Florida's five regional library cooperatives. Grants provided through the Division of Library and Information Services within the Florida Department of State are appropriated by the Legislature and are used for the purpose of sharing library resources. In recent years, the Legislature has appropriated \$2 million annually for library cooperative grants, and each cooperative received the maximum \$400,000 grant. If the Legislature appropriates more than \$2 million, SB 726 authorizes the department to allocate amounts over the current \$400,000 threshold.

- 16. SUN Trail Network/Florida Wildlife Corridor – APPROVED** – The Governor signed into law SB 106 by Senator Jason Brodeur (R - Lake Mary), effective July 1, 2023.

SB 106 expands the existing SUN Trail Network and enhances coordination of the state's trail system with the Florida Wildlife Corridor.

SB 106:

1. Prioritizes the development of "regionally significant trails" which are defined as trails crossing multiple counties; serving economic and ecotourism development; showcasing the state's wildlife areas, ecology, and natural resources; and serving as main corridors for trail connectedness across the state;
2. Enhances the planning, coordination, and marketing of the state's bicycle and pedestrian trail system and the Wildlife Corridor;
3. Stipulates that trails developed within the Wildlife Corridor maximize the use of previously disturbed lands, such as abandoned roads and railroads, canal corridors, and drainage berms, and be compatible with applicable land use provisions; and
4. Requires the Florida Department of Transportation (FDOT) to erect uniform signage identifying trails that are part of the SUN Trail Network and to submit a periodic report on the status of the SUN Trail Network;
5. Authorizes the FDOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage, and related amenities;
6. Recognizes "trail town" communities and directs specified entities to promote the use of trails as economic assets, including the promotion of trail-based tourism; and
7. Increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the SUN Trail Network.

**17. Middle School/High School Start Times/Public Works – APPROVED** – The Governor signed into law HB 733 by Representative John Paul Temple (R – The Villages), effective July 1, 2023.

HB 733 requires that no later than July 1, 2026, the instructional day for all public and charter middle schools must begin no earlier than 8:00 a.m. and no earlier than 8:30 a.m. for high schools. A charter school-in-the-workplace is exempt from this requirement. District school boards and charter school governing boards must inform their communities, including parents, students, teachers, school administrators, athletic coaches, and other stakeholders, about the health, safety, and academic impacts of sleep deprivation on middle school and high school students.

**18. Agreements of Education Entities with Foreign Entities – APPROVED** – The Governor signed into law SB 846 by Senator Bryan Avila (R – Hialeah Gardens), effective July 1, 2023

SB 846 establishes requirements specific to State University System and Florida College System institutions with respect to receiving foreign gifts and entering into international cultural agreements.

SB 846 prohibits state universities, state colleges, and their employees and representatives, from soliciting or accepting any gift in their official capacities from a college or university based in a foreign country of concern, or from a foreign principal. It also prohibits state universities and colleges from accepting any grant from or participating in any agreement or partnership with any college or university based in a foreign country of concern, or with any foreign principal. A state university or college may only participate in a partnership or agreement with a college or university based in a foreign country of concern, or with a foreign principal, if authorized by the Board of Governors or the State Board of Education, respectively, and if the agreement satisfies certain other criteria required of all state agency cultural agreements.

**19. Florida Museum of Black History – APPROVED** – The Governor signed into law HB 1441 by Representative Bruce Antone (D – Orlando), effective July 1, 2023.

HB 1441 creates the Black History Task Force within the Division of Historical Resources in the Florida Department of State for the purposes of providing recommendations for the planning, construction, operation, and administration of a Florida Museum of Black History. The task force will consist of nine members appointed by the Governor and Legislature who will serve without compensation.

**20. Children and Young Adults in Out-of-Home Care – APPROVED** – The Governor signed into law SB 272 by Senator Ileana Garcia (R – Miami), effective July 1, 2023.

SB 272 is the “Nancy C. Detert Champion for Children Act”. It creates requirements for the Florida Department of Children and Families to work with children in out-of-home care to ensure they regularly receive information on topics including, at a minimum:

- Nurturing care, personal safety, and protection from abuse, abandonment, and neglect;
- Education;
- Placement, visitation, and contact with siblings, family, and other important persons;
- Court participation;
- Participation in permanency planning, transition planning, and other case planning;
- Access to food, clothing, shelter, and health care; and
- The topic of normalcy and what that means for children and young adults in out-of-home care.

SB 272 also establishes the Office of the Children’s Ombudsman and specifies its responsibilities in assisting children and young adults.

**C. Transportation, Tourism & Economic Development Issues**

**21. Minimum Wage/Living, Responsible Wages – APPROVED** – The Governor signed into law SB 892 by Senator Jonathan Martin (R – Fort Myers), effective July 1, 2023.

SB 892 provides that individuals entitled to receive the federal minimum wage under the Federal Fair Labor Standards Act are eligible to receive the state minimum wage. The original bill relates solely to wages of minor league baseball players and is being pursued by Major League Baseball.

*This was the subject of Resolution No. R-380-23.*

**22. Public Construction Projects, Contracts/Preemption/Responsible Wages, Benefits/Small Business – APPROVED** – The Governor signed into law SB 346 by Senator Nick DiCeglie (R – St. Petersburg), effective July 1, 2023.

SB 346 amends the definition of “public works projects” to include construction activities paid for with any state-appropriated funds, instead of limiting the definition to those activities paid for with state-appropriated funds exceeding \$1 million.

SB 346 also revises procedures for construction contracts between governmental entities and contractors by requiring:

- The punch list to contain the estimated cost to complete each item on the list and the process for determining the estimated cost;
- Payment of the contract balance, subject to certain exceptions, be made within 20 business days after providing such a list;
- Local governments to only withhold payment on the basis of a good faith dispute under the contract made in writing or for claims against public surety bonds;
- State entities to submit a payment request to the Chief Financial Officer (CFO) within 14 days of receipt;
- State entities to make payment for undisputed portions of an invoice or payment request at the sooner of the date specified in the contract or 20 business days after receiving the request; and
- Local governments to commence proceedings to resolve a disputed invoice or payment request within 30 days after receipt and render a final decision within 45 days of receipt.

*This was the subject of Resolution Nos. R-228-23 and R-380-23.*

**23. Commercial Service Airport Transparency and Accountability/County Commission Consent Agenda/Contracts – APPROVED** – The Governor signed into law HB 1123 by Representative Peggy Gossett-Seidman (R – Boca Raton), effective July 1, 2023.

HB 1123 revises transparency and accountability laws relating to commercial service airports passed by the Legislature during the 2020 session in HB 915. Among other provisions, HB 915 prohibited all commercial service airport contracts in excess of \$325,000 from being passed on a consent agenda and required such contracts to each be approved separately by the governing body.

HB 1123 revises HB 915 and the law relating to commercial service airport transparency and accountability by:

- Defining the term “consent agenda” to mean an agenda which consists of items voted on as a group and which does not provide the opportunity for public comment on each such item before approval or disapproval by the governing body.
- Amending the requirements for a commercial service airport to receive approval of the governing body for contracts such that only contracts for commodities or contractual services over the following amounts (current law is \$325,000) need be approved by the governing body as a separate line item on the governing body’s agenda:
  - For large hub airports, such as Miami International Airport: contracts exceeding \$1.5 million.
  - For a medium hub airport: contracts exceeding \$1 million.
  - For a small hub airport: contracts exceeding \$500,000.
- Amending the requirements for posting a contract to the airport’s website such that only contracts for the purchase of commodities or contractual services in excess of \$325,000 (current law is \$65,000) will be posted online. Contracts not pertaining to the purchase of commodities or contractual services are not required to be posted online.
- Increasing the threshold from \$65,000 to \$325,000 over which the commercial service airport must use the competitive solicitation process for purchases of commodities or contractual services.
- Requiring each commercial service airport to have a link to the Airport Master Plan on the commercial service airport’s website, rather than on the Federal Aviation Administration’s (FAA’s) website.

**24. Historic Cemeteries Program/Abandoned and Historic African American**

**Cemeteries – APPROVED** – The Governor signed into law HB 49 by Representative Fentrice Driskell (D – Tampa), effective July 1, 2023.

HB 49 creates the Historic Cemeteries Program in the Division of Historical Resources within the Florida Department of State and designates the State Historic Preservation Officer to serve as the director of the program. The bill requires the Historic Cemeteries Program to provide grants for certain entities to conduct research, repair, restore, or maintain abandoned African American cemeteries.

HB 49 provides an appropriation of \$1 million in nonrecurring funds from the General Revenue Fund for Historic Cemetery Program grants.

**25. HB 1191: Use of Phosphogypsum/Road Construction – APPROVED** – The Governor signed into law HB 1191 by Representative Lawrence McClure (R – Plant City), effective July 1, 2023.

HB 1191 authorizes the Florida Department of Transportation (DOT) to undertake demonstration projects using phosphogypsum (PG) in road construction aggregate material. PG is a waste product created during the phosphate fertilizer manufacturing process. It emits radon, a radioactive gas, and contains the radioactive elements uranium, thorium, and radium.



HB 1191 provides that PG used in accordance with an allowed use expressly specified in EPA regulations, or pursuant to an express EPA approval for the specific use, is not solid waste and is an allowed use in this state. The bill also provides that PG may be placed in a PG stack permitted by the Florida Department of Environmental Protection.

**26. Elimination of Enterprise Florida/State Film Office/Certain Economic Development Programs – APPROVED – The Governor signed into law HB 5 by Representative Tiffany Esposito (R – Lee), effective July 1, 2023.**

HB 5 eliminates Enterprise Florida, Inc., (EFI) and provides that all duties, functions, existing contracts, administrative authority, and unexpended balances of public funds relating to the programs in EFI are transferred to the Florida Department of Economic Opportunity (DEO). HB 5 also changes the name of DEO to the Department of Commerce.

HB 5 designates Visit Florida (VF) and the Florida Sports Foundation (FSF) as direct-support organizations of Commerce. VF and FSF may enter into agreements with Commerce to continue any existing programs, activities, duties, or functions necessary for their operation. HB 5 also designates the international offices program as a direct-support organization of Commerce.

HB 5 provides for the repeal of the following programs and incentives; however, the bill authorizes continuation of payments for existing related commitments:

- Office of Film and Entertainment
- Florida Film and Entertainment Advisory Council
- Entertainment industry tax credit
- Qualified target industry (QTI) businesses tax refund
- Quick Action Closing Fund
- Florida Small Business Technology Program
- New Markets Development Program
- Innovation Incentive Program
- Microfinance Loan Program
- Motorsports Entertainment Complex
- Qualified defense and space flight tax refund
- Professional Golf Hall of Fame
- International Game Fish Association World Center
- Economic Gardening Programs
- Corporate income tax credits for spaceflight projects
- Scripps Florida Funding Corporation

**27. Transportation/TPOs/MPOs/Airport Zoning/Noise Studies/20 Percent Cap on Public Transit Spending/Preemption Electronic Tickets for Materials Delivery – APPROVED – The Governor signed into law HB 425 by Representative Tiffany Esposito (R – Fort Myers), effective July 1, 2023.**

HB 425 contains various provisions relating to transportation and the statutes governing

Metropolitan Planning Organizations (MPOs) and Transportation Planning Organizations (TPOs) statewide.

Relating to MPOs/TPOs, HB 425:

- Revises the provision that allows more than one MPO to be designated for each urbanized area or groups of urbanized areas, in which case each MPO designated for the urbanized area must:
  - Consult with every other MPO designated for the area and the state to coordinate plans and transportation improvement programs.
  - Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand with the urbanized area.
- Prohibits MPOs from performing production or delivery for capital improvement projects on the State Highway System.
- Requires each MPO in developing its long-range transportation plan and transportation improvement program to:
  - Support the economic vitality of the contiguous urbanized metropolitan area;
  - Enhance the integration and connectivity of the transportation system, across and between contiguous urbanized metropolitan areas, for people and freight; and
  - Improve the resilience of transportation infrastructure.
- Requires each MPO to prepare a congestion management system for the contiguous urbanized metropolitan area.
- Requires certain MPOs to consider the proportional representation of the area's population when selecting membership of a technical advisory committee and requires that, whenever possible, representatives of intermodal logistics centers be included on the technical advisory committee.
- Provides that multiple MPOs may merge, combine, or otherwise joint together as a single MPO.
- Requires multiple MPOs within a contiguous urbanized area to coordinate the development of long-range transportation plans to be reviewed by the Metropolitan Planning Organization Advisory Council (MPOAC).
- Requires multiple MPOs within a contiguous urbanized area to ensure, to the maximum extent possible, consistency in the data used in the planning process.
- Adds ensuring safety to the list of principles to be considered by each MPO when developing a list of project priorities and a transportation improvement program, requires multiple MPOs within a contiguous urbanized area to coordinate transportation improvement programs, and requires each MPO's transportation improvement program to indicate coordination or alignment with transportation improvement plans of other MPOs within the contiguous urbanized area.
- Removes certain powers and duties of the MPOAC.
- Gives the MPOAC the power to provide training on federal and state program requirements to MPO board members and MPO staff.
- Requires the MPOAC to annually report to the Florida Transportation Commission on the alignment of MPO long-range transportation plans with the Florida Transportation Plan.
- Prohibits the MPOAC from lobbying or accepting funds, grants, assistance, gifts, or bequests from private, local, state, and federal sources.

Other provisions of HB 425 include the following:

- Revises provisions regarding airport land use compatibility zoning regulations and noise studies at airports.
- Requires a local governmental entity to accept electronic proof of delivery for construction materials.
- Requires the Florida Department of Transportation (DOT) to establish standards by which the State Highway System will be graded according to their compatibility with the operation of autonomous vehicles.
- Expands Florida's existing Move Over Law to include disabled motor vehicles.
- Repeals a public records exemption for documents that reveal the identity of a person who has requested or obtained a bid package, plan, or specifications pertaining to any project to be let by DOT.
- Authorizes specific information panels to be placed on rights-of-way if certain conditions are met.
- Authorizes DOT to request legislative approval of a proposed turnpike project regardless of how complete the project's design phase is.
- Authorizes DOT to use \$5 million from the State Transportation Trust Fund for workforce development.
- Requires DOT to make \$20 million available each year to provide for the movement and storage of aggregate.

**28. Road Codesignations/Mama Elsa Street/SW 22<sup>nd</sup> Avenue/Coconut Grove –**

**APPROVED** – The Governor signed into law HB 21 by Representative Tyler I. Sirois (R – Merritt Island), effective July 1, 2023.

HB 21 provides honorary road codesignations and directs the Florida Department of Transportation to erect suitable markers.

One of the codesignations by Representative Alina Garcia (R – Miami) codesignated SW 22nd Avenue between Kirk Street and Tigertail Avenue in Coconut Grove as “Mama Elsa Street.” Mama Elsa is the mother of a Real Housewives of Miami cast member.

**29. Driver License Photos, Images/Local Inspectors General/DHSMV Driver and Vehicle**

**Information Database/DAVID – DIED** – SB 1252 Senator Nick DiCeglie (R – St. Petersburg) and HB 1086 by Representative Patt Maney (R – Fort Walton Beach) passed the House and died in messages to the Senate.

Among other provisions, the bills would have revised the list of entities that may receive driver license images through the Driver and Vehicle Information Database, known as DAVID, to include any criminal justice agency, which includes local inspector general agencies, pursuant to an interagency agreement for use in carrying out the criminal justice agency's functions.

*This was the subject of Resolution No. R-955-22.*

- 30. Vacation Rentals/Advertising Platforms/Preemption – DIED** – SB 714 by Senator Nick DiCeglie (R – St. Petersburg) and HB 833 by Representative Wyman Duggan (R – Jacksonville) died in messages.

In addition to establishing other limitations on local governments relating to vacation rentals, SB 714 would have preempted the regulation of advertising platforms for vacation rentals to the state. Additionally, the bill would have preempted the licensing of vacation rentals to the State.

- 31. Vehicles for Hire/License, Permit to Operate/Taxis/Reciprocity Other Cities, Counties/Airports – DIED** – SB 1700 by Senator Nick DiCeglie (R – St. Petersburg) and HB 807 by Representative David Borrero (R – Doral) died in committee.

HB 807 would have prohibited a county or municipality from requiring certain people to obtain an additional license from such county or municipality when that person holds a valid, active license or permit to operate a vehicle for-hire in any other county or municipality - resulting in a negative fiscal impact to the County.

- 32. Operation of a Golf Cart/Water Control District/Under Age 18/Valid Driver's License/Identification – APPROVED** – The Governor signed into law HB 949 by Representative Cyndi Stevenson (R – Saint Augustine), effective October 1, 2023.

HB 949 requires that a person operating a golf cart on public roads or streets who is under 18 years of age must possess a valid learner's driver license or valid driver license, and a person who is 18 years of age or older must possess a valid form of government-issued photographic identification.

- 33. Labor Pool Act – APPROVED** – The Governor signed into law SB 1154 by Senator Keith Perry (R – Gainesville), effective July 1, 2023.

SB 1154 provides that a labor pool satisfies the statutory requirements for providing restroom facilities and drinking water if its labor hall facilities comply with all minimum requirements for public restrooms and drinking fountains in the Florida Building Code. The bill also provides that a labor pool may provide drinking water through a water cooler dispenser, by offering bottled water, or by any other similar means.

- 34. Expanding Public Sector Career Opportunities/Hiring/Contracting/Work Experience – APPROVED** – The Governor signed into law SB 1310 by Senator Nick DiCeglie (R - St. Petersburg), effective July 1, 2023.

SB 1310 creates the "Expanding Public Sector Career Opportunities Act" which provides that a public employer may only include a postsecondary degree as a baseline requirement for a job as an alternative to a specified number of years of direct experience. SB 1310 sets forth the number of years that may be substitute for an

associate degree, a bachelor's degree, a master's degree, a professional degree, and a doctoral degree.

In terms of contracting, SB 1310 also allows a governmental entity to substitute verifiable, related work experience in lieu of postsecondary educational requirements when contracting for services if the person seeking the contract is otherwise qualified for such contract.

**D. Public Safety, Regulatory, Animal Services & Procurement**

**35. Pretrial Release and Detention/Bail – APPROVED** – The Governor signed into law HB 1627 by Representative Sam Garrison (R – Orange Park), effective January 1, 2024. HB 1627 revises statutes related to bail, pretrial detention, and pretrial release. Specifically, HB 1627:

- Amends section 903.011, Florida Statutes, to:
  - Require the Florida Supreme Court (FSC) to develop a uniform statewide bond schedule by January 1, 2024;
  - Prohibit the chief judge of a judicial circuit from establishing a bond schedule that sets a lower bond amount for a criminal offense than the uniform statewide bond schedule without FSC approval;
  - Authorize the chief judge of a judicial circuit to establish a bond schedule that sets a higher bond amount for a criminal offense than the uniform statewide bond schedule; and
  - Prohibit a person from being released prior to first appearance if such person has been arrested for committing specified crimes or meets other specified criteria;
- Amends section 903.047, Florida Statutes, to:
  - Require a court to consider the criteria used for determining bail in s. 903.046(2), Florida Statutes, when determining whether to impose nonmonetary conditions in addition to or in lieu of monetary bond; and
  - Specify examples of nonmonetary conditions of pretrial release that a court may impose;
- Amends section 903.0471, Florida Statutes, to authorize a court to revoke pretrial release and order pretrial detention if a defendant violates a condition of pretrial release in a material respect; and
- Amends section 903.041, Florida Statutes, to:
  - Add DUI manslaughter, BUI manslaughter, trafficking in dangerous fentanyl and fentanyl analogues, extortion, and written threats to kill to the list of “dangerous crimes” which may subject a defendant to pretrial detention;
  - Prohibit a court from granting nonmonetary pretrial release at a first appearance hearing if a defendant is arrested for a dangerous crime and the court determines there is probable cause to believe the defendant committed the offense;
  - Require a state attorney, or a court on its own motion, to motion for pretrial detention if a defendant is arrested for a dangerous crime that is a capital felony, a life felony, or a first degree felony and the court determines there is probable cause to believe that the defendant committed the offense;

- Require a court to order pretrial detention of a defendant who is arrested for a dangerous crime if the court finds a substantial probability that the defendant committed the offense and that no conditions of release or bail will reasonably protect the community from risk of physical harm;
- Provides time limitations for when a pretrial detention hearing must occur; and
- Authorize any party to motion for reconsideration of a pretrial detention order if the judge finds that information exists that was not known to the party moving for reconsideration at the time of the initial pretrial detention hearing.

*This was the subject of Resolution No. R-328-23.*

**36. Permitless Carry of Concealed Weapons and Firearms – APPROVED** – The Governor signed into law HB 543 by Representative Chuck Brannan III (R – Lake City), effective July 1, 2023, although certain provisions of the bill have a different effective date.

HB 543 eliminates the need for a concealed weapons license in Florida.

HB 543 provides that a person is authorized to carry a concealed weapon or concealed firearm if he or she is either licensed or is not licensed but otherwise satisfies the criteria for receiving and maintaining such a license under state law. The bill provides that a person who is authorized to carry a concealed weapon or concealed firearm without a license is required to carry valid identification when in actual possession of a concealed weapon or concealed firearm. Such person must display his or her identification upon demand by a law enforcement officer. A violation of these provisions is a noncriminal violation, punishable by a \$25 fine.

HB 543 expands existing reciprocity with other states in two ways. First, it allows a nonresident, who does not have a concealed weapon or firearm license issued by his or her state, to carry concealed in Florida if he or she satisfies the criteria under Florida law. Second, it deletes the provision that limits recognition of other states' concealed weapon or concealed firearm licenses to states that honor Florida-issued licenses.

HB 543 also directs all law enforcement agencies to create and maintain an active assailant response policy by October 1, 2023. The bill requires the Florida Department of Law Enforcement (FDLE) to make the model active assailant response policy developed by the Marjory Stoneman Douglas High School Public Safety Commission available on its website. The FDLE may make available any other policies deemed appropriate. Each agency must review the model policy and develop a written active assailant response policy that is consistent with the agency's response capabilities and includes response procedures specifying the command protocol and coordination with other law enforcement agencies.

All sworn personnel of each agency must be trained on the agency's existing active assailant response policy or must be trained within 180 days after enacting a new or revised policy. Sworn personnel must receive at minimum annual training on the policy.

HB 543 creates the Florida Safe Schools Canine Program for the purpose of designating a person, school, or business entity as a Florida Safe Schools Canine Partner who pays

for or raises funds for a law enforcement agency to purchase, train, or care for a firearm detection dog in a school.

**37. Public Records Exemption/Safe School Officers/Law Enforcement Agency/Marjory Stoneman Douglas High School Public Safety Commission – APPROVED** – The Governor signed into law SB 7022, a committee bill by the Senate Education Pre-K-12 Committee, effective October 1, 2023.

SB 7022 saves from repeal two exemptions from public records and public meetings requirements:

- The exemption from public records disclosure requirements relating to any information held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer; and
- The exemption from public meeting requirements relating to any portion of a meeting of the Marjory Stoneman Douglas High School Public Safety Commission at which exempt or confidential and exempt information is discussed.

**38. Public Nuisance/Religious, Ethnic Animus/Littering/Stalking/Defacement/Projecting Images/Interference with Funeral – APPROVED** – The Governor signed into law HB 269 by Representatives Mike Caruso (R - West Palm Beach) and Vicki Lopez (R – Coral Gables), effective immediately.

HB 269 makes several changes to statutes relating to public nuisances and religious or ethnic animus including:

- Prohibiting a person from intentionally dumping litter onto private property for the purpose of intimidating or threatening the owner, resident, or invitee of such property, a violation of which is punishable as a first-degree misdemeanor. If such litter contains a credible threat, a person commits a third-degree felony.
- Prohibiting a person from willfully and maliciously harassing, threatening, or intimidating another person based on the person's wearing or displaying of any indicia relating to any religious or ethnic heritage, a violation of which is punishable as a first-degree misdemeanor. If a person commits such a violation and in doing so makes a credible threat, the person commits a third-degree felony.
- Creating a new prohibition against displaying or projecting, using any medium, an image onto a building, structure, or other property without the written consent of the owner of the building, structure, or property, a violation of which is punishable as a first-degree misdemeanor. If a person displays or projects such an image containing a credible threat, the person commits a third-degree felony.
- Creating a new trespass offense if a person who is not authorized, licensed, or invited willfully enters the campus of a state university or Florida College System institution for the purpose of threatening or intimidating another person, and is warned by the state university or Florida College System institution to depart and refuses to do so. A violation is punishable as a first-degree misdemeanor.
- Revising a current offense in s. 871.01, F.S., relating to disturbing a school or place of worship, to increase the degree of the offense from a second-degree misdemeanor to a first-degree misdemeanor. If a person evidences religious or ethnic animus during

commission of the offense, it is prima facie evidence the person has evidenced prejudice in the commission of the offense for the purpose of hate-crime classification.

**39. Unions, Employee Organizations Representing Public Employees/Member**

**Dues/Salary Deduction/Federal Transit Funding – APPROVED** – The Governor signed into law SB 256 by Senator Blaise Ingoglia (R – Spring Hill). SB 256 was effective immediately upon being signed into law, however certain provisions of the bill including the dues provision had an effective date of July 1, 2023.

SB 256 enacts new requirements for unions and other employee organizations that represent public employees in collective bargaining:

- Prohibits unions and other employee organizations from receiving their members' dues and assessments via salary deduction from the members' public employer.
- Exempts unions that have been certified as the bargaining agent to represent law enforcement officers, correctional officers, correctional probation officers, or firefighters from salary deduction and other provisions of SB 256.
- Includes language providing that, upon petition by a public employer after it has been notified by the United States Department of Labor that an arrangement covering employees would jeopardize continued eligibility to receive Federal Transit Administration funding, the Public Employees Relations Commission (PERC) may waive certain prohibitions and requirements included in SB 256, including the prohibition on dues and assessment reductions, the requirement to petition PERC for recertification, and the revocation of certification
- Requires the employee organization to be recertified as the bargaining agent if the number of employees paying dues to the employee organization during the last registration period is less than 60 percent of the number of employees eligible for representation in the bargaining unit.
- Requires the certified bargaining agent to provide certain information to its members, including the annual costs of membership.
- Requires employees who wish to join certain employee organizations to sign a membership authorization form that is prescribed by PERC, which must contain specific information.
- Requires specific employee organizations to allow a member to revoke his or her membership in the organization at any time and without any reason.
- Allows the PERC to inspect specific employee organization's membership authorization forms and membership revocation forms.
- Expands the information required in an employee organization's annual registration renewal with the PERC. This newly required information includes information that relates to the number and percentage of dues-paying members in each bargaining unit. In addition, the employee organization's current annual financial report must be audited by an independent certified public accountant.
- Authorizes the public employer or an employee who is eligible for representation in the bargaining unit to challenge the application for registration renewal. The PERC must investigate to confirm the information submitted.
- Expands the prohibited activities by certain employee organizations and their representatives.



**40. Immigration/Preemption/Identification Cards/Hospital Admissions/DNA Samples Law Enforcement/Corrections – APPROVED** – the Governor signed into law SB 1718 by Senator Blaise Ingoglia (R – Spring Hill) generally effective July 1, 2023, although some provisions have a different effective date.

SB 1718 amends various Florida statutes to address provisions related to individuals in this state who may be unauthorized aliens. Specifically, the bill:

- Prohibits a county or municipality from providing funds to any person, entity, or organization for the purpose of issuing an identification card or other document to an individual who does not provide proof of lawful presence in the United States;
- Requires a person who is in the custody of a law enforcement agency and is subject to an immigration detainer to submit a DNA sample when he or she is booked into a jail, correctional, or juvenile facility;
- Requires any hospital that accepts Medicaid to include a question on its admission or registration forms inquiring about whether the patient is a United States citizen, is lawfully present in the United States, or is not lawfully present in the United States;
- Requires each hospital to provide a quarterly report to the Agency of Health Care Administration, detailing the number of visits or admissions by patients who responded to the above question in each category;
- Expands the crime of human smuggling to include concealing, harboring, or shielding a person who has entered the United States, in violation of the law, from detection;
- Enhances the crime of human smuggling in certain circumstances;
- Allows a law enforcement agency to send information obtained to a federal immigration agency;
- Amends the state's domestic security statutes to provide authority for the department to coordinate with and provide assistance to the Federal Government in the enforcement of federal immigration laws, and responses to immigration enforcement incidents within or affecting Florida;
- Beginning July 1, 2023, requires private employers with 25 or more employees to use the EVerify system for new employees;
- Alters the defenses for employers using the I-9 Form or E-Verify system; and, beginning July 1, 2024, amends the penalties for an employer's noncompliance to register and use the EVerify system, including requiring reporting and allowing for the suspension and revocation of employer licenses in certain circumstances;
- Creates penalties for employers who knowingly employ unauthorized aliens, effective July 1, 2024;
- Creates a third degree felony for an unauthorized alien to knowingly use a false identification document, or who fraudulently uses an identification document of another person, to obtain employment;
- Prohibits a person from operating a motor vehicle if his or her driver's license is issued by another state which exclusively provides such a license to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued;
- Provides that certain existing exemptions from obtaining a Florida driver license for nonresidents do not apply for undocumented immigrants;
- Repeals the statute that allows an applicant to the Florida Bar who is an unauthorized immigrant to be admitted to the Bar by the Florida Supreme Court if certain conditions are met, effective November 1, 2028; and

- Appropriates \$12 million in nonrecurring funds for the 2023-2024 state fiscal year for the Unauthorized Alien Transport Program.

**41. Public Safety Emergency Communications Systems/Two-Way Radio**

**Communications/Preemption – APPROVED** - The Governor signed into law HB 1575 by Representative Robert A. "Robbie" Brackett (R – Vero Beach), effective July 1, 2023.

HB 1575 limits when a local authority can require radio signal strength assessment and installation of an enhancement system, as follows:

- An enhancement system may not be required if the radio signal strength at the exterior of the building is inadequate.
- Unless the building undergoes significant renovation or poses a safety threat, a signal strength assessment may be required no more often than every five years, or every three years for high-rise buildings or buildings exceeding 12,000 square feet.
- If an enhancement system is required after assessment of a new building, a contractor must submit a design for the system to the local authority, who must require installation of the system within 12 months after the issuance of temporary certificate of occupancy. If an existing building requires an enhancement system, the building owner must be granted at least one year to do so.
- Certain structures are not required to meet radio signal strength requirements at any time, including one- and two-family dwellings, buildings smaller than 12,000 square feet with no underground areas, and certain apartments and public lodging establishments.

Local fire authorities may not enforce more stringent requirements than the Florida Fire Prevention Code provides regarding radio signal strength.

**42. Protection of Children/Adult Live Performances/Local Government Permits/**

**Preemption – APPROVED** – The Governor signed into law SB 1438 by Senator Clay Yarborough (R – Jacksonville), effective immediately.

SB 1438 prohibits a person from knowingly admitting a child to an adult live performance. Adult live performance is defined as any show, exhibition, or other presentation that depicts or simulates nudity, sexual conduct, or specific sexual activities, lewd conduct, or the lewd exposure of prosthetic or imitation genitals or breasts.

SB 1438 also prohibits a governmental entity from issuing a permit or otherwise authorizing a person to conduct an adult live performance as defined in the bill.

**43. Facility Requirements Based on Sex Present at Birth/Restrooms/Public**

**Buildings/Corrections/Disciplinary Procedures For Employees – APPROVED** – The Governor signed into law HB 1521 by Representative Rachel Plakon (R – Longwood), effective July 1, 2023.

HB 1521 applies to various covered entities, including public buildings, and defines public buildings as a building comfort-conditioned for occupancy which is owned or leased by the state, a state agency, or a political subdivision, which includes counties.

HB 1521 requires exclusive use of restrooms and changing facilities, such as dressing rooms and locker rooms, by sex. The bill defines sex as the classification of a person as male or female based on the organization of the body for such person for a specific reproductive role as indicated by sex chromosomes and genitalia present at birth. The bill requires any public building that maintains a restroom or changing facility to have either restroom designated for males and for females or a unisex restroom.

**44. Lactation Space/County Courthouses – APPROVED** – The Governor signed into law SB 144 by Senator Lori Berman (D - Boynton Beach), effective July 1, 2023.

SB 144 requires each county courthouse to provide at least one dedicated lactation space for members of the public to use to express breastmilk or breastfeed in private. The dedicated space must not be located in a restroom and must be hygienic, clean and sanitary, and conducive to maintaining and preventing disease. The space must be shielded from public view and free from intrusion while in use, and it must contain an electrical outlet.

Each courthouse must have such a dedicated lactation space by January 1, 2024.

**45. Unmanned Aircraft/Drones/Seaports/Airports/Water, Wastewater Facilities/Critical Infrastructure, Facilities – APPROVED** – The Governor signed into law HB 645 by Representative Robert A. "Robbie" Brackett (R – Vero Beach), effective July 1, 2023.

HB 645 expands the definition of critical infrastructure facility, for purposes of prohibited operations of drones and unmanned aircraft systems, to include:

- A water intake structure, water treatment facility, wastewater treatment plant, or pump station;
- A liquid natural gas or propane gas terminal or storage facility, regardless of capacity;
- A refinery;
- A gas processing plant including a plant used in the processing, treatment, or fractionation of natural gas;
- A seaport;
- An inland port or other facility serving as a point of intermodal transfer of freight;
- An airport;
- A spaceport territory;
- Certain military installations and armory;
- A dam or other structures such as locks, floodgates, or dikes, which are designed to maintain or control the level of navigable waterways; and
- A critical infrastructure facility as defined in HB 1355 (2023), which additionally includes:
  - A chemical manufacturing facility;
  - An electrical power plant;
  - A liquid natural gas terminal; and

- A telecommunications central switching office.

HB 645 removes the requirement that a person or governmental entity seeking to restrict or limit the operation of drones near infrastructure or facilities must apply to the Federal Aviation Administration for such designation. The bill also removes a provision allowing a drone operating in transit for commercial purposes to operate over a critical infrastructure facility.

**46. Drone Delivery Services/Drone Ports/Preemption/Florida Building Code/Florida Fire Prevention Code/Development Permits – APPROVED** – The Governor signed into law SB 1068 by Senator Jay Collins (R – Tampa), effective July 1, 2023.

SB 1068 revises the Unmanned Aircraft Systems Act and:

- Exempts drone ports from the Florida Building Code and provisions of the Florida Fire Prevention Code concerning fire protection systems.
- Prohibits a political subdivision from withholding the issuance of a business tax receipt, development permit, or other use approval to a drone delivery service.
- Prohibits a political subdivision from enacting or enforcing an ordinance or resolution that prohibits a drone delivery service’s operation based on the location of its drone port.
- Allows a political subdivision to enforce generally applicable minimum setback and landscaping regulations.
- Defines “drone delivery service” as a person or entity engaged in a business or profession of delivering goods via drone and who is governed by Title 14 of the Code of Federal Regulations.
- Defines “drone port” as a stand-alone building that does not exceed 1,500 square feet in area or 36 feet in height; is located in a nonresidential area; is used or intended for use by a drone delivery service for the storage, launch, landing, and observation of drones; was constructed using Type I or Type II construction as described in the Florida Building Code; and, if greater than one story in height, includes at least one stairwell compliant with the Florida Building Code.

**47. Floating Vessel Platforms/Floating Boat Lifts/Self-Reporting Compliance/Preemption/Boating-restricted Areas/Pumpout Stations/Local Authority to Regulate/Water Quality – APPROVED** – The Governor signed into law HB 847 by Representative Paula A. Stark (R – Kissimmee), effective July 1, 2023.

Relating to environmental resource permits (ERPs), HB 847 revises the exemption for floating vessel platforms and floating boat lifts to specify local governments may only require a one-time registration for a floating vessel platform where the owner of such platform self-certifies compliance with the ERP exemption criteria to ensure compliance with ordinances, codes, state-delegated or state-mandated plans or programs, which may not be applied more stringently than, or inconsistent with, the ERP exemption criteria for certain floating vessel platforms.

HB 847 also allows a municipality or county to adopt an ordinance that establishes a slow speed, minimum wake boating-restricted area, if the area is within 500 feet of a sewage pumpout station at any public or private nonresidential marina if the sewage pumpout

station is within 100 feet of the marked channel of the Florida Intracoastal Waterway.

**48. Enforcement of School Zone Speed Limits/Speed Detection Systems/Cameras –**

**APPROVED** – The Governor signed into law HB 657 by Representative Traci Koster (R – Tampa), effective July 1, 2023.

HB 657 authorizes counties and municipalities to use speed detection systems, which are similar to red light cameras, to enforce school zone speed limits for violations in excess of 10 miles per hour over the applicable speed limit when children are going to or from school and during the entirety of the school day. The bill:

- Requires signs warning motorists that speed detection systems are in use;
- Requires a public awareness campaign prior to commencing enforcement of school zone speed limits with speed detection systems;
- Provides requirements for issuing a notice of violation when a speed detection system catches a violator;
- Provides for a \$100 penalty for each violation using a speed detection system and provides for the distribution of the proceeds to state and local governments;
- Provides procedures for hearings regarding these violations;
- Provides for the privacy of the data obtained from speed detection systems;
- Requires reporting by counties and municipalities that implement speed detection system programs in school zones, and a summary report by the Department of Highway Safety and Motor Vehicles (DHSMV);
- Exempts speed detection systems from DHSMV's requirements for radar or LiDAR units, while requiring a speed detection system to perform self-tests as to its detection accuracy;
- Prohibits points from being imposed for a violation of unlawful speed enforced by a speed detection system and prohibits such violations from being used for purposes of setting motor vehicle insurance rates.

**49. Kratom Consumer Protection Act – APPROVED – The Governor signed into law HB 179 by Representative Alex Andrade (R – Pensacola), effective July 1, 2023.**

HB 179 defines "kratom product" to mean a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption which contains any part of the leaf of the plant *Mitragyna speciosa* or an extract, synthetic alkaloid, or synthetically derived compound of such plant and is manufactured as a powder, capsule, pill, beverage, or other edible form.

HB 179 provides that it is unlawful to sell, deliver, or give, directly or indirectly, any kratom product to any person who is under 21 years of age. A person who violates this prohibition commits a misdemeanor of the second degree, punishable by up to 60 days imprisonment and a fine of not more than \$500.

**50. Interference with Sporting or Entertainment Events - APPROVED** - The Governor signed into law HB 319 by Representative Taylor Yarkosky (R – Clermont).

HB 319 creates a new section in Florida law to criminalize interference with sporting or entertainment events and prohibits a person from:

- Intentionally touching or striking a covered participant during a covered event against the will of the covered participant, or intentionally causing bodily harm to a covered participant during a covered event; or
- Willfully entering or remaining in a restricted area during a covered event without being authorized, licensed, or invited to enter or remain in such a restricted area.

A violation of either of these provisions is punishable as a first-degree misdemeanor and maximum fine of \$2,500. Under current law, the conduct prohibited by the bill would likely be prosecuted as a battery or trespass, which are both crimes punishable as a first-degree misdemeanor with a maximum fine of \$1,000.

**51. Temporary Commercial Kitchens/Preemption – APPROVED** - The Governor signed into law SB 752 by Senator Alexis Calatayud (R – Miami), effective July 1, 2023.

SB 752:

- Preempts the regulation involving licenses, registrations, permits, and fees of temporary commercial kitchens to the state.
- Defines "temporary commercial kitchen" as "any kitchen that is a public food service establishment, used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle mounted, that include self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal."
- Includes temporary commercial kitchens as a regulated public food service establishment, thus requiring such establishments to be subject to regulation by the Florida Department of Business and Professional Regulation (DBPR).
- Requires operators of public food service establishments who provide commissary services to temporary commercial kitchens to maintain a registry to verify that each temporary commercial kitchen that receives such services is properly licensed and requires operators of temporary commercial kitchens to properly display their public food service establishment license number.
- Authorizes mobile food delivery vehicles and temporary commercial kitchens that are operated on the same premises and by a separately licensed public food service establishment to operate during the same hours of operation as the separately licensed public food service establishment.
- Provides timeframes within which temporary commercial kitchens are allowed to operate, authorizes the DBPR to grant such operation and extensions, and requires the Division to be notified by the kitchen operator before commencing operations.

**52. Minimum Age for Firearm Purchase or Transfer – DIED** – HB 1543 by Representative Bobby Payne (R – Palatka) died in committee.

HB 1543 would have reduced the minimum age requirement to purchase a firearm from 21 to 18, which applies to purchases from either a federal firearms licensee or a private seller. The bill would have also reduced from 21 to 18 the minimum age of a purchaser to which a federal firearms licensee may make or facilitate a sale or transfer of a firearm.

**53. Local Floodplain Management/Prohibiting Local Governments From Adopting Technical Amendments To The Florida Building Code to Implement National Flood Insurance Program or Incentives from Denying Requests for Specified Variances Or Exceptions to Certain Local Floodplain Management Requirements – DIED – SB 920** by Senator Nick DiCeglie (R – St. Petersburg) died in committee.

SB 920 would have provided that if a local floodplain management requirement exceeds the minimum standards for the National Flood Insurance Program, a county or municipality would have been prohibited from denying a request for a variance or an exception to such requirement, provided that the requested variance or exception meets such minimum standards.

**54. Protection from Discrimination Based on Health Care Choices/Mask Mandates/COVID-19 Vaccination/Testing Mandates/Employers/Public Records Exemption – APPROVED** - The Governor signed into law SB 252 and SB 238 by Senator Colleen Burton (R – Lakeland). SB 252 has an effective date of June 1, 2023, although certain provisions of the bill have a different effective date. The effective date of SB 238 is linked to SB 252.

SB 252 amends several statutes to prohibit mask mandates, mandates on emergency use authorizations vaccinations, messenger ribonucleic acid (mRNA) vaccinations, COVID-19 vaccinations, and COVID-19 testing mandates in educational institutions, business entities, and governmental entities.

SB 252 prohibits these entities and institutions from requiring proof of a vaccination with one of the specified types of vaccinations, postinfection recovery from COVID-19, or a COVID-19 test to gain access to, entry upon, or service from the entity or institution. The bill also prohibits business and governmental entities from certain employment practices based on an employee's or an applicant's vaccination or postinfection status or the refusal to take a COVID-19 test. The bill's provisions relating to mRNA vaccines are repealed on June 1, 2025.

Additionally, SB 252 prohibits business entities, governmental entities, and educational institutions from requiring a person to wear a mask, a face shield, or any other facial covering that covers the nose and mouth or denying a person access to, entry upon, service from, or admission to such entity or institution or otherwise discriminating against any person based on his or her refusal to wear a mask, face shield, or other facial covering.

**55. Sales of Firearms and Ammunition/Merchant Category Code – APPROVED** – The Governor signed into law SB 214 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2023.

SB 214:

- Prohibits payment settlement entities, merchant acquiring entities, or third-party settlement organizations from classifying merchants or assigning them with a Merchant Category Code that identifies them as sellers of firearms or ammunition; and
- Authorizes the Florida Department of Agriculture and Consumer Services to conduct investigations of alleged violations and bring an administrative action seeking to impose a Class III administrative fine for violations.

**56. Public Records Exemption/Killing of a Minor/Autopsy Reports of Minor Victims of Domestic Violence/Medical Examiner – APPROVED** – The Governor signed into law SB 404 by Senator Keith Perry (R - Gainesville), effective immediately.

SB 404 makes confidential and exempt from public disclosure the photographs or video or audio recordings that depict the killing of a minor when held by an agency. The bill defines the “killing of a minor” and specifies who may obtain such photographs and recordings and specifies the process for obtaining these materials. The bill provides for retroactive application of the exemption.

SB 404 also creates the “Rex and Brody Act” and makes confidential and exempt from public inspection and copying requirements an autopsy report held by a medical examiner of a minor whose death was related to an act of domestic violence. The bill allows for disclosure of the report to the surviving parent who did not commit the act of domestic violence. The bill provides for retroactive application of the exemption.

**57. Missing Persons/Law Enforcement Agencies – APPROVED** – The Governor signed into law SB 1332 by Senator Jonathan Martin (R – Fort Myers), effective July 1, 2023.

SB 1332 addresses missing person reporting and investigations by requiring law enforcement agencies in the state to adopt policies related to standards for maintaining and clearing computer data of information concerning a missing child or missing adult which is stored in the National Missing and Unidentified Persons System (NamUs), a national information clearinghouse and resource center for missing, unidentified, and unclaimed person cases across the United States. The standards must require, at a minimum, a monthly review of each case and a determination of whether the case should be maintained in NamUs. The bill prohibits the removal of a missing child or missing adult entry on the NamUs database based solely on the age of the missing child or missing adult.

SB 1332 also requires a law enforcement agency receiving a report of a missing child to immediately inform all on-duty law enforcement officers of the missing child report, communicate the report to every other law enforcement agency having jurisdiction in the county, and within two hours after receipt of the report, transmit the report for inclusion in the NamUs database.

The bill also requires a law enforcement agency to transmit to NamUs a credible police report that an adult is missing. The agency must transmit this report within two hours after



its receipt. Finally, SB 1332 requires a law enforcement agency having jurisdiction over a case to purge case information from NamUs and notify the Missing Endangered Persons Clearinghouse upon locating the child or adult.

**58. Human Trafficking/Adult Theatres/Law Enforcement Officer Training/Forfeited Property – APPROVED** – The Governor signed into law SB 7064, a committee bill by the Senate Fiscal Policy Committee, effective July 1, 2023.

SB 7064 establishes a new civil cause of action for a victim of human trafficking. The victim may recover damages and costs against an adult theatre, or its owner, operator, or manager who knowingly allows a human trafficking victim to work, perform, or dance at the adult theatre. A victim who prevails in the lawsuit may recover economic and noneconomic damages, punitive damages, reasonable attorney fees, and costs.

**59. Human Trafficking/Certification Process/Adult Safe Houses/Hotels – APPROVED** – The Governor signed into law SB 1690 by Senator Blaise Ingoglia (R – Spring Hill), effective July 1, 2023.

SB 1690 reduces the time from 90 to 45 days that a hotel or other public lodging establishment has to correct a first violation of requirements for human trafficking-related signage and employee training and requires the Florida Department of Business and Professional Regulation to impose a penalty without a correction period for subsequent violations.

SB 1690 also requires the Services and Resources Committee of the Statewide Council on Human Trafficking to conduct a study and make recommendations regarding the regulation of adult safe houses. A final report is required by December 31, 2023.

SB 1690 provides that, after December 31, 2023, the Florida Department of Children and Families (DCF) shall initiate rulemaking and adopt rules establishing minimum standards for certification of adult safe houses to ensure that they provide a safe and therapeutic environment and operate in a survivor-centered and trauma-informed manner. After rules are adopted to certify adult safe houses, only adult safe houses certified by DCF may provide group residential housing and care specifically for adult survivors of human trafficking. Adult safe houses in operation as of the date that rules initially adopted under this section become effective shall have six months from such date to become certified.

**60. Firearm and Destructive Device Offenses/Human Trafficking/Juveniles** – **APPROVED** – The Governor signed into law HB 1465 by Senator Danny Burgess (R – Zephyrhills), effective October 1, 2023.

HB 1465 makes several changes related to offenses involving firearms and destructive devices as follows:

- Amends the “10-20-Life” statute to add the offense of human trafficking to the offenses that make a person eligible for mandatory minimum sentences if a person possessed

or discharged a firearm, destructive device, semiautomatic firearm, or machine gun while committing the offense of human trafficking.

- Revises the juvenile detention risk assessment Instrument to consider a juvenile's use of a firearm, in addition to possessing a firearm, to determine whether a juvenile should be placed in secure detention.
- Requires that a juvenile who is charged with any offense involving the possession or use of a firearm to be held in secure detention until the juvenile's detention hearing, which must occur within 24 hours after a juvenile is taken into custody.
- Authorizes a court to hold a juvenile in secure detention for more than 21 days if he or she is charged with any offense involving the possession or use of a firearm and the court makes specified findings.
- Increases the time a court may hold a minor in secure detention if he or she unlawfully possesses a firearm as follows:
  - For a first violation, increases the time the court may place the minor in secure detention from three days to five days; and
  - For a second or subsequent violation, increases the time the court may place in a minor in secure detention from 15 days to 21 days.
- Creates a new offense, punishable as a second-degree felony, for a second or subsequent conviction for grand theft of a firearm.
- Increases the ranking for grand theft of a firearm from a Level 4 offense to a Level 6 offense on the offense severity ranking chart (OSRC). The bill ranks the new offense of a second or subsequent conviction for grand theft of a firearm as a Level 7 offense on the OSRC.

**61. Human Trafficking Victim/Expunction/Classification/Proceedings/Public Records**

**Exemption – APPROVED** – The Governor signed into law SB 1210 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2023.

SB 1210 makes confidential and exempt from public records requirements a petition for human trafficking victim expunction and all related pleadings and documents. This public records exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2028, unless reviewed and saved from repeal by the Legislature.

**62. Automatic Sealing of Criminal History Records/Making Confidential Related Court**

**Records – APPROVED** – The Governor signed into law SB 376 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2023.

SB 376 revises the eligibility requirements for automatic sealing of criminal history records by the Florida Department of Law Enforcement (FDLE) by requiring:

- All counts charged to be dismissed or nolle prosequi when an indictment, information, or other charging document was filed in the case giving rise to the criminal history record; or
- A defendant to be acquitted of all counts charged by a verdict of not guilty or by a judgment of acquittal.

SB 376 requires FDLE to notify the clerk of court upon sealing a criminal history record and subsequently requires the clerk of court to automatically keep confidential and exempt the related court record in the case that gave rise to FDLE's sealing of the criminal history record.

**63. Threatening, Harassing Judges, Elected Officials, Law Enforcement Officers, Firefighters – APPROVED** – The Governor signed into law HB 67 by Representative Mike Gottlieb (D - Plantation), effective October 1, 2023.

Under current law, any person who threatens a law enforcement officer, a state attorney, an assistant state attorney, a firefighter, a judge, or an elected official, or a family member of any such person, with death or serious bodily harm commits a first-degree misdemeanor. A second or subsequent offense is a third-degree felony.

**64. Problem-Solving Courts – APPROVED** – The Governor signed into law SB 508 by Senator Darryl Rouson (D - St. Petersburg), effective July 1, 2023.

SB 508 revises standards related to the operations, and eligibility for participating in, specified problem-solving court programs. Specifically, SB 508:

- Eliminates the requirement that a substance abuse education and treatment intervention program have a duration of at least one year.
- Removes the ability of a court or a state attorney to deny a defendant admission to a substance abuse education and treatment intervention program if he or she previously rejected an offer to enter such a program.
- Allows a person with a prior felony conviction to participate in a mental health court program.
- Revises the eligibility requirements for participation in a misdemeanor pretrial substance abuse education and treatment intervention program to authorize a person charged with any misdemeanor offense to participate in such a program if he or she is also identified as having a substance abuse problem and was not previously convicted of a felony.
- Requires a drug court program coordinator, rather than the circuit court, to collect specified programmatic information and client-level data and annually report such information to Office of the State Courts Administrator.

**65. Florida Department of Business and Professional Regulation/Electrical And Alarm Contractors/Florida Building Code/Hotels, Motels/Nicotine Products – APPROVED** – The Governor signed into law HB 869 by Representative Stan McClain (R – Ocala), effective July 1, 2023.

HB 869 is the Florida Department of Business and Professional Regulation legislative package. It revises licensing requirements for some businesses and professions, including asbestos and mold-related professionals; electrical contractors; boxing, kickboxing, and mixed martial arts exhibitions; hotels, restaurants, and alcoholic beverage; the Florida Building Code; and timeshares.

**66. Electronic Monitoring of Persons Charged with or Convicted of Offenses Involving Schools or Students – APPROVED** – The Governor signed into law HB 329 by Representative Randall “Randy” Scott Maggard (R – Zephyrhills), effective October 1, 2023.

HB 329 requires a court to consider whether it is appropriate to impose electronic monitoring and a prohibition on being within 1,000 feet of a school as a condition of pretrial release or a condition of probation or community control on a defendant charged with or convicted of a specified crime involving violence or a threat of violence at or against a school or against a student at school. The bill applies to any probationer or person under community control whose crime was committed on or after October 1, 2023.

**67. Liens and Bonds/Construction Lien Law – APPROVED** – The Governor signed into law HB 331 by Representative Toby Overdorf (R – Stuart), effective October 1, 2023.

HB 331 amends several provisions of the Florida construction lien law, including the following:

- Allows licensed general or building contractors providing construction or program management services to claim construction liens for such services.
- Changes when a notice of termination must be recorded and served, and when such notice is effective.
- Authorizes a person intending to make a claim against a payment bond to serve the surety with a copy of the notice of nonpayment, instead of an original document.
- Specifies that the methods for discharging a lien may also be used to release a lien, in whole or in part, and modifies the requirements for recording a satisfaction or release of lien with the clerk’s office.
- Increases the bond amount necessary to deposit or file with the clerk’s office to transfer a lien to a security and requirements related to the clerk’s certificate of deposit or filing.
- Entitles the prevailing party in an action to enforce a lien transferred to a security to recover reasonable attorney fees.

**68. Rights of Law Enforcement and Correctional Officers – APPROVED** – The Governor signed into law HB 95 by Representative Wyman Duggan (R - Jacksonville), effective July 1, 2023.

HB 95 prohibits an employing agency of a law enforcement officer or correctional officer from discharging, suspending, demoting, or otherwise disciplining an officer solely as a result of a prosecuting agency determining that the officer withheld exculpatory evidence or because his or her name was included in a Brady identification system. The bill does not prohibit an officer’s employing agency from taking disciplinary action against the officer based on the underlying actions of the officer, subject to any applicable collective bargaining agreement.

HB 95 also requires a prosecuting agency that maintains a Brady identification system to adopt specified written policies outlining protections for officers.

**69. Changes in Ownership or Interest in Pari-mutuel Permits/Cardrooms – APPROVED**

– The Governor signed into law SB 7044, a committee bill by the Senate Regulated Industries Committee, effective July 1, 2023.

SB 7044 revises provisions relating to pari-mutuel wagering permits, cardroom licenses, and annual operating licenses to address an inadvertent oversight respecting the sale, transfer, or assignment of permits and issuance of cardroom licenses.

SB 7044 clarifies that a pari-mutuel permit may be held by a permit holder who held an operating license to conduct pari-mutuel wagering in fiscal year 2020-2021 or a purchaser, transferee, or assignee of a valid pari-mutuel permit, if the purchase, transfer, or assignment is approved by the Florida Gaming Control Commission before such purchase, transfer, or assignment. Current law prohibiting the commission from approving or issuing any additional pari-mutuel wagering permits remains in effect. Similarly, SB 7044 clarifies that a purchaser, transferee, or assignee of a valid pari-mutuel wagering permit may be issued a license to operate an authorized cardroom. SB 7044 also conforms the annual operating license requirements in current law to the pari-mutuel wagering permit provisions that are revised in the bill, to authorize the issuance of an annual operating license to an eligible purchaser, transferee, or assignee of a valid pari-mutuel wagering permit.

**70. Reentry/Certified Peer Specialist Gateway Pilot Program/Florida Department of Corrections – APPROVED**

– The Governor signed into law HB 1045 by Representative Dianne Hart (D - Tampa), effective July 1, 2023.

HB 1045 creates the Certified Peer Specialist Gateway Pilot Program within the Florida Department of Corrections (DOC). The purpose of the program is to provide participating inmates with a path to become certified peer specialists by offering such inmates the necessary training hours and experience needed for certification while incarcerated, assisting participants with completing any examinations necessary to become a certified peer specialist, and assisting inmates who complete the program with post-incarceration employment.

The program expires June 30, 2026.

**71. Expunction of Criminal History Records – VETOED** – The Governor vetoed HB 605 by Representative Michael "Mike" Gottlieb (D- Plantation).

HB 605 would have created an exception to court-ordered expunction's one time eligibility limitation for a person seeking to expunge a criminal history record when he or she has received a prior specified court-ordered expunction.

**E. Housing, Health & Human Services**

**72. Health/Medicaid Managed Care/Reimbursement for Nursing Home Care/KidsCare – APPROVED** – The Governor signed into law SB 2510, a committee bill by the Senate Appropriations Committee, effective July 1, 2023. SB 2510 is a budget conforming bill that conforms statutes to the funding decisions related to Health Care in the state budget.

SB 2510:

- Establishes a Medicaid managed care pilot program to provide home and community-based services to individuals with developmental disabilities in Miami-Dade and six other counties (Medicaid regions D and I).
- Increases the income threshold above which a resident in a State Veterans' nursing facility would be required to contribute to his or her account from \$130 to \$160 per month.
- Clarifies the premiums paid under Florida KidCare's full-pay programs are based on the combined-risk premium.
- Increases the nursing home prospective payment reimbursement methodology for the Quality Incentive Program Payment Pool from 6 percent to 10 percent of the September 2016 non-property related payments of included facilities.
- Creates the Graduate Medical Education Slots for Doctors Program.
- Provides for a portion of the Statewide Medicaid Managed Care achieved savings rebate to be repaid to the federal government.
- Prohibits the Agency for Health Care Administration from requiring a home health agency to meet the requirements of Medicare certification, if a home health agency does not provide Medicaid-skilled private duty nursing and attendant care nursing services, retroactive to October 1, 2021.

**73. Residential Tenancies/Landlord-Tenant/Preemption – APPROVED** – The Governor signed into law HB 1417 by Representative Tiffany Esposito (R – Fort Myers), effective July 1, 2023.

HB 1417 expressly preempts to the state the regulation of residential tenancies, the landlord-tenant relationship, and all other matters covered by the act.

HB 1417 modifies the notice period for terminating a month-to-month tenancy from 15 days' notice to 30 days' notice. HB 1417 revises how much notice is required to terminate a tenancy with a specific duration by providing that a rental agreement may not require less than 30 days' notice from either the tenant or the landlord. Current law provides that a rental agreement may not require more than 60 days' notice from either the tenant or the landlord.

**74. Rental Housing/Monthly Fees in Lieu of Security Deposits – APPROVED** – The Governor signed into law HB 133 by Representative Jim Mooney, Jr. (R – Key Largo), effective July 1, 2023.

HB 133 provides that a landlord may offer a tenant the option to pay a fee, or monthly fees, in lieu of paying the traditional security deposit for a rental unit. Specifically, the bill

authorizes but does not require a landlord to offer a tenant the option to pay such a fee; if a landlord offers this option, the landlord must give the tenant written notice.

- 75. Disposal of Property/Affordable Housing/FDOT Property – APPROVED** – The Governor signed into law SB 678 by Senator Bobby Powell (D – West Palm Beach), effective July 1, 2023.

SB 678 provides that the Florida Department of Transportation may convey property to a governmental entity without consideration if the property is to be used for affordable housing.

- 76. Expansion of Florida Kidcare Eligibility – APPROVED** – The Governor signed into law HB 121 by Representative Robin Bartleman (D – Weston), effective immediately.

HB 121 allows additional families with children up to the age of 19 to enroll in the Florida KidCare program by raising the income eligibility limits for the subsidized MediKids, Florida Healthy Kids, and Children’s Medical Services Network programs within the Florida Kidcare program from 200 percent to 300 percent of the federal poverty level (FPL), effective January 1, 2024. The bill also requires the Florida Healthy Kids Corporation to establish new monthly premiums for enrollees in households over 150 percent of the FPL and develop a minimum of three, but not more than six, income-based tiers.

- 77. Emergency Communications/E911/NG911 – APPROVED** – The Governor signed into law SB 1418 by Senator Jennifer Bradley (R - Fleming Island), effective July 1, 2023.

SB 1418 modifies the powers, duties, and composition of the E911 Board, which is renamed the Emergency Communications Board, and expands and clarifies the list of items that may be funded with disbursements of fee revenues. The bill modifies the statutory allocation of E911 fee revenues in the wireless category to more closely match the actual allocation approved by the Board and eliminates the small remaining allocation to wireless service providers. The bill requires the Division of Telecommunications within the Florida Department of Management Services (DMS) to develop a plan by December 30, 2023, to upgrade all 911 public safety answering points within the state to allow for interjurisdictional transfers of emergency calls by December 30, 2033, and provides requirements for the plan.

- 78. Treatments for Sex Assignment/Preemption/Governmental Entities/State Funds/Prescriptions, Procedures – APPROVED** – The Governor signed into law SB 254 by Senator Clay Yarborough (R – Jacksonville), effective immediately.

SB 254 relates to regulation of gender clinical interventions provided or performed for the purpose of affirming a person’s perceived gender, including surgical and hormonal therapies and treatments.

A provision of SB 254 prohibits a governmental entity from expending state funds for sex-reassignment prescriptions or procedures as defined in the bill.

**79. Protections of Medical Conscience/Health Care Providers,**

**Payors/Discrimination/Conscience-Based Objection – APPROVED** – The Governor signed into law SB 1580 by Senator Jay Trumbull (R – Panama City), effective July 1, 2023.

SB 1580 establishes rights of conscience for health care providers and payors. The bill provides that a health care provider or payor has the right to opt-out of participation in or payment for a health care service on the basis of a conscience-based objection (CBO). The bill establishes notification requirements for opting-out and prohibits a payor from opting-out of paying for a service it is contractually obligated to cover during a plan year.

**80. Department of Health/Ban on Potential Pandemic Pathogen Research/Medical Marijuana Advertising Children, Recreational Use/Birth**

**Certificates/EMTs/Paramedics – APPROVED** – The Governor signed into law HB 1387 by Representative Juan Carlos Porras (R – Miami), effective July 1, 2023.

HB 1387 makes changes to programs under the Florida Department of Health (DOH) and regulations of health care professions by the Division of Medical Quality Assurance within DOH.

Gain-of-function research involves experimentation that may produce an enhanced potential pandemic pathogen (PPP). An enhanced PPP is a potential pandemic pathogen which has been modified to increase transmissibility or virulence. HB 1387 prohibits any such research from being conducted in the state. HB 1387 also requires researchers applying for state or local funding must disclose in the application for funding whether the research involves enhanced PPPs.

HB 1387 also prohibits medical marijuana treatment centers (MMTC) from advertising or producing products that are attractive to children or that promote recreational use. The bill also revises background screening requirements for MMTCs and certified medical marijuana testing laboratories.

**81. Public Records Exemption/Address of a Victim of an Incident of Mass Violence – APPROVED** – The Governor signed in law HB 7031, a committee records bill by the Ethics, Elections and Open Government Subcommittee, effective October 1, 2023.

In 2018, the Legislature created a public record exemption for the address of a victim of an incident of mass violence, providing that a “victim” is a person killed or injured during an incident of mass violence, not including the perpetrator, and that an “incident of mass violence” occurs when four or more people, not including the perpetrator, are severely injured or killed by an intentional and indiscriminate act of violence of another.



HB 7031 saves from repeal the public record exemption, which will repeal on October 2, 2023.

**82. Emergency Response Mapping Data/Public School Buildings/First Responders – APPROVED** – The Governor signed into law HB 301 by Representative Danny Alvarez (R – Riverview), effective July 1, 2023.

To assist local first responders in responding to emergencies in public schools, the bill requires the Florida Department of Education (DOE) to create a School Mapping Data Grant Program through which public schools, including charter schools, can apply to receive funds for mapping each school in the district.

HB 301 appropriates \$14 million to DOE for the School Mapping Data Grant Program.

**83. Custody, Supervision of Offenders/Sentencing/Gain Time/Sexual Battery/Sex Offenses/Violent Offenders – APPROVED** – The Governor signed into law HB 537 by Representative David Silvers (D - West Palm Beach), effective July 1, 2023.

HB 537 makes several changes relating to the custody and supervision of sexual battery and other sex offenses to align the sentencing and supervision requirements for a person who attempts, solicits, or conspires to commit such offenses with the sentencing and supervision requirements for a person who actually commits such offenses. HB 537:

- Prohibits the Florida Department of Corrections (DOC) from granting basic gain-time to a person who commits, or attempts, solicits, or conspires to commit a sexual battery or other sex offenses on or after July 1, 2023.
- Requires a court, for an offense committed on or after July 1, 2023, to sentence a person to additional conditions of probation if the person is convicted of attempting, soliciting, or conspiring to commit an enumerated offense that would otherwise require a person to be sentenced to additional conditions of probation in the same manner as if he or she committed the underlying offense.

HB 537 also prohibits a court from reducing the supervision term of a person who is on probation or community control after being convicted of a criminal offense that is a predicate offense for designation as a sexual predator or a sexual offender, or if the person is a violent felony offender of special concern.

**84. Benefits, Training, Employment for Veterans and Spouses – APPROVED** – The Governor signed into law HB 139 by Representative Marie Paule Woodson (D - Pembroke Pines), effective July 1, 2023.

HB 139 establishes the Office of Veteran Licensure Services within the Florida Department of Health (DOH). The office is required to provide information, guidance, direction and assistance with health care licensure processes for all veterans and their spouses. The bill also requires the office to refer any veteran or spouse seeking training, education, or employment in health care professions to Veterans Florida, which is a non-

profit corporation within the Florida Department of Veterans' Affairs (FDVA). Veterans Florida administers the Veterans Employment and Training Services Program to assist veterans in obtaining employment.

- 85. Death Benefits for Active Duty Servicemembers – APPROVED** – The Governor signed into law HB 621 by Representative Webster Barnaby (R – Deland), effective July 1, 2023.

HB 621 consolidates the death benefit for active duty servicemembers to provide a uniform death benefit of \$75,000. HB 621 revises the process for designating a beneficiary by allowing the Florida Department of Military Affairs (DMA) to establish a process for designation. The bill clarifies the mechanism by which the death benefit is paid by requiring DMA to request the Chief Financial Officer to draw a warrant from the General Revenue Fund for payment of the benefit. The bill requires DMA and the Department of Financial Services to adopt rules and procedures as appropriate and necessary to implement the regulation and distribution of death benefits of active duty servicemembers.

- 86. Termination of Housing Leases by Servicemembers – APPROVED** – The Governor signed into law SB 574 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2023.

SB 574 relates to the Florida Uniformed Servicemembers Protection Act (FUSPA). SB 574 provides a definition of “government quarters” applicable to the termination of a rental agreement by a servicemember. Under the bill, “government quarters” is defined as “any military housing option that is available to a servicemember, including privatized military housing that is owned, operated, or managed by a private sector company.” SB 574 clarifies conditions in which an active duty servicemember may break his or her rental lease without penalty.

- 87. Dental Services for Veterans – APPROVED** – The Governor signed into law HB 635 by Representative Patt Maney (R - Fort Walton Beach), effective July 1, 2023.

HB 635 creates a Veterans Dental Care Grant Program within the Florida Department of Veterans' Affairs and requires the department to adopt rules and contract with a direct-service organization to administer such program with funding subject to appropriation by the Legislature.

- 88. Veterans' Services and Recognition/Veterans Adult Day Health Care of Florida Act – APPROVED** – The Governor signed into law HB 485 by Representative Michelle Salzman (R - Cantonment), effective July 1, 2023.

HB 485 is entitled in part the Veterans Adult Day Health Care of Florida Act and creates the Division of Long-term Care within the Florida Department of Veterans' Affairs (FDVA). The division will oversee the operations of veterans' adult day health care programs.

- 89. Baker Act – APPROVED** – The Governor signed into law HB 829 by Representative David Silvers (D - West Palm Beach), effective July 1, 2023.

Current law requires the Florida Department of Children and Families (DCF) to publish and distribute an information handbook to facilitate understanding of the Baker Act. DCF also educates professionals and the public about the Baker Act, such as through webinars, presentations, and a frequently asked question (FAQ) repository. The handbook was last updated in 2014, and some of the FAQ's were last updated in 2012, despite the multiple legislative revisions to the Baker Act since then. HB 829 requires DCF to annually update the Baker Act handbook and to maintain a FAQ repository.

- 90. Controlled Substances/Heroin/Fentanyl – APPROVED** – The Governor signed into law HB 365 by Representative Rachel Plakon (R – Longwood), effective July 1, 2023.

HB 365 revises the causation standard for death caused by the unlawful distribution of a controlled substance to require that such distribution is proven to have caused, or is proven to have been a substantial factor in producing the death of the user.

HB 365 prohibits a person 18 years of age or older from distributing heroin, alfentanil, carfentanil, fentanyl, sufentanil, fentanyl derivatives, or an analog or mixture containing such substances, when such substances cause or are a substantial factor in causing an overdose or serious bodily injury to the user. A person commits a violation regardless of whether the distribution is made directly or indirectly through another person to the person who overdosed or suffered serious bodily injury. A violation is punishable as a second degree felony. A second or subsequent conviction is punishable as a first degree felony.

- 91. Controlled Substances/Nitazene/Synthetic Opioid – APPROVED** – The Governor signed into law SB 736 by Senator Jason Brodeur (R – Lake Mary).

SB 736 adds nitazene derivatives to the list of Schedule I controlled substances. Nitazene is a synthetic opioid, a subclass of benzimidazole-opioids, that can appear yellow, brown, or off-white in color when in powder form, and is 10 to 20 times stronger than fentanyl.

On April 26, 2022, the Florida Attorney General filed Emergency Rule 2ER22-1 to add eight nitazene derivatives to Schedule I. The emergency rule became effective on the date of filing and will expire on June 30, 2023. Ten nitazene derivatives have been added to the federal Controlled Substance Act as Schedule I substances.

- 92. Suicide Prevention/First Responder Peer Support/Telehealth Diagnosis First Responders PTSD Workers Compensation – APPROVED** – The Governor signed into law SB 914 by Senator Ileana Garcia (R - Miami), effective July 1, 2023.

SB 914 modifies statutory provisions governing confidentiality for peer support communications between a first responder and a first responder peer. The bill allows certain first responder organizations to designate first responder peers and clarifies that first responder peers include active, volunteer, and retired first responders. This will

ensure that all first responder peers can serve their communities with the same protections as peers designated by an employing agency performing the same services, regardless of the entity that designates him or her as a peer.

SB 914 also permits diagnosis of post-traumatic stress disorder in first responders via telehealth for the purposes of obtaining worker's compensation benefits.

- 93. Trauma Screening for Children Removed from Caregivers – APPROVED –** The Governor signed into law SB 1064 by Senator Clay Yarborough (R – Jacksonville), effective July 1, 2023.

SB 1064 requires trauma screening, assessment, and therapeutic response when placing children in foster care. The bill requires the Florida Department of Children and Families (DCF) and community-based care lead agencies (CBCs) to screen children removed from their homes for trauma as soon as practicable within 21 days of their removal. If appropriate based on screening results, DCF and CBCs are then required to refer children to trauma assessments and also provide support to their caregivers.

- 94. Task Force on Monitoring of Children in Out-of-Home Care/FDLE – APPROVED –** The Governor signed into law SB 204 by Senator Darryl Rouson (R – St. Petersburg), effective July 1, 2023.

SB 204 creates the Task Force on the Monitoring of Children in Out-of-Home Care within the Florida Department of Law Enforcement (FDLE). The task force must identify and counter the root causes of why children go missing while in out-of-home care and ensure prompt and effective action is taken to address such causes. The bill requires the task force to examine and recommend improvements to current policies, procedures, programs, and initiatives to prevent children from going missing while in out-of-home care and to ensure that timely and comprehensive steps are taken to find children who are missing for any reason, including, but not limited to, running away, human trafficking, and abduction by or absconding with a parent or an individual who does not have care or custody of the child.

- 95. Florida Department of Elder Affairs/Professional Guardians/Background Checks – APPROVED –** The Governor signed into law SB 1396 by Senator Ileana Garcia (R - Miami), effective July 1, 2023.

SB 1396 changes the training and educational requirements for professional guardians and requires the state Office of Public and Professional Guardians (OPPG) to provide materials and training for non-professional guardians. The bill also establishes timeframes for processing a complaint about a professional guardian and requires the clerk of court to report any sanctions imposed by a court on a professional guardian to OPPG within 10 business days. The bill also expands background check requirements for individuals providing direct services to the elderly through the Florida Department of Elder Affairs.

**96. State Opioid Settlement Trust Fund – APPROVED** – The Governor signed into law SB 7030, a committee bill by the Senate Appropriations Committee on Health and Human Services, effective July 1, 2023.

SB 7030 establishes the Opioid Settlement Trust Fund within the Florida Department of Children and Families. The purpose of the trust fund is to abate the opioid epidemic in accordance with the settlement agreements reached by the state in opioid-related litigation and bankruptcy proceedings. The trust fund will receive funds as provided in the state budget.

**97. Public Records Exemption/Building Plans, Blueprints, Schematic Drawings, and Diagrams – APPROVED** – The Governor signed into law SB 7008, a committee bill by the Senate Governmental Oversight and Accountability Committee, effective October 1, 2023.

SB 7008 saves from repeal and makes permanent an existing public records exemption for information relating to the following information held by an agency:

- Building plans;
- Blueprints;
- Schematic drawings; and
- Diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development.

**98. Public Records Exemption/Investigations by the Florida Department of Legal Affairs/Online Platforms/Consumer Data – APPROVED** – The Governor signed into law SB 1648 by Senator Jennifer Bradley (R – Fleming Island), effective immediately.

On June 6, the Governor signed into law SB 262 which gives consumer rights related to personal data and online platforms, including the right to access personal data collected about them; the right to delete or correct their personal data; the right to opt-out of the sale of their personal data to third parties; and online platform protections for children. The Florida Department of Legal Affairs (DLA), upon belief that any person or online platform is in violation of SB 262 may bring an action under the Florida Unfair or Deceptive Trade Practices Act. SB 1648 provides that all information received by DLA pursuant to a notification or investigation by DLA or a law enforcement agency of a violation is confidential and exempt from public record requirements, with limited exceptions.

**99. Mental Health Treatment/Baker Act/Law Enforcement – APPROVED** – The Governor signed into law HB 1349 by Representative Lauren Melo (R - Naples), effective July 1, 2023.

HB 1349 authorizes the Florida Department of Children and Families (DCF) to issue a conditional designation for Baker Act receiving and treatment facilities for up to 60 days as an alternative to suspension or withdrawal of a non-conditional designation. A

conditional designation allows facilities to address inspection and minor compliance issues without having to suspend services or reapply for a designation.

**100. Medical Use of Marijuana – APPROVED** - The Governor signed into law HB 387 by Representative Spencer Roach (R – North Fort Myers), effective July 1, 2023.

HB 387 authorizes a qualified physician who performs an in-person examination of a patient seeking medical marijuana for the initial physician certification to use telehealth to conduct subsequent examinations of that patient for renewals.

HB 387 also authorizes the Florida Department of Health (DOH) to suspend the registration of a qualified physician for up to two years if the qualified physician violates certain requirements or provides, advertises, or markets telehealth services before July 1, 2023.

**101. Substance Abuse Services/Recovery Residences – APPROVED** – The Governor signed into law SB 210 by Senator Gayle Harrell (R – Stuart), effective July 1, 2023.

SB 210 modifies requirements for licensed substance abuse service providers offering treatment to individuals living in recovery residences.

Specifically, SB 210 prohibits the following substances from being used on the premises of a provider licensed by the Florida Department of Children and Families (DCF):

- Alcohol;
- Marijuana, including marijuana certified by a qualified physician for medical use;
- Illegal drugs; and
- Prescription drugs when used by persons other than for whom the medication is prescribed.

**102. Special Persons Registry/Minors, Adults Developmental, Psychological, Other Disabilities, Conditions/Interactions With Law Enforcement Officers/Public Records Exemption – APPROVED** – The Governor signed into law HB 1275 and HB 1277 by Representative Susan Plasencia (R - Winter Park).

HB 1275 creates the “Protect Our Loved Ones Act” and authorizes local law enforcement agencies to develop and maintain a database, to be known as the “Special Persons Registry,” for individuals to voluntarily participate in and provide information about minors and adults who have developmental, psychological, or other disabilities or conditions that may be relevant to their interactions with law enforcement officers. HB 1275 provides information that may be included on the registry, the process for enrollment on and removal therefrom, as well as authorization for local law enforcement agencies to share relevant information from the registry with law enforcement officers.

F. **Agriculture, Natural Resources, and Permits & Zoning**

**103. Water and Wastewater Facility Workers/Veterans/Essential First**

**Responders/Reciprocity/States of Emergency – APPROVED** – The Governor signed into law SB 162 by Senator Jay Collins (R – Tampa), effective July 1, 2023.

SB 162 provides legislative intent that water and wastewater facility personnel are essential first responders, and modifies license requirements for operators of a water treatment plant, water distribution system, or a domestic wastewater treatment plant as follows:

- Requires the Florida Department of Environmental Protection (FDEP) to issue reciprocal licenses to water utility workers licensed in other jurisdictions who meet certain criteria;
- Requires FDEP to issue reciprocal licenses to veterans who performed duties comparable to those of water utility workers while serving in the United States Armed Forces who meet certain criteria;
- Requires FDEP to award education and operational experience credits to veterans who do not otherwise meet the requirements for reciprocal licensure;
- Authorizes FDEP, during a declared state of emergency, to issue a temporary reciprocal license to applicants who otherwise meet the criteria for reciprocal licensure; and
- Requires FDEP to waive the application fee for a temporary reciprocal license issued during a declared state of emergency.

*This was the subject of Resolution No. R-237-23.*

**104. Land and Water Management/Preemption Water Quality, Quantity/Pollution Control/Pollutant Discharge Prevention, Removal/Wetlands**

**– DIED** – Neither SB 1240 by Senator Danny Burgess (R – Zephyrhills) and HB 1197 by Representative Randy Maggard (R – Zephyrhills) were heard in committee.

This pair of bills would have prohibited counties and municipalities from adopting laws, regulations, rules, or policies relating to water quality or quantity, pollution control, pollutant discharge prevention or removal, and wetlands.

*This was the subject of Resolution No. R-232-23.*

**105. Fire Sprinkler Systems/Permitting/Preemption** – **APPROVED** – The Governor signed into law HB 327 by Representative Melony M. Bell (R - Fort Meade), effective July 1, 2023.

HB 327 creates an expedited permitting process for certain fire sprinkler system projects, similar to the current process for fire alarm system projects, and prohibits local enforcement agencies from requiring a fire protection system contractor to submit plans to obtain a building permit for a fire sprinkler system project, as defined in the bill. This expedited process would allow a fire protection system contractor to start work on such fire system projects without first obtaining a standard permit, and instead obtain an expedited permit electronically. The bill also requires such contractors to maintain a copy

of plans and specifications at the worksite, similar to the requirements for alarm system projects.

**106. Flooding and Sea Level Rise Vulnerability Studies/Resilient Florida Grant Program – APPROVED** – The Governor signed into law HB 111 by Representative Christine Hunschofsky (D – Coconut Creek), effective July 1, 2023.

HB 111 expands the Resilient Florida Grant Program to provide funding to:

- Counties and municipalities for feasibility studies and permitting costs for nature-based solutions that reduce the impact of flooding and sea level rise.
- Water management districts to support local government adaptation planning, which may be conducted by the water management district or by a third party on behalf of the water management district. These grants must be used for the express purpose of supporting the Flood Hub and Florida Department of Environmental Protection (DEP) through data creation and collection, modeling, and the implementation of statewide standards. Priority must be given to filling critical data gaps identified by the Flood Hub.

HB 111 expands the requirement for public entities to conduct a sea level impact projection (SLIP) study before commencing construction of certain state-financed coastal structures to apply the requirement to certain structures that are within any area that is at risk due to sea level rise (SLR), not just areas within the coastal building zone.

The bill requires the SLIP study standard risk assessment to provide an estimated probability of significant flood damage to the structure or infrastructure, to provide a list of flood mitigation strategies evaluated as part of the design of the structure or infrastructure, and to identify appropriate flood mitigation strategies for consideration as part of the structure or infrastructure design.

HB 111 specifies that the SLIP study requirements must apply beginning July 1, 2024.

**107. Seagrass Restoration Technology Development Initiative – APPROVED** – The Governor signed into law SB 724 by Senator Jim Boyd (R – Bradenton), effective July 1, 2023.

SB 724 establishes the Seagrass Restoration Technology Development Initiative within the Florida Department of Environmental Protection (DEP), in partnership with Mote Marine Laboratory and the University of Florida, to develop cost-efficient innovative and environmentally sustainable technologies needed to restore coastal seagrass ecosystems. The bill also establishes the Initiative Technology Advisory Council as part of the initiative.

Beginning with state fiscal year 2023-2024, and continuing through fiscal year 2027-2028, SB 724 appropriates \$2 million per year from the state general revenue Fund to DEP for the purposes of implementing the initiative.



**108. Ratification of Rules/Florida Department of Environmental Protection/Septic Tanks/Domestic Wastewater Facilities – APPROVED** – The Governor signed into law HB 7027, a committee bill by the House Water Quality, Supply and Treatment Subcommittee, effective immediately.

HB 7027 ratifies several Florida Administrative Code rules, including Rule 62-6.001 which incorporates more stringent permitting requirements for septic tanks and other onsite sewage treatment and disposal systems (OSTDSs) in areas where the Florida Department of Environmental Protection has adopted an OSTDS remediation plan as part of a basin management action plan.

HB 7027 also ratifies Florida Administrative Code Rules 62-600.405, 62-600.705, and 62-600.720, relating to domestic wastewater facilities, which:

- Require a pipe assessment, repair, and replacement plan and an annual report on the plan;
- Specify the content of and submission requirements for a power outage contingency plan;
- Prescribe requirements for an annual report on utilities' expenditures on pollution mitigation efforts; and
- Require certain domestic wastewater facilities' emergency response plans to address cybersecurity.

**109. Biosolids Grant Program/Projects that Convert Wastewater Residuals to Biosolids – APPROVED** – The Governor signed into law HB 1405 by Representative Kaylee Tuck (R – Sebring), effective July 1, 2023.

HB 1405 creates a biosolids grant program within the Florida Department of Environmental Protection (DEP) and provides that, subject to the appropriation of funds by the Legislature, DEP may provide grants to counties and municipalities to support projects that evaluate and implement innovative technologies and solutions for the disposal of biosolids, or construct, upgrade, expand, or retrofit domestic facilities that convert wastewater residuals to Class AA biosolids, nonfertilizer uses or disposal methods, or alternatives to synthetic fertilizers. The bill encourages applicants to form public-private partnerships with private utilities and firms.

**110. Everglades Protection Area – DIED** – SB 192 by Senator Bryan Avila (R – Hialeah Gardens) and HB 175 by Representative Demi Busatta Cabrera (R – Coral Gables) died in messages.

SB 192 would have required that any proposed comprehensive plan or plan amendment by the County, or any municipality located therein, applying to land within, or within 2 miles of, the Everglades Protection Area follow the State Coordinated Review process. All such plan and plan amendments would have needed to be reviewed by the Florida Department of Environmental Protection (DEP), in consultation with all federally recognized Indian tribes in the state, within 30 days of receipt, and DEP must determine whether the plan or plan amendment adversely impacts the EPA or statutory Everglades restoration and protection objectives.

**111. Mangrove Replanting and Restoration – DIED** – SB 100 by Senator Ileana Garcia (R – Miami) and HB 561 by Representatives James Mooney (R – Key Largo) and Fabian Basabe (R – Miami Beach) died in committee.

SB 100 would have required the Florida Department of Environmental Protection to adopt rules for mangrove replanting and restoration. The bill requires the rules to address significant erosion in areas of critical state concern, protect barrier and spoil islands, assist Everglades restoration and Biscayne Bay revitalization efforts, promote public awareness, and identify vulnerable properties along the coastline and encourage partnerships with local governmental entities to create mangrove protection and restoration zone programs. The rules must also protect and maintain access to the navigation of the marked channel and the right-of-way of the Florida Intracoastal Waterway.

**112. Agricultural Lands/Preemption/Fire Protection/Agricultural Classification/Agricultural Employee Housing/Prohibition on Special Assessments/Fiscal Impact – DIED** – SB 1184 by Senator Jay Collins (R – Tampa) and HB 1343 by Representative Kaylee Tuck (R – Sebring) died in messages.

Among other things, HB 1343 would have prohibited a county from levying specified special assessments on agricultural lands, which could have a fiscal impact on the County and other local governments. Additionally, the bill would have prohibited a county or municipality from requiring the removal or relinquishment of a property's agricultural classification for land that is subject to a contract for sale that requires a development permit as a condition precedent of sale if the landowner notifies the local government in writing at the time of application for the development permit that the reclassification is requested as a condition precedent for a pending sale of land.

**113. Approval of Residential Building Permits/Preemption – DIED** – SB 682 by Senator Nick DiCeglie (R – St. Petersburg), HB 671 by Representative Tiffany Esposito (R – Fort Myers), and HB 765 by Representative Rick Roth (R – West Palm Beach) died in committee.

SB 682 and HB 671 would have (1) accelerated the time frame in which local governments must evaluate and approve residential building permits and (2) reduced the timeframe for communication relating to permits and the evaluation of building permits.

**114. Resiliency Energy Environment Florida Programs/Property Assessed Clean Energy/PACE – DIED** – SB 950 by Senator Ana Maria Rodriguez (R – Doral) and HB 669 by Representative Randy Fine (R – Palm Bay) died on the floor.

SB 950 and HB 669 would have substantially amended the “Property Assessed Clean Energy” or “PACE” program, which allows property owners to make qualifying improvements to real property and finance the cost through annual non-ad valorem tax assessments. The bills would have enhanced certain protections for consumers entering into PACE contracts, and oversight for contractors that install improvements.

**115. Recycling/Private Entities Providing Recycling, Solid Waste Management Services/Solid Waste Management/Preemption – DIED** – SB 798 by Senator Blaise Ingoglia (R – Spring Hill) and HB 975 by Representative Jeff Holcomb (R – Spring Hill) died in committee.

HB 975 would have prohibited counties and municipalities from prohibiting or restraining private entities from providing recycling or solid waste management services to commercial, industrial, or multifamily residential properties, including condominiums, within the county or municipality.

**116. Right to Display Flag/Homeowners Associations/Condominium Associations – APPROVED** – The Governor signed into law HB 437 by Representative James Buchanan (R – North Port), effective July 1, 2023.

HB 437 provides that notwithstanding any covenant, restriction, bylaw, rule, or requirement of an homeowners' association (HOA), a homeowner may display up to two of the following flags in a respectful manner:

- The United States flag.
- The official flag of the State of Florida.
- A flag that represents the U.S. Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.
- A POW-MIA flag.
- A first responder flag.

**117. Utility System Rate Base Values/Acquired Public Water And Wastewater – APPROVED** – The Governor signed into law HB 125 by Representative Stan McClain (R-Ocala), effective July 1, 2023.

HB 125 allows water and wastewater utilities with over 10,000 customers or those that are permitted to produce at least three million gallons of drinking water per day that acquire an existing system to petition the Florida Public Service Commission (PSC) to establish a rate base for the acquired system based on the lesser of:

- The purchase price negotiated by the two utilities; or
- The average of three appraisals of the system conducted by licensed appraisers chosen from a list established by the PSC.

Appraisal fees and transaction costs may also be included. An engineering assessment must be conducted and provided to the appraisers to be used for purposes of the appraisal.

**G. Finance & Tax /Insurance/Government/Property and Elections**

**118. SB 2502: State Budget Implementing Bill/Fertilizer Preemption/Hospital Directed Payment Program – APPROVED** – The Governor signed into law SB 2502, a committee bill by the Senate Appropriations Committee. SB 2502 implements the state budget for fiscal year 2023-24 and only remains in effect for one year from July 1, 2023 to June 30, 2024.

Among other provisions, SB 2502 includes the following:

- **Fertilizer Ordinance Preemption:**
  - A provision that preempts a county or municipal government from adopting or amending a fertilizer management ordinance, which provides for a prohibited application period not in existence on June 30, 2023. This preemption is only effective until July 1, 2024, and does not appear to impact the existing Miami-Dade County fertilizer ordinance.
- **Hospital Directed Payment Program:**
  - A provision that authorizes the state Agency for Health Care Administration to submit a budget amendment requesting additional spending authority to implement the federally approved Directed Payment Program for hospitals statewide providing inpatient and outpatient services to Medicaid managed care enrollees; and
  - A provision relating to county contributions to Medicaid to revise the term “state Medicaid expenditures” to exclude funds specially assessed by any local governmental entity and used as the nonfederal share for the hospital Directed Payment Program after July 1, 2021.

**119. Unlawful Dumping/Water Control District Property/Canal Right-Of-Way**

– **APPROVED** – The Governor signed into law HB 1367 by Representative Thad Altman (R - Indian Harbour Beach), effective October 1, 2023.

HB 1367 revises the Florida Litter Law to prohibit a person from dumping litter in or on any water control district property or canal right-of-way unless the district’s board of directors or the district manager, or his or her designee, has given prior consent. Under the bill, if any litter is thrown or discarded onto the property of a water control district from a boat, the operator or owner of the boat, or both, may be found to be in violation of this section.

*This was the subject of Resolution No. R-374-23.*

**120. Local Government Comprehensive Plans/Attorney’s Fees – APPROVED** –

The Governor signed into law SB 540 by Senator Nick DiCeglie (R – St. Petersburg), effective July 1, 2023.

The final version of SB 540:

- Provides that in challenges to the comprehensive plan and plan amendments, including small scale plan amendments, the prevailing party is entitled to

recover attorney fees and costs, including reasonable appellate attorney fees and costs.

- Clarifies the scope of review for a local government decision to grant or deny a development order by providing that the order may only be challenged if it would materially alter the use, density, or intensity of the property in a manner not consistent with the comprehensive plan.
- Revises the statute regulating land development regulations to provide that land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions.

*This was the subject of Resolution No. R-242-23.*

**121. Bereavement Benefits for Law Enforcement Officers/Administrative Leave/Travel Expenses – APPROVED** – The Governor signed into law HB 515 by Representative Adam Botana (R – Bonita Springs), effective October 1, 2023.

HB 535 creates the Respecting Their Sacrifice Act and authorizes the head of a law enforcement agency to grant up to eight hours of administrative leave to a law enforcement officer for the officer to attend a funeral service within Florida of another officer who was killed in the line of duty. The agency head may deny the use of administrative leave for such purpose to maintain minimum or adequate staffing requirements. The bill also permits the head of a law enforcement agency to authorize travel expenses for a law enforcement officer to attend such funeral service. In addition, the bill permits a state employed law enforcement officer to use the officer's state vehicle to attend a funeral service within Florida of another officer killed in the line of duty if authorized by the agency head.

HB 535 also increases the amount that must be paid towards the funeral or burial expenses of a state law enforcement, correctional, or correctional probation officer who is killed in the line of duty under certain circumstances from \$1,000 to \$10,000.

Senator Bryan Avila (R – Hialeah Gardens) sponsored the Senate companion bill, SB 364.

*This was the subject of Resolution No. R-225-23*

**122. Public Records Exemption/Security and Firesafety System Plans – APPROVED** –

The Governor signed into law HB 7007, a committee bill by the House Ethics, Elections and Open Government Subcommittee, effective October 1, 2023.

HB 7007 saves from repeal the current public record exemptions for security or firesafety system plans for any property owned by or leased to the state or any political subdivision or for any privately owned or leased property held by an agency, as well as information related to such systems. Absent HB 7007 becoming law, this public records exemption would have stood repealed on October 2, 2023.

*This was the subject of Resolution No. R-324-23*

**123. Prohibited Applications on Government Devices/Public Employers/TikTok/WeChat**  
– **APPROVED** – The Governor signed into law SB 258 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2023.

SB 258 directs the Florida Department of Management Services (DMS) to create a list of prohibited applications, defined as those that:

- Are created, maintained, or owned by a foreign principal and that engage in specific activities that endanger cybersecurity; or
- Present a security risk in the form of unauthorized access to or temporary unavailability of a public employer’s information technology systems or data, as determined by the DMS.

This definition likely includes TikTok and WeChat.

SB 258 requires public employers to:

- Block access to prohibited applications on any wireless network or virtual private network that it owns, operates, or maintains;
- Restrict access to prohibited applications on any government-issued device; and
- Retain the ability to remotely wipe and uninstall prohibited applications from a compromised government-issued device.

*This was the subject of Resolution No. R-212-23*

**124. Revised Limitation on Increases of Homestead Property Tax Assessments** – **DIED**  
– SB 122 and SB 120 by Senator Bryan Avila (R – Hialeah Gardens) and HB 469 and HB 471 by Representative Juan Fernandez-Barquin (R – Miami) died in committee.

HJR 469 proposed for a statewide vote an amendment to the Florida Constitution to revise, from 3 percent to 2 percent, the limitation on an annual increase of a homestead property tax assessment. HB 471 was the accompanying implementing bill.

*This was the subject of Resolution No. R-40-23.*

**125. Homestead Exemptions for Low Income, Long-Term Seniors Age 65 and Older, Increase Just Value Limit** – **DIED** – SJR 126, SB 124 by Senator Bryan Avila (R – Hialeah Gardens) and HJR 159, HB 161 by Representative Juan Fernandez-Barquin (R – Miami) died in committee.

HJR 159 proposed an amendment to the Florida Constitution to raise the eligible real estate value for the optional full homestead exemption on long-term, low-income seniors from \$250,000 to \$300,000.

*This was the subject of Resolution No. R-39-23.*

**126. Term Limits/County Commissioners/District School Board Members – APPROVED**

– The Governor signed into law HB 477 by Representative Alex Rizo (R – Hialeah), effective July 1, 2023.

HB 477 reduces the length of the term limit for school board members from 12 years to 8 years. The term limit applies to terms of office beginning on or after November 8, 2022.

**127. Government and Corporate Activism/Environmental, Social, Corporate Governance/ESG/Local Governments/Finance/Procurement/Preemption**

– **APPROVED** – The Governor signed into law HB 3 by Representative Bob Rommel (R – Naples) and had an effective date of July 1, 2023.

HB 3 expands the directive to cover all funds invested by state and local governments, including general revenue, trusts dedicated to specific purposes, money held by retirement plans, and surplus funds. Investment decisions, including written policies and the exercise of shareholder rights, must be driven solely by pecuniary factors, and may not sacrifice investment return to promote non-pecuniary factors. The Attorney General is authorized to bring civil or administrative actions to enforce provisions of the bill.

**128. Comprehensive Tort Reform – APPROVED** – The Governor signed into law HB 837 by Representatives Tom Fabricio (R – Hialeah) and Tommy Gregory (R- Lakewood Ranch), effective immediately. HB 837 is the comprehensive tort reform package.

HB 837 makes the following changes to Florida’s civil justice system:

- Changes Florida’s comparative negligence system from a “pure” comparative negligence system to a “modified” system, except for medical negligence cases, so that a plaintiff who is more at fault for his or her own injuries than the defendant may not generally recover damages from the defendant.
- Provides uniform standards to assist juries in calculating the accurate value of medical damages in personal injury or wrongful death actions.
- Modifies Florida’s “bad faith” framework to:
  - Allow an insurer to avoid third-party bad faith liability if the insurer tenders the policy limits or the amount demanded by the claimant within 120 days after receiving actual notice of the claim.
  - Clarify that negligence alone is not enough to demonstrate bad faith.
  - Require a claimant to act in good faith with respect to furnishing information, making demands, setting deadlines, and attempting to settle the insurance claim.
  - Allow an insurer, when there are multiple claimants in a single action, to limit the insurer’s bad faith liability by paying the total amount of the policy limits at the outset.
- Provides that a contingency fee multiplier for an attorney fee award is appropriate only in an exceptional circumstance, adopting the federal standard.
- Provides that Florida’s one-way attorney fee provisions for insurance cases apply in only limited situations.
- Requires the trier of fact in certain negligent security actions to consider the fault of all persons who contributed to the injury, establishes a presumption against negligent

- security liability in specified situations, and expands immunity for a property owner defending a lawsuit against a criminal actor who is injured on the property.
- Reduces the statute of limitations for general negligence cases from 4 years to 2 years.

**129. Florida State Guard – APPROVED** – The Governor signed into law HB 1285 by Representative Mike Giallombardo (R – Cape Coral), effective July 1, 2023.

HB 1285 repeals the July 1, 2023 expiration date of the Florida State Guard (FSG), making it a permanent component of the state militia. The bill:

- Provides that the FSG is created to protect and defend the people of Florida from all threats to public safety and to augment all existing state and local agencies.
- Revises the structure of the FSG by creating a Division of the State Guard within the Florida Department of Military Affairs as a separate budget entity, headed by a director who is appointed by the Governor and confirmed by the Senate.
- Transfers administrative duties and powers from the Adjutant General to the director.
- Increases the authorized maximum number of personnel that may be commissioned, enrolled, or employed as members of the FSG from 400 to 1,500.
- Requires the director to organize a specialized unit within the FSG and requires specified members of the unit to meet certain minimum requirements.

HB 1285 provides that in addition to the present conditions for activation, the FSG may be activated by order of the Governor in order to protect and defend the state from threats to public safety, augment any existing state or local agency, or provide support to other states under the Emergency Management Assistance Compact (EMAC). EMAC is an agreement between all 50 states, the Commonwealth of Puerto Rico, the District of Columbia, and all United States territorial possessions to provide each other mutual assistance in managing an emergency or disaster declared by the governor of the affected state.

The state fiscal year 2023-24 includes \$107.6 million in appropriations for the FSG.

**130. Local Occupational Licensing/Specialty Contractors/Building Permits – APPROVED** – The Governor signed into law HB 1383 by Representative Dana Trabulsy (R – Fort Pierce), effective July 1, 2023.

HB 1383 relates to the preemption of occupational licensing to the state and extends by one year, to July 1, 2024, the date that local governments may continue to issue local occupation licenses, but only if such licensing was imposed by the local government before January 1, 2021.

HB 1383 requires the state Construction Industry Licensing Board (CILB) by July 1, 2024 to establish certified specialty contractor categories for voluntary licensure for all of the following:

- Structural aluminum or screen enclosures.
- Marine seawall work.
- Marine bulkhead work.
- Marine dock work.



- Marine pile driving.
- Structural masonry.
- Structural prestressed, precast concrete work.
- Rooftop solar heating installation.
- Structural steel.
- Window and door installation, including garage door installation and hurricane or windstorm protection.
- Plaster and lath.
- Structural carpentry.

HB 1383 also:

- Provides that a local government may not require a license issued by the local government or CILB to perform a job scope which does not substantially correspond to one of the state contractor or specialty contractor categories.
- Prohibits local governments from requiring a license to obtain a permit for a job scope outside of the practice of contracting.
- Allows a county in an area designated as an area of critical state concern (the Keys/Monroe County) to continue to offer a license for any job scope which requires a statewide contractor license.
- Allows a local government to continue to offer a license for veneer work, including gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories; and fence installation and erection, if such a licensing requirement existed before January 1, 2021.
- Provides that a local government may not require a license as a prerequisite to submit a bid for public works projects if the work to be performed does not require a license under general law.

**131. Florida Retirement System/Post-Employment Volunteer Program – APPROVED –**

The Governor signed into law HB 1121 by Representative Robin Bartleman (D - Weston), effective July 1, 2023.

HB 1121 authorizes a person who has retired from the Florida Retirement System (FRS) to provide volunteer services to an FRS employer without violating the provision of law requiring termination from employment. Specifically, the bill authorizes an FRS employer to establish a post-employment volunteer program that allows retirees to provide civic, charitable, and humanitarian services during the first 12 months following retirement.

**132. Building Construction/Building Code/Fire Prevention Code – APPROVED –**

The Governor signed into law HB 89 by Representative Randy Scott Maggard (R – Zephyrhills), effective July 1, 2023.

HB 89 makes the following changes pertaining to the review and issuance of building plans:

- Prohibits a local government from making substantive changes to building plans after a building permit has been issued unless such changes are required under the Building Code or Fire Prevention Code.

- Requires any changes a local government makes to building plans after a permit has been issued to identify the specific parts of the plan that do not conform to the applicable code in writing.
- Requires a building official or inspector who asks another person or employee other than a building official, plans examiner, or inspector to review the building plans to notify the local government if such person or employee determines the plans do not comply with the Building Code.
- Requires a local fire official to notify the permit applicant of specific reasons why plans do not comply with the Fire Prevention Code.
- Allows a plans examiner, inspector, building official, or fire safety inspector to have their certificate disciplined for failure to notify the appropriate person of the reasons for making substantive changes to building plans.

**133. Comprehensive Elections Package/Preemption – APPROVED** – The Governor signed into law SB 7050, a committee bill by the Senate Committee on Ethics and Elections, effective July 1, 2023.

SB 7050 revises the Florida Election Code to:

- Clarify that resign-to-run restrictions on individuals qualifying for public office do not apply to persons seeking the office of President or Vice President of the United States.
- Revise frequency of campaign finance reporting, preempt local governments from enacting different reporting schedules, and provide that text messages do not constitute contributions toward specified contribution limits.
- Require supervisors to coordinate with clerks of court to receive updates on persons convicted of felonies and require supervisors to have direct access to the Florida Department of Highway Safety and Motor Vehicles driver information system.
- Require a voter to vote a provisional ballot if he or she has been issued a notice of potential ineligibility to vote.
- Require public, tax-supported buildings made available for use as polling places to also be made available, upon request of the supervisor, for use as early voting locations so long as such buildings fulfill the requirements for early voting sites.
- Revise and create additional requirements for third-party voter registration organizations.
- Require additional information be included on voter information cards.
- Require signature matching training for supervisors of elections and county canvassing board members.
- Authorize notice to be made on specified websites as an alternative to newspaper publication.
- Maintain a public record exemption for certain voter registration information received.
- Revise processes used by supervisors and the Florida Department of State (DOS) in voter registration list maintenance activities and enhance information other governmental entities must provide.
- Revise requirements for post-election reports and certain precinct boundary data.
- Create a new candidate disclosure requirement for outstanding fines exceeding \$250 related to ethics and campaign finance violations.
- Create methods for candidates to use nicknames on the ballot.

- Revise certain vote-by-mail ballot provisions and require DOS to adopt a uniform statewide application for such ballot requests.
- Provide that a presidential elector's refusal or failure to vote for the candidates of the party he or she was nominated to represent constitutes resignation of the position.
- Create a new framework regulating use of voter guides and require a disclaimer.
- Increase fines that may be imposed for specified election law violations and attach fines against a political committee jointly and severally to the chair of the political committee in certain circumstances.

**134. Redesignation of the Revolutionary Armed Forces of Colombia (FARC) as a Foreign Terrorist Organization – APPROVED –** Senate Memorial (SM) 160 by Senator Bryan Avila (R – Hialeah Gardens) was signed by officers and filed with Secretary of State.

SM 160 is a memorial to the United States Department of State, urging the United States Secretary of State to redesignate the Revolutionary Armed Forces of Columbia (FARC) as a Foreign Terrorist Organization. The memorial attests to the Legislature's firm commitment to Colombia and opposes the Biden Administration's removal of the FARC's designation as a Foreign Terrorist Organization. Memorials are how the Legislature formally petitions the federal government to act on a particular subject.

**135. Land Use, Development Regulations/Disney Special District – APPROVED –** The Governor signed SB 1604 by Senator Blaise Ingoglia (R – Spring Hill), effective July 1, 2023, except for the Disney special district provisions which were effective immediately upon the Governor signing the bill into law.

As amended, SB 1604 revises local comprehensive planning requirements by increasing the two required planning periods to a 10-year and 20-year period (from five and 10 years) and prohibiting local governments that do not update their comprehensive plans in accordance with the 7-year evaluation and appraisal process from initiating or adopting any publicly initiated plan amendments. Additionally, the bill prescribes certain procedures for the Florida Department of Economic Opportunity to apply when local governments remain out of compliance with comprehensive planning updates.

SB 1604 also prohibits local governments from requiring certain building design elements for residential dwellings in planned unit developments, master planned communities, and communities with a design review board or architectural review board created on or after January 1, 2020.

**136. Local Government/Annexation/Development Initiative and Referendum Process/Preemption – APPROVED –** The Governor signed into law SB 718 by Senator Clay Yarborough (R – Jacksonville), effective July 1, 2023.

Among other provisions relating to annexation, SB 718 prohibits local governments from requiring an initiative and referendum process for amendments to land development regulations. Current law generally prohibits an initiative or referendum process for any development order, as well as any local comprehensive plan amendment or map amendment. SB 718 adds amendments to land development regulations. SB 718 could

affect some cities within Miami-Dade County who have such an initiative and referendum process in place.

**137. Interests of Foreign Countries/Government Contracting/Real Estate**

**Purchases/Military Installations/Critical Infrastructure/Agricultural Lands/Health**

**Records – APPROVED** – The Governor signed into law SB 264 by Senator Jay Collins (R – Tampa), effective July 1, 2023. Representative David Borrero (R – Doral) sponsored the House companion bill, HB 1355.

SB 264 restricts governmental entities from contracting with a foreign country of concern, which is defined to include the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, and the Syrian Arab Republic.

SB 264 restricts conveyances of agricultural lands and other interests in real property within 10 miles of critical infrastructure facilities or military installations to certain foreign principals of a foreign country of concern. Critical infrastructure facilities include seaports and airports. It also amends certain electronic health record statutes to ensure that such records are physically stored in the continental U.S., its territories, or Canada. The definitions of “foreign entity” and “foreign principal” include entities owned or controlled by the government of a foreign country of concern as well as any subsidiaries.

SB 264 also prohibits under certain circumstances the purchase or acquisition of real property in Florida by the People’s Republic of China, any subsidiaries, and any person who is domiciled in the People’s Republic of China and who is not a citizen or lawful permanent resident of the United States. There is an exception for certain Chinese persons legally present in the state to purchase one residential real property that is up to two acres in size if certain circumstances are met including that the parcel is not on or within five miles of any military installation in this state.

**138. Technology Transparency/Governmental Employees/Social Media**

**Platforms/Online Platforms Predominantly Accessed by Children – APPROVED** –

the Governor signed into law SB 262 by Senator Jennifer Bradley (R – Fleming Island), effective July 1, 2024.

SB 262 provides that an officer or a salaried employee of a governmental entity may not use his or her position to communicate with a social media platform to request that it remove content or accounts from the social media platform. SB 262 also prohibits a governmental entity, or an officer or a salaried employee acting on behalf of a governmental entity, from initiating or maintaining any agreements or working relationships with a social media platform for the purpose of content moderation.

SB 262 allows the Florida Department of Legal Affairs to enforce such rights by bringing an action against, and collecting civil penalties from, online platforms or businesses that violate a consumer’s rights as provided in the bill.

The bill also adds “biometric data” and “geolocation” to the definition of personal

information under the Florida Information Protection Act. As such, entities in possession of such information must take reasonable measures to protect biometric and geolocation data and report data breaches.

**139. Law Enforcement/Investigation of Death of a Minor/Funeral, Cemetery Services – APPROVED** – The Governor signed into law HB 233 Representative Kiyon Michael (R - Jacksonville Beach), effective July 1, 2023.

HB 233 is entitled “Curtis' Law” and requires that, during the criminal investigation of the death of a minor, the law enforcement agency that initiates or bears the primary responsibility for the investigation must provide the minor's next of kin with all the following information:

- The contact information for the primary investigator and each law enforcement agency for the investigation.
- The case number for the investigation, if applicable.
- A list of the minor's personal effects and information on how the minor's next of kin can collect such personal effects, unless providing the information would jeopardize or otherwise interfere with an active investigation.
- Information regarding the status of the investigation, at the discretion of the law enforcement agency.

HB 233 prohibits the law enforcement agency from providing any of the above information if doing so would jeopardize or otherwise interfere with an active investigation. The law enforcement agency is not required to provide investigative records generated during its investigation to a minor's next of kin for inspection.

**140. Rapid DNA Grant Program/County Jails/Sheriffs' Offices – APPROVED** – The Governor signed into law HB 1105 by Representative John Paul Temple (R – The Villages), effective July 1, 2023.

HB 1105 establishes the Rapid DNA Grant Program within the Florida Department of Law Enforcement (FDLE) to annually award grants, from funds specifically appropriated to the grant program, to county jails or sheriffs' offices to procure Rapid DNA machines and other necessary supplies required to rapidly process DNA samples in support of the statewide DNA database. The bill authorizes FDLE to establish criteria and set specific time periods for the acceptance of applications and for the selection process for awarding grant funds.

**141. Visiting County and Municipal Detention Facilities – APPROVED** – The Governor signed into law HB 119 by Representative Christopher Benjamin (D – Miami Gardens), effective July 1, 2023.

HB 119 authorizes the following persons who are elected or appointed to serve the county or municipality in which a county or municipal detention facility is located, to visit such detention facilities at their pleasure:

- Members of the governing body of the county or municipality;

- Members of the Legislature;
- The state attorney;
- The public defender; and
- The regional counsel.

**142. Exploitation of Vulnerable Persons/Persons 65 Years of Age or Older – APPROVED**

– The Governor signed into law SB 232 by Senator Ileana Garcia (R – Miami), effective October 1, 2023.

SB 232 prohibits the exploitation of a person 65 years of age or older by:

- Obtaining or using, through deception or intimidation, the property of a person 65 or older.
- Depriving, with the intent to defraud and by means of bribery or kickbacks, a person 65 or older of his or her intangible right to honest services provided by a person with whom he or she has a legal or fiduciary relationship.

SB 232 provides if the funds, assets, or property involved in the exploitation are valued at:

- \$50,000 or more, the offender commits a first-degree felony.
- \$10,000 or more, but less than \$50,000, the offender commits a second-degree felony.
- Less than \$10,000, the offender commits a third-degree felony.

Relating to the offense of exploitation of a person 65 years of age or older, SB 232:

- Prohibits an offender from raising lack of knowledge of the victim’s age as a defense;
- Authorizes the state to move the court to advance a trial on the court’s docket and requires the court to consider the victim’s age and health in determining whether to advance the trial; and
- Requires a prosecution to be commenced within five years after the crime is committed, but specifies that if fraud or breach of fiduciary duty is a material element of the offense, the crime may be prosecuted within five years after discovery of the offense.

SB 232 authorizes a person 65 years of age or older who is in imminent danger of being exploited to petition for an injunction for protection.

**143. Elder and Vulnerable Adult Abuse Fatality Review Teams – APPROVED –** The Governor signed into law SB 1540 by Senator Ileana Garcia (R – Miami), effective July 1, 2023.

SB 1540 expands the scope of the existing Elder Abuse Fatality Review Teams to include vulnerable adults, such as disabled adults and persons over 60 recovering from short-term disabilities or surgery. The bill changes the name of such teams to the “Elder and Vulnerable Adult Abuse Fatality Review Teams”. The bill also expands the scope of the teams to include incidents which are the result of exploitation.

SB 1542 is a linked bill that creates a public records and meetings exemption.

**144. Real Property Fraud/Clerk Notification – APPROVED** – The Governor signed into law HB 1419 Representative Will Robinson Jr. (R – Bradenton), effective July 1, 2023.

HB 1419:

- Requires the clerks of the circuit court to create, maintain, and operate a free recording notification service on or before July 1, 2024, to provide property owners who register for the service with early notice that a land record, such as a deed, has been filed on their property.
- Prescribes the form for a quitclaim deed.
- Modifies Florida law relating to quiet title actions to expressly state that a quiet title action may be based on a title fraud allegation; require the clerks to provide a simplified form for the filing of such action; entitle a petitioner bringing such action to expedited summary procedure timeframes; and require a court hearing such action to quiet title in and award a prevailing plaintiff the same title and rights to the land that the plaintiff enjoyed before the title fraud.
- Modifies requirements to record instruments affecting real property.
- Creates the Title Fraud Prevention Through Identity Verification Pilot Program, in which the Lee County, Florida, clerk may require the production of a government-issued photographic identification card in connection with the filing of a deed or other qualifying instrument in specified circumstances.

**145. Claim Bill: Jason Sanchez/Miami-Dade County/DTPW – APPROVED** – The Governor signed into law SB 6 by Senator Ana Maria Rodriguez (R – Doral), effective immediately.

SB 6 is an uncontested, settled claim bill for local funds that provides for the relief of the Estate of Jason Sanchez by Miami-Dade County in the amount of \$950,000 for injuries and damages sustained by Jason Sanchez and his five survivors as a result of an accident in 2019 involving a Miami-Dade County bus at SW 107th Avenue and SW 176th Street.

**146. Property Tax Administration – DIED** – SB 474 by Senator Ileana Garcia (R - Miami) and HB 1131 by Representative Juan Fernandez-Barquin (R – Miami) died in committee.

SB 474 would have made various changes to the process of determining assessments of property for the purpose of collecting ad valorem taxes. The bill would have amended the timeline for a property appraiser to appeal a decision of the Value Adjustment Board; reduced situations in which an error in assessed value results in a property owner being assessed back taxes, interest, and penalties; reduced the amount a property owner may owe when assessment errors occur; excluded an additional type of change in ownership that would reset a property's assessment to just value; increased the types of appeals a Value Adjustment Board may hear; and increased requirements to be met before a property appraiser in a large county may appeal a decision of the Value Adjustment Board.

**147. Recall of County Officers and Commissioners – DIED** – SB 1066 by Senator Jay Collins (R – Tampa) and HB 131 by Representative Joel Rudman (R – Navarre) died in committee.

HJR 131 and SJR 1066 proposed an amendment to the Florida Constitution to allow the Legislature to provide by general law for the recall of county officers and commissioners.

**148. Statutes of Limitations for Negligence Actions Against Governmental Entities – DIED** – HB 7059 by House Judiciary Committee died in committee.

HB 7059 would have amended Florida Statutes to reduce the statute of limitations from four years to two years for a negligence claim against the state or an agency or subdivision of the state. The bill also reduces the presuit notice period from three years to 18 months for such claims. The bill decreases from six months to four months the amount of time a government entity has to make a final disposition of a claim during the pre-suit process, after which time the plaintiff may bring a lawsuit.

**149. Form of Candidate Oath – APPROVED** – The Governor signed into law SB 666 by Senator Jay Collins (R - Tampa), effective July 1, 2023.

SB 666 revises the oath format for certain candidates for office. Current law requires each candidate for a Florida office to sign a written oath or affirmation that includes, in part, the candidate’s “address.” SB 666 specifies that the address in the oath or affirmation for a non-federal office must be the candidate’s address of legal residence.

**150. Ethics Requirements/Financial Disclosure for Elected Local Officers/Form 6/CRAs – APPROVED** – The Governor signed into law SB 774 by Senator Jason Brodeur (R – Lake Mary), effective immediately.

SB 774 makes the following changes to ethics requirements for public officials:

- Requires, beginning January 1, 2024, certain local officers, mayors, elected members of the governing body of a municipality, and members of the state Commission on Ethics to annually file a Form 6 full and public disclosure of financial interest’s statement with the state Commission on Ethics through the Commission’s electronic filing system.
- Adds commissioners of a Community Redevelopment Agency to the list of officers exempt from having to complete ethics training in the year they begin their term, if the term begins after March 31.
- Maintains and makes permanent requirements for e-filing of financial disclosures as specified in the current year implementing bill, by
  - Maintaining the requirement that Form 6 filers submit their financial disclosures via the state Commission on Ethics electronic filing system beginning January 1, 2023, and requiring Form 1 filers to submit their disclosures electronically beginning January 1, 2024.
  - Allowing filers to submit federal tax returns for purposes of showing income.



- Allows the state Commission on Ethics to dismiss complaints or investigations for certain minor infractions.
- Increases the maximum civil penalty for violations of the Code of Ethics from \$10,000 to \$20,000.
- Clarifies that a candidate may submit a verification or receipt of a previous financial disclosure filing to the qualifying officer in lieu of the full financial disclosure.
- Permits the Commission a narrow rulemaking exemption for the bills implementation.

County commissioners are already required to file Commission on Ethics Form 6, as are persons holding the following positions: governor; lieutenant governor; cabinet members; legislators; state attorneys; public defenders; clerks of circuit court; sheriffs; tax collectors; property appraisers; supervisors of elections; elected superintendents of schools; district school board members; and members of expressway authorities.

**151. Residency of Local Elected Officials/County Commission Districts – APPROVED –**

The Governor signed into law HB 411 by Representative Kevin M. Steele (R – Hudson), effective July 1, 2023.

HB 411 prohibits county commission districts, municipal districts, and district school board member residence areas from being drawn with the intent to favor or disfavor a candidate for the governing body or an incumbent member of the governing body based on the candidate’s or incumbent’s residential address.

HB 411 requires county commission districts to be nearly equal in population “as practicable,” instead of “as possible” and requires municipalities, from time to time, to fix the boundaries of their districts so as to keep them as nearly equal in proportion to their respective populations “as practicable”.

The bill provides that boundary changes for county commission districts, municipal districts, and district school board member residence areas may not occur in the 270 days before a general election.

The bill voids any local ordinance adopted by a county or a municipality, or a resolution adopted by a district school board, on or after July 1, 2023, that conflicts with the provisions of the bill.

The bill also requires that an elected candidate for district school board member reside in the district school board residence area to which she or he is elected by the date she or he assumes office, instead of upon qualifying for such office. Lastly, the bill also requires that each candidate who qualifies to have her or his name placed on the ballot must be listed according to the district school board member residence area in which she or he is a candidate, rather than according to the district school board member residence area in which she or he resides.

**152. Florida Department of Financial Services/County, City Tangible Property –**

**APPROVED** – The Governor signed into law HB 487 by Representative Michelle Salzman (R - Cantonment), effective immediately.

HB 487 relates to the Chief Financial Officer and the Florida Department of Financial Services (DFS). Among other provisions, HB 487 provides that county agencies, municipalities, and special districts must have adequate controls over tangible property.

**153. Insurance/Property Insurance Deductibles – APPROVED** – The Governor signed into law SB 418 by Senator Keith Perry (R – Gainesville), effective July 1, 2023.

SB 418 amends several insurance-related statutes. Among other provisions, the bill:

- Provides that for any local governmental entity that is a member of a group self-insurer, only an elected official of the local governmental entity may be the local government's representative on the group self-insurer's governing body.
- Revises the mandated deductibles that must be offered for hurricane loss when issuing a personal lines residential property insurance policy. For policies with a dwelling limit of:
  - \$250,000 or more, but less than \$1 million, the insurer need not offer the \$500 hurricane deductible;
  - \$1 million or more, but less than \$3 million, the insurer may, in lieu of offering the 2 percent deductible, offer a deductible amount applicable to hurricane losses equal to 3 percent of the policy dwelling limits; and
  - \$3 million or more, the insurer need not offer the 2 percent deductible.
- Revises insurance requirements for a livery (boat rental business) providing it may either:
  - Obtain a policy that insures the renter in the same manner and amounts of the policy obtained by the livery and provide to each renter the insurer's information; or
  - Present the renter with the opportunity to purchase coverage against any loss. If a renter chooses not to purchase the coverage, the livery must obtain a signed acknowledgement from the renter.
- Provides that a residential property insurer's rate filing may estimate projected hurricane losses by using a weighted or straight average of two or more models approved by the Florida Commission on Hurricane Loss Projection Methodology.
- Provides that an insurer may file a personal lines residential property insurance rating plan that provides premium discounts, credits, and other rate differentials based on windstorm construction standards developed by an independent, nonprofit scientific research organization.

Expands the types of documents and policies that may be delivered to a policyholder by electronic transmission to include individual and group health insurance policies, health maintenance contracts or certificates of coverage, and prepaid limited health service contracts.

**154. Insurance – APPROVED** – The Governor signed into law SB 312 by Senator Jay Collins (R - Tampa), effective July 1, 2023.

SB 312, in addition to setting coursework requirements for prospective life insurance agents, also regulates value-added insurance products or services (“VAS”) provided with the sale of insurance. VAS include risk control or claims management services, funeral planning, or financial planning.

The bill establishes that certain actions by insurers related to VAS are not discrimination or unlawful. All of these criteria regarding the VAS must be met for the actions to be excluded:

- Offered at no cost or reduced cost by an insurer, insurance agent, or employee, affiliate, or third-party representative of the insurer or insurance agent;
- Not specified in the insurance policy; and
- Primarily designed to do one or more of the following:
  - Provide loss mitigation or control;
  - Reduce claim or claim settlement costs;
  - Provide education about liability risks or risk of loss to people or property;
  - Monitor or assess risk, identify sources of risk, or develop strategies to eliminate or reduce risk;
  - Enhance health;
  - Enhance financial wellness through items such as education or financial planning services;
  - Provide post-loss services;
  - Incentivize behavioral changes to improve the health, or reduce the risk of death or disability; or
  - Assist in the administration of employee or retiree benefit insurance coverage.

The VAS cost must be reasonable compared to the customer’s premium or coverage, and availability must be based on specified factors. VAS that do not meet the factors may be provided as part of a pilot program for up to one year. An insurer, agent, or representative may not: offer to provide insurance or inducement to purchase another policy; or use the words “free” or “no cost,” or similar words in an advertisement.