



OFFICE OF INTERGOVERNMENTAL AFFAIRS
MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

Date: May 1, 2024

Re: 2024 Florida Legislature End-of-Session Report

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 F address issues in various policy areas.

A. Miami-Dade Priorities & Other Key Issues

1. **HB 433: Preemption/Living Wage/Workplace Heat Exposure Requirements/Predictive Scheduling – SIGNED -** The Governor signed into law HB 433 by Representative Tiffany Esposito (R – Fort Myers), effective July 1, 2024.

HB 433 preempts local living wage programs, including Miami-Dade County's living wage program, but has a delayed implementation and does not apply to any contract entered into before September 30, 2026. HB 433 also preempts local heat exposure regulation and local employee scheduling or predictive scheduling regulation.

This was the subject of Resolution No. R-1173-23, prime sponsored by Commissioner Eileen Higgins.

2. **HB 705: Public Works Projects/Responsible Wage/Small Business Programs/Preemption – SIGNED -** The Governor signed into law HB 705 by Representative Jason Shoaf (R – Port St. Joe). HB 705 preempts the County's responsible wage program, significant parts of the small business program, and certain other County programs (see below), effective July 1, 2024.

HB 705 revises the definition of the term "public works project" in section 255.0992, Florida Statutes, to include projects paid for entirely with local funds, in addition to projects funded at least in part with state-appropriated funds. In doing so, the bill prohibits any local

government that contracts for a public works project from requiring that a contractor, subcontractor, or material supplier or carrier:

- a. Pay employees a predetermined amount of wages or prescribe any wage rate;
- b. Provide employees a specified type, amount, or rate of employee benefits;
- c. Control, limit, or expand staffing; or
- d. Recruit, train, or hire employees from a designated, restricted, or single source.

Amendments made earlier to HB 705 clarify that “public works project” does not include the provision of goods, services, or work incidental to the project, such as the provision of security services, janitorial services, landscaping services, maintenance services, transportation services, or other services which do not require a construction contracting license. This provision related to the County’s Living Wage program, which was preempted in HB 433, but with a delayed effective date.

HB 705 impacts several County programs, including:

- a. Responsible Wages and Benefits;
- b. Small Business Enterprise Program;
- c. Miscellaneous Construction Contracts Program;
- d. Community Workforce Program;
- e. Residents First Program; and
- f. Employ Miami-Dade.

HB 705 preserves a political subdivision’s ability to restrict contractors from participating in the bidding process for public works projects based on the geographic location of the contractor if the political subdivision is the sole source of the project’s funding.

This was the subject of Resolution No. R-1173-23, prime sponsored by Commissioner Eileen Higgins.

3. **SB 472: Sovereign Immunity/Suits Against the Government/Negligence Claims – DIED** - SB 472 by Senator Jason Brodeur (R – Lake Mary) died on the Senate floor calendar. The House companion bill, HB 569 by Representative Fiona McFarland (R – Sarasota), died in committee.

The final version of SB 472 would have increased the sovereign immunity cap on the payment of judgments against government entities from \$200,000 to \$300,000 per individual, and from \$300,000 to \$500,000 per incident. HB 569 proposed increases to \$400,000 per individual and \$600,000 per incident. The bills also would have allowed local government entities to settle a claim in excess of the caps without further action by the Legislature through a claim bill.

This pair of bills likely would have had a significant fiscal impact on Miami-Dade County, Jackson Health system, cities, colleges, universities, school districts and the state. Miami-Dade County Risk Management estimates an annual fiscal impact of between \$13 and \$20 million on Miami-Dade County, with an additional impact on Jackson. This fiscal impact was avoided by SB 472 and HB 569 not passing this session.

4. **SB 1072: Tourist Development Tax/Convention Development Tax/Miami-Dade County/ Municipalities – DIED –** SB 1072 by Senator Bryan Avila (R – Hialeah Gardens) and the House companion bill, HB 1081 by Representative Juan Carlos Porras (R – Miami), died in committee.

This pair of bills would have provided an exception to the authorized uses of revenues received by counties imposing the tourist development tax (TDT) for a class of counties that includes Miami-Dade County. Under the bills, such a county could have used the revenues to complete existing projects, debt obligations, or contracts in existence as of July 1, 2024, but revenues may not be used to renew or to extend such projects. For remaining revenues not needed for existing projects, contracts, or debt obligations, 50 percent of TDT revenues must be distributed proportionally to municipalities in the county for specified uses.

This pair of bills likely would have had a significant fiscal impact on Miami-Dade County. This fiscal impact was avoided by SB 1072 and HB 1081 not passing this session.

5. **HB 479: Transportation Impact Fees/Alternative Mobility Funding Systems – SIGNED –** The Governor signed into law HB 479 by Representative William Cloud "Will" Robinson, Jr. (R – Bradenton) and SB 688 by Senator Jonathan Martin (R – Fort Myers), effective October 1, 2024.

As originally filed, HB 479 would have prohibited local governments from charging for transportation impact fees if they are not the local government that is issuing a building permit, which would have prohibited a county from charging for transportation impacts within cities. The bill was amended to exempt a class of counties that includes Miami-Dade County from this provision.

HB 479 imposes a new requirement that a county and municipality both charging transportation-related impact fees must execute an interlocal agreement, subject to certain requirements, to coordinate mitigation and administration of impact fees. If no such interlocal agreement exists by October 2025, the bill prescribes certain administrative requirements and a reduction in fees. The interlocal agreement provisions do not apply to Miami-Dade County or any county or municipality which has entered into or otherwise updated an existing interlocal agreement as of October 1, 2024.

6. **HB 1203: Homeowner's Associations/The Hammocks – SIGNED -** The Governor signed into law HB 1203 by Representative Tiffany Esposito (R – Fort Myers), effective July 1, 2024.

HB 1203 is an omnibus bill that revises provisions relating to homeowners' associations (HOAs). HB 1203 incorporates most of the provisions of HB 1243 relating to HOAs by Representative Juan Carlos Porras (R – Miami).

Specifically, HB 1203, among other provisions:

- a. Provides criminal penalties if an HOA officer, director, or manager accepts a kickback;
- b. Provides criminal penalties for certain fraudulent voting activities relating to HOA elections;

- c. Provides educational requirements for community association managers and HOA directors;
- d. Provides that an HOA with 100 parcels or more is required to post certain official records on the HOA's website or application, by January 1, 2026;
- e. Allows a parcel owner to make a written request for a detailed accounting of any amounts owed to the HOA, and the HOA must provide such information or else the board forfeits any outstanding fines which are more than 30 days past due and for which the association has not given prior written notice of the imposition of the fines;
- f. Prohibits an HOA or its architectural, construction improvement, or other similar committee (ARC) from limiting or placing requirements on the interior of a structure that cannot be viewed from the frontage of the property, adjacent property, the adjacent common area, or community golf course;
- g. Prohibits an HOA or ARC from requiring the review and approval of plans and specifications for a central air-conditioning, refrigeration, heating, or ventilating system by the HOA or any ARC, or other such similar committee of an HOA, if such system is not visible from the property's frontage, adjacent property, adjacent common area, or a community golf course, and is substantially similar to a system that is approved or recommended by the HOA or a committee;
- h. Prohibits an HOA from preventing a homeowner from installing or displaying vegetable gardens and clotheslines in areas not visible from the frontage or adjacent properties, adjacent common area, or a community golf course;
- i. Prohibits an HOA from levying fines or imposing suspensions if a violation has been timely cured; and
- j. Prohibits HOAs from issuing fines to parcel owners based on leaving garbage receptacles on the street for a certain time period and based on leaving holiday decorations or lights up under certain circumstances.

This was the subject of Resolution No. R-783-23, prime sponsored by Commissioner Roberto J. Gonzalez.

7. HB 5001: General Appropriations Act/State Budget/Septic-to-Sewer/Resiliency/Biscayne Bay – SIGNED – The Governor signed into law HB 5001, effective July 1, 2024.

This legislative session, the Florida Legislature passed a state budget totaling approximately \$117.46 billion. Upon review, the Governor vetoed just under \$1 billion, leaving the approved state budget at \$116.43 billion. The budget includes sizable reserves in the amount of \$10 billion.

The Governor signed the last presented bills on June 28, 2024.

The conference report on HB 5001 is the general appropriations act and is the state budget for the fiscal year beginning July 1, 2024, through June 30, 2025. 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:

County Priority Requests **(approved unless indicated otherwise)**

- Biscayne Bay infrastructure, including wastewater and stormwater projects - \$20 million
- Anti-Violence Initiative: Mental Health in Communities and County Jails - \$990,000 **(Vetoed)**
- Senior Congregate Meal Program - \$1 million **(Vetoed)**
- Acquisition and Renovation of Supportive Housing for Homeless Households - \$1 million
- Biscayne Bay Watershed Plan - \$500,000

Resolution Requests **(approved unless indicated otherwise)**

- Bird Road Commercial Corridor Sewer Extension Project - \$500,000 **(Vetoed)**
- Satellite Pet Adoption Center - \$125,000
- The Underline Multi-Use/Mobility Corridor – \$950,000
- Saint Thomas School Sewer Service Extension and Road Improvements Project - \$250,000 **(Vetoed)**
- Bay of Pigs Brigade 2506 Museum and Library - \$1 million
- Citrus Grove School Pedestrian Safety Initiative - \$1,978,000 **(Vetoed)**
- Triangle Park and Children's Academy Pedestrian Safety Initiative - \$1.2 million **(Vetoed)**
- Fire Rescue - Eureka Station 71 - \$500,000 **(Vetoed)**
- Stormwater Local Drainage Improvement Project for NW 39 Street from NW 29 Avenue to NW 30 Avenue - \$250,000 **(Vetoed)**
- Midway Pump Station Improvement Project - NW 7 Street & SR 826 - \$1,052,000
- Animal Services Spay/Neuter Initiative - \$250,000
- Badia Center Facility Expansion - \$1,750,00

Statewide Funding

- State Housing Initiative Partnership (SHIP) Program - \$174 million
- Affordable Housing (SAIL) Program - \$84 million
- Florida Hometown Heroes Program, Live Local - \$100 million
- Low-Income Home Energy Assistance Program - \$100 million
- My Safe Florida Homes Hurricane Mitigation - \$200 million
- My Safe Florida Homes Condominium Hurricane Mitigation Pilot Program - \$30 million
- Community Violence Intervention and Prevention Grant - \$2.5 million
- Florida Department of Juvenile Justice County Cost Share - \$73.6 million
- Crime Lab Local Grants - \$3.12 million
- Body Armor for Local Law Enforcement Grants - \$2 million
- Public Safety, Mental Health, and Substance Abuse Local Matching Grant Program - \$9 million
- Beach Renourishment Grants - \$50 million
- Wastewater Grant Program - \$135 million
- Statewide Flooding and Sea Level Rise Resilience Plan - \$125 million
- Resilient Florida Grant Program - \$100 million
- Resilient Florida Planning Grants - \$20 million
- Coral Reef Protection and Restoration - \$8 million
- Coral Reef Restoration and Recovery Initiative - \$9.5 million
- Florida Forever - \$100 million
- Statewide Library Grants - \$17.3 million

- Library Construction Grants – \$3.9 million (**Vetoed**)
- Florida Job Growth Grant Fund - \$75 million
- Visit Florida - \$80 million
- Cultural and Museum Grants/Local Govt/ Cultural Facilities Program - \$32 million
- Historic Preservation Grants - \$50.6 million
- African American cultural and Historical Grants - \$4.7 million
- Mosquito Control Program (reflects \$1 million increase) \$3.6 million
- Homeless Challenge Grants - \$30 million
- Florida Recreation Development Assistance Program Grants - \$14.28 million
- FDOT 5 Year Transportation Work Program - \$14.5 billion
- Aviation Development Grants - \$334 million
- Public Transit Development Grants - \$89 million
- Seaport. Economic Development/Access Program/Investment Program/Grants - \$59 million
- Transportation Disadvantaged Competitive Innovative Grant Program - \$3 million

8. **HB 5003: Budget Implementing Bill 2024-25 General Appropriations Act/Hospital Directed Payment Program/Leaf Blower Preemption/Florida Turnpike Toll Relief Program/Water Supply Grant Pilot Program – SIGNED** - The Governor signed into law HB 5003, which is the budget implementing bill for the state fiscal year 2024-25 General Appropriations Act, HB 5001, effective July 1, 2024.

Among other provisions, HB 5003 includes the following, which are effective for only one year:

- **Hospital Directed Payment Program:**
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. This provision expires July 1, 2025 and will prevent the Directed Payment Program from increasing the county’s required Medicaid contributions to the state.
- **Florida Turnpike Toll Relief Program:**
A provision directing the Florida Turnpike Enterprise to establish a toll relief program effective April 1, 2024, through March 31, 2025. Pursuant to HB 5003, a qualifying account that records 35 or more qualifying transactions, per transponder, per calendar month, is eligible for an account credit equal to 50 percent of the amount paid in that calendar month for the qualifying transactions, per transponder.
- **Leaf Blower Preemption:**
A provision that prohibits a county or municipal government from amending or adopting an ordinance that restricts or prohibits the operation a leaf blower that is powered by an internal combustion engine or motor (gasoline powered leaf blower). The preemption would be effective July 1, 2024 and because it appears in the budget implementing bill, the preemption would expire on June 30, 2025.
- **Local Government Water Supply Grant Pilot Program:**

Creates the Local Government Water Supply Grant Pilot Program within the Florida Department of Environmental Protection to provide funds to local governments for water supply infrastructure, including distribution and transmission facilities.

9. HB 7073: Omnibus Tax Package/Sales Tax Holidays/Property Taxes/Insurance Premium Taxes/Homeless Food and Beverage Tax/Property Insurance Premium Tax – SIGNED - the Governor signed into law HB 7073, a committee bill by the House Ways and Means Committee, effective July 1, 2024.

HB 7073 is the omnibus tax package for the 2024 session and includes sales tax holidays, as well as tax relief and other changes to property taxes, insurance premium taxes, and corporate income taxes, among other provisions.

With respect to the Miami-Dade County Homeless Trust, HB 7073 clarifies that in a referendum to adopt a one percent local option food and beverage tax in a city or town that levies the municipal resort tax (Miami Beach, Surfside and Bal Harbour), the ordinance must pass by a majority vote of the voters voting in the election, rather than by a majority of the registered voters. The local option food and beverage tax funds the Homeless Trust.

With respect to sales taxes, HB 7073 creates four sales tax holidays:

- a. A 14-day back-to-school sales tax holiday from July 29, 2024, through August 11, 2024;
- b. Two 14-day disaster preparedness sales tax holidays from June 1, 2024, through June 14, 2024, and from August 24, 2024, through September 6, 2024;
- c. A 7-day skilled-worker sales tax holiday for certain tools from September 1, 2024, through September 7, 2024; and
- d. A 1-month sales tax holiday for recreational items and certain admissions purchased from July 1, 2024, through July 31, 2024, known as Freedom Month.

With respect to the insurance premium tax, HB 7073 requires insurers to give property owners deductions on their residential property insurance premiums in the amount of 1.75 percent of the policyholder's total premium and in the amount charged for the state fire marshal assessment. Flood policies are also eligible for the 1.75 percent reduction. These deductions apply to policies with coverage for a 12-month period and effective after October 1, 2024 and before September 30, 2025. Under the bill, insurers will be able to take a credit that is equal to the deduction and use the credit against their insurance premium tax liability.

With respect to the corporate income tax, HB 7073 creates a tax credit for corporations who employ persons with unique abilities, and provides tax credits to taxpayers who operate a child care facility or make contributions to child care facilities on behalf of employees.

With respect to property taxes, HB 7073 makes the following changes:

- a. Extends the time in which a property owner may begin rebuilding homestead property and continue to maintain homestead property tax benefits from 3 years to 5 years;
- b. Extends the date in which tangible personal property of an electric utility is deemed substantially completed;

- c. Relieves homestead property tax taxpayers from owing back taxes under certain circumstances, and requires property appraisers to include specific additional information in a notice of tax lien served upon an owner;
- d. Expands the ad valorem tax benefits for renewable energy source devices to include facilities used to capture and convert biogas to Renewable Natural Gas;
- e. Includes changes to the administration of the property tax exemptions created in the Live Local Act; for Monroe County, it reduces the number of units that must be set aside as affordable; and clarifies what is considered a part of a unit's value;
- f. Allows taxing authorities to "opt-out" of providing a property tax exemption to affordable housing units where the income of the person renting is between 80 and 120 percent adjusted gross income; and
- g. Provides for a new property tax exemption for certain developments that dedicate at least 70 units for affordable housing.

With respect to the documentary stamp tax, HB 7073 exempts the tax imposed on certain notes and obligations, valued no greater than \$3,500, when given to an alarm system contractor; and reduces the maximum amount of documentary stamp tax imposed on Home Equity Conversion Mortgages (commonly referred to as reverse mortgages).

Additionally, HB 7073:

- a. Increases the annual cap of the Strong Families Tax Credit Program to \$40 million;
- b. Makes permanent the distributions from the sales and use tax which must be used for certain thoroughbred breeding and racing purposes;
- c. Increases the percentage of revenue collected from the Sales Tax Collection Enforcement Diversion Program that goes to the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program (JP-PAS Program);
- d. Provides automatic filing extensions for sales tax dealers and corporate income taxpayers in certain emergencies; and
- e. Reduces the tax rates that will be levied on natural gas fuel beginning on January 1, 2026, by 50 percent for one year.

HB 7073 is anticipated to have a fiscal impact on Miami-Dade County, due largely to the sales tax holidays, which includes local sales surtaxes, such as the transit and county hospital half penny surtaxes levied in Miami-Dade County and changes to property taxes in the bill.

- 10. HB 1077: Miami-Dade County Clerk of Court Driver License Reinstatement Pilot Program/Revenues Received by Clerks of Court – SIGNED** - The Governor signed into law HB 1077 by Representative Adam Botana (R – Bonita Springs), effective immediately.

HB 1077 authorizes the establishment of the Miami-Dade County Clerk of Court Driver License Reinstatement Pilot Program. The bill authorizes the Miami-Dade County Clerk to reinstate, or provide an affidavit to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to reinstate, a suspended driver license that was originally

suspended for the following reasons when the obligations have been met or the suspension period has lapsed:

- a. Failure to fulfill a court-ordered child support obligation;
- b. Driving record points; or
- c. Failure to comply with any provision of chapters 318 or 322, Florida Statutes, relating to traffic infractions and drivers' licenses.

HB 1077 requires DHSMV to ensure that its technology system allows the Miami-Dade County Clerk to reinstate suspended driver licenses within the system under the pilot program beginning on July 1, 2024.

The bill requires the Miami-Dade County Clerk to submit a report containing the following information to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Executive Director of the Florida Clerks of Court Operations Corporation by December 31, 2025:

- a. The number of driver licenses reinstated;
- b. The amount of fees and costs collected, including the aggregate funds received by the clerk and local and state governmental entities, including from the General Revenue Fund;
- c. The personnel, operating, and other expenditures incurred by the clerk;
- d. Feedback received from the community, if any, in response to the Clerk's participation in the pilot program;
- e. Information regarding whether the pilot program provided more expeditious reinstatement of driver licenses;
- f. The Clerk's recommendation as to whether the pilot program should be extended in Miami-Dade County or to other clerks' offices; and
- g. Any other information the Clerk deems necessary.

In addition to the driver license reinstatement pilot program, HB 1077 also revises a number of statutes that increase revenue for clerks of court statewide through reimbursement for certain petitions and applications, and through redistribution of cumulative excess clerk revenue and other specified fees. The bill provides for the redistribution of revenue collected by the clerks from the state General Revenue Fund and into other trust funds for use by the clerks.

An earlier amendment adopted provides that the clerk of the circuit court in each county may invest funds held in the fine and forfeiture fund in an interest-bearing account, the interest of which must be deposited into the Public Records Modernization Trust Fund to be used exclusively for court-related operations and enhancements.

11. SB 328: Live Local Act, Affordable, Workforce Housing, Development, Airports, Affordable Housing Property Exemptions, Hometown Hero Program – SIGNED - The Governor signed into law SB 328 by Senator Alexis Calatayud (R – Miami), effective immediately.

SB 328 amends various provisions of the Live Local Act which passed during the 2023 session as SB 102 and made substantial changes and additions to affordable housing related programs and policies at both the state and local level.

As it pertains to the Live Local Act's preemption of certain local zoning and land use regulations to expedite the development of affordable housing, SB 328:

- a. Preempts a local government's "floor area ratio" for qualifying developments;
- b. Modifies the height preemption provisions to address situations where a qualifying development is adjacent to single family parcels;
- c. Prohibits qualifying developments within one-quarter mile of a military installation from utilizing the act's administrative approval process and exempts certain airport impacted areas from the act's provisions;
- d. Clarifies that a local government's "currently allowed" density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations;
- e. Requires developments authorized under the Live Local Act to be treated as a conforming use even after expiration of the development's affordability period and after the expiration of the applicable statutes;
- f. Specifies that a local government must reduce parking requirements for qualifying developments by at least 20 percent if the development is located within one-half mile of certain transportation facilities and has available parking within 600 feet;
- g. Requires local governments to publish on their website a policy containing procedures and expectations for the administrative approval of qualifying developments;
- h. Clarifies that only the affordable units in a qualifying development must be rental units;
- i. Requires a qualifying development within a transit-oriented development or area to be mixed-use residential;
- j. Clarifies provisions concerning local government bonuses for height, density, and floor area ratio for qualifying developments; and
- k. Grandfathers in applicants for proposed developments under current law, but allows those applicants to submit a revised application to account for changes made by the bill.

This was the subject of Resolution No. R-1020-23, prime sponsored by Commissioner Raquel Regalado.

- 12. SB 812: Expedited Approval of Residential Building Permits/Preliminary Plats/Subdivision of Land – SIGNED** - The Governor signed into law SB 812 by Senator Blaise Ingoglia (R – Spring Hill), effective immediately.

SB 812 requires certain local governments to create a program to expedite the issuance of residential building permits based on a preliminary plat and to issue the number or percentage of permits requested by an applicant if certain conditions are met. Local governments required to establish this expedited program are counties with 75,000 residents or more (except for Monroe County) and municipalities that have 10,000 residents or more and 25 acres or more of contiguous land designated for agricultural or residential purposes.

- 13. HB 609: Limitations on Increases to Local Business Tax Revenue/Formerly Repeal - DIED** - HB 609 by Representative Adam Botana (R – Bonita Springs) died on the House

floor calendar. The Senate companion bill, SB 1144 by Senator Nick DiCeglie (R – St. Petersburg), died in committee.

SB 1144 would have repealed the local business tax, with a substantial corresponding fiscal impact on Miami-Dade County, other local governments and the Beacon Council in Miami-Dade County.

The final version of HB 609 would have provided a limitation on the amount of revenue a local government may receive from local business taxes, based on the revenue that local government received in local fiscal year ending September 30, 2023, or September 30, 2024, whichever is greater. If a local government received more in local business tax revenue than it did in fiscal year 2022-2023 or 2023-24 (whichever is greater), the local government must have proportionally reduced its tax rates and issue refunds or credits to taxpayers.

- 14. SB 1084: Agriculture and Consumer Services/Electric Vehicle Charging/Preemption – SIGNED –** the Governor signed into law SB 1084 by Senator Jay Collins (R – Tampa), effective July 1, 2024. SB 1084 is an omnibus departmental bill for the Florida Department of Agriculture and Consumer Services, effective July 1, 2024.

One of the changes in SB 1084 preempts the regulation of electric vehicle charging stations to the state and prohibits local governments from enacting or enforcing such regulations. The bill also expands DOACS's rulemaking authority related to the requirements for electric vehicle charging stations.

- 15. SB 7024: Florida Retirement System/FRS/DROP/Employer Contribution Rates – SIGNED -** 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), effective immediately.

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, prime sponsored by Commissioner Roberto J. Gonzalez.

- 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.

The House also wanted to restore the cost-of-living adjustment (COLA) for eligible FRS pension plan members to 3 percent for all members eligible for a COLA, but this provision was not included in the final version of SB 7024. The House plans to pursue this issue as one of its priorities for next year's session.

16. HB 7063: Combating Human Trafficking, Government Contracting Affidavit, re: coercion for labor or services – SIGNED - The Governor signed into law HB 7063, a committee bill by the House Judiciary Committee, relating to combatting human trafficking, effective July 1, 2024.

HB 7063 makes several changes that relate to combatting human trafficking in Florida. Related to government contracting, HB 7063 requires a nongovernmental entity that enters into, renews, or extends a contract with a governmental entity to provide the governmental entity with an affidavit attesting that the nongovernmental entity does not use coercion for labor or services.

The bill prohibits a minor from being employed by an adult entertainment establishment in any role. The bill provides that an owner, manager, employee, or contractor of an adult entertainment establishment who knowingly employs, contracts with, contracts with another person to employ, or otherwise permits a person younger than 21 years of age to perform or work in an adult entertainment establishment, commits a first degree misdemeanor. The bill provides that it is a second degree felony to employ, or otherwise permit a person younger than 21 years of age to perform or work nude.

HB 7063 also provides that an owner, manager, employee, or contractor of an adult entertainment establishment that permits a person to perform as an entertainer or work in any capacity must carefully check the person's driver license or other identification and act in good faith and in reliance upon the representation and appearance of the person in the belief that the person is 21 years of age or older. The bill does not allow ignorance of a person's age or a person's misrepresentation of his or her age as a defense in a prosecution for certain violations.

The bill extends the repeal date of the direct-support organization for the Statewide Council on Human Trafficking to October 1, 2029, and replaces the National Human Trafficking Hotline with the Florida Human Trafficking Hotline in several sections. The bill also extends the date to January 1, 2025, by which:

- a. Certain persons licensed or certified under state law must post a human trafficking public awareness sign;

- b. A massage establishment must implement a procedure for reporting suspected human trafficking to the Florida Human Trafficking Hotline; and
- c. A public lodging establishment must post a human trafficking public awareness sign.

17. HB 389: Road Codesignations/MICCO WAY/Abe Resnick Drive/Pastor Rick Blackwood Street/Miami-Dade County – SIGNED - The Governor signed into law HB 389 by Representative Spencer Roach (R - North Fort Myers), effective July 1, 2024.

HB 389 creates honorary codesignations for various road and other transportation facilities across the state and directs the Florida Department of Transportation (FDOT) to erect suitable markers for each codesignation, which are typically brown and yellow signs at the beginning and end of the state road codesignation.

The Miami-Dade County codesignations included in the bill are:

- a. S.R. 997/Krome Avenue/ W. 177th Avenue between S.W. 8th Street and the entrance to the Miccosukee Casino & Resort in Miami-Dade County as “MICCO WAY”;
- b. Bay Avenue between West 25th Street and West 27th Street in Sunset Islands, Miami Beach, Miami-Dade County as "Abe Resnick Drive"; and
- c. S.W. 168th Street between U.S. 1 and S.W. 89th Avenue in Miami-Dade County as “Pastor Rick Blackwood Street”.

Codesignations adopted by the Legislature do not change the official names of the road and do not require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings to account for the designations. Before FDOT installs signage, the applicable local government is required to pass a resolution approving the codesignation.

This was the subject of Resolution No. R-1166-23, prime sponsored by Commissioner Juan Carlos Bermudez.

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

18. HB 1329: Major John Leroy Haynes Florida Veterans’ History Program/Fee Exemption, Hunting And Fishing License Fees, Disabled Veterans – SIGNED - The Governor signed into law HB 1329 by Representatives Daniel Antonio "Danny" Alvarez (R – Riverview) and Mike Redondo (R – Miami).

HB 1329 creates the Major John Leroy Haynes Florida Veterans’ History Program within the Florida Department of State’s Division of Arts and Culture and includes an appropriation to implement the program. The purpose of the Florida Veterans’ History Program is to collect and preserve the stories and experiences of Florida’s veterans and Florida’s military contributions throughout the nation’s history.

With respect to support services for U.S. military members, HB 1329:

- a. Provides that “Florida Is for Veterans, Inc.” (Veterans Florida) shall serve as the initial point of military transition assistance and to conduct marketing and outreach to its

- target market. U.S. Armed Forces servicemembers with 24 months or less until discharge, veterans with 36 months or less since discharge, members of the Florida National Guard or reserve, and their spouses or surviving spouses who have not remarried are the target market;
- b. Expands the Organization’s employment outreach, marketing, and support services; and
 - c. Increases Veterans Florida’s board of directors from 9 to 11 members, with the President of the Senate and the Speaker of the House of Representatives each appointing one from their presiding body to serve as ex officio, nonvoting members.

This was the subject of Resolution No. R-52-24, Prime Sponsored by Commissioner Juan Carlos Bermudez.

19. SB 7002; SB 7004: “Learn Local”/Deregulation of Public Schools/Emergency Management/Emergency Sheltering in Schools/Staffing – SIGNED - The Governor signed into law SB 7002 and SB 7004, committee bills by the Senate Committee on Education Pre-K – 12, each effective July 1, 2024.

The bills provide greater flexibility for and reduced regulation of public schools following the passage of HB 1 during the 2023 legislative session. HB 1 expanded eligibility for the Florida Tax Credit Scholarship and the Family Empowerment Scholarship programs for students attending private schools to any student who is a resident of Florida and is eligible to enroll in kindergarten through grade 12 in a public school.

SB 7002 and SB 7004, along with SB 7000 by Senator Alexis Calatayud (R-Miami), made up the “Learn Local” initiative. Senate President Kathleen Passidomo (R - Naples) identified the “Learn Local” initiative as one of her priorities for the 2024 session. SB 7000 was amended into SB 7002 during the session. The “Learn Local” initiative is aimed at reducing regulations on public schools, while maintaining accountability.

Relating to emergency management, SB 7002 replaces a current requirement for a district school board to staff emergency facilities with a requirement to only provide staff to access such facilities to clarify that the extent of the staffing of public emergency shelter facilities by district school board personnel remains dependent on the requirements of the county emergency management plan.

20. SB 1264: Required Public School Instruction in History of Communism – SIGNED - the Governor signed into law SB 1264 by Senator Jay Collins (R – Tampa) re: history of communism, effective July 1, 2024.

SB 1264 requires, beginning in the 2026-2027 school year, instruction in public schools on the history of communism that is age and developmentally appropriate. The bill specifies topics that must be included in such instruction.

The bill requires the Florida Department of Education (DOE) to prepare and offer standards for the required instruction and allows the DOE to seek input from victims of communism and organizations dedicated to the victims of communism.

The bill establishes the Institute for Freedom in the Americas within Miami Dade College

(MDC) to preserve the ideals of a free society and promote democracy in the Americas. The institute must:

- a. Partner with the Adam Smith Center for Economic Freedom to hold workshops, symposiums and conferences for leaders that promote democracy.
- b. Enter into an agreement with the center to provide coursework and programs that advance democratic practices and economic and legal reforms.
- c. Provide educational and experiential opportunities for regional leaders.

The bill requires MDC to establish a direct support organization to support the institute and specifies the composition of the five-member DSO board to be appointed by the Governor, President of the Senate, and Speaker of the House of Representatives.

The bill requires the Florida Department of State, in collaboration with the DOE, to consult with state and national stakeholders to provide a recommendation to the Legislature by December 1, 2024, on the creation of a museum focusing on the history of communism.

The bill renames the Adam Smith Center for the Study of Economic Freedom to the Adam Smith Center for Economic Freedom, authorizes the center to offer degrees, and requires the center to partner with the institute to support its mission.

21. SB 592: Historical Preservation Programs; Florida African American Heritage Preservation Network - SIGNED - The Governor signed into law SB 592 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2024.

SB 592 creates a partnership between the Florida Department of State (DOS) and the Florida African American Heritage Preservation Network (FAAHPN). Subject to legislative funding, SB 592 tasks the DOS and the FAAHPN with preserving Florida's black and African American history by supporting museums, galleries, and archives, and by providing technology, training, and other technical assistance. The bill requires the FAAHPN to submit a list of member museums to the DOS. The DOS must independently verify that such museums are members of the FAAHPN. Additional eligible expenditures, such as internships and living history presentations, will be determined jointly by the DOS and the FAAHPN

22. HB 1621: Unlawful Demolition of Historical Structures and Landmarks – DIED – The House passed HB 1621 by Representative Mike Beltran (R – Apollo Beach), but HB 1621 died in messages to the Senate. No Senate companion bill was filed.

HB 1621 would have authorized code enforcement boards to impose an enhanced fine for the demolition of a structure listed on the National Register of Historic Places. To do so, a code enforcement board or special magistrate would have been required to make specific findings based on substantial evidence that the demolition of the historic structure of landmark was not permitted and was not the result of a natural disaster. The enhanced fine may not exceed 20 percent of the fair market value of the property, as identified in the property appraiser's evaluation.

C. Environment, Transportation, Tourism & Economic Development

23. HB 1557: Environmental Protection/Kristin Jacobs Coral Reef Ecosystem Conservation Area/Statewide Flood Vulnerability/Sea Level Rise Assessment/Nutrient-Reducing Septic Tank Approval Program/Wastewater Treatment – SIGNED – The Governor signed into law HB 1557 by Representative Linda Chaney (R – St. Petersburg), effective July 1, 2024.

HB 1557 revises provisions relating to aquatic preserves, resilience, onsite sewage treatment and disposal systems (OSTDS, otherwise known as septic tanks), and wastewater treatment facilities.

Regarding aquatic preserves, the bill:

- a. Provides that it is a noncriminal infraction to operate a vessel outside a lawfully marked channel in a careless manner that causes seagrass scarring within the Nature Coast Aquatic Preserve; and
- b. Declares the Kristin Jacobs Coral Reef Ecosystem Conservation Area to be an aquatic preserve.

The bill also requires all applicants for permits to construct and operate a domestic wastewater treatment facility to prepare a reuse feasibility study. Domestic treatment facilities that dispose of effluent by certain means must implement reuse to the extent feasible and must consider the ecological or public water supply benefits afforded by any disposal.

The bill makes revisions to facilitate the ongoing transfer of the OSTDS program from the Florida Department of Health to the Florida Department of Environmental Protection (DEP) including:

- a. Creating new procedures for DEP regarding the processing and enforcement of septic tank requirements;
- b. Directing DEP to adopt rules for a general permit for projects which have, individually or cumulatively, a minimal adverse impact on public health or the environment; and
- c. Directing DEP to establish an enhanced nutrient-reducing OSTDS approval program.

Regarding domestic wastewater treatment facilities and wastewater treatment plans, the bill:

- a. Requires certain public and private facilities to participate in developing the domestic wastewater treatment plan including providing certain information to the applicable local government; and
- b. Requires certain wastewater treatment facilities that provide reclaimed water within a basin management action plan or reasonable assurance plan area to meet advanced waste treatment standards.

Regarding reclaimed water, the bill:

- a. Directs the water management districts and DEP to develop rules to promote reclaimed water and encourage potable water offsets that produce significant water savings; and

- b. Authorizes extended permits for those applicants or permittees that propose a development or water resource development project using reclaimed water.

Regarding the Resilient Florida Grant Program, the bill:

- a. Authorizes DEP to provide grants to counties or municipalities to fund:
 - i. An update of their inventory of critical assets, including those that are currently or reasonably expected to be impacted by flooding and sea level rise;
 - ii. Development of strategies to enhance community preparations for threats from flooding and sea level rise, including adaptation plans; and
 - iii. Permitting for projects designed to achieve reductions in the risks or impacts of flooding and sea level rise using nature-based solutions.
- b. Requires vulnerability assessments to use data from the Florida Flood Hub that is certified by the state's Chief Resilience Officer; and
- c. Requires certain data and planning horizons to be used in the assessment.

Regarding the Statewide Flooding and Sea Level Rise Resilience Plan, the bill:

- a. Authorizes the plan to include projects not yet identified in the comprehensive statewide flood vulnerability and sea level rise assessment at the discretion of DEP and the Chief Resilience Officer; and
- b. Expands the types of projects that can be submitted by local or regional entities.

24. SB 32; HB 1581: Mangrove Replanting, Restoration – DIED - HB 1581 by Representative James Vernon 'Jim' Mooney, Jr. (R – Key Largo) passed the House but died in messages to the Senate. The Senate companion bill, SB 32 by Senator Ileana Garcia (R – Miami), died in committee.

HB 1581 would have required the Florida Department of Environmental Protection (“DEP”) to adopt rules for mangrove replanting and restoration. The bill would have directed DEP to conduct a statewide feasibility study to determine the value of mangroves and other nature-based solutions for coastal flood risk reduction to reduce insurance premiums and improve local governments’ community ratings in the National Flood Insurance Program Community Rating System. The bill also would have directed DEP to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2025

25. SB 1364: Everglades Protection Area/Comprehensive Plans, Amendments – DIED – SB 1364 by Senator Alexis Calatayud (R – Miami) passed the Senate but died in messages to the House. The House companion bill, HB 723 by Representative Demi Busatta Cabrera (R – Coral Gables), died in committee.

SB 1364 would have required any proposed comprehensive plan or plan amendment applying to land within, or within two miles of, the Everglades Protection Area to be reviewed pursuant to the State Coordinated Review Process. SB 1364 applies to a class of counties of which Miami-Dade County currently is the only one, or any municipality located therein.

The Florida Department of Environmental Protection (DEP) would have been tasked with determining whether a plan or plan amendment will adversely impact the Everglades

Protection Area or the Everglades restoration and protection objectives in state law. DEP would have had 30 days after receipt of the plan or plan amendment to issue a written determination identifying any adverse impacts.

Before adoption, DEP would have had to coordinate with the Florida Department of Commerce and the local government to identify any planning strategies or measures that the local government could include in the proposed plan or plan amendment to eliminate or mitigate any adverse impacts. If any portion of the proposed plan or plan amendment will result in adverse impacts, then the local government would have been required to either include planning strategies or measures to eliminate or mitigate the adverse impacts, or not adopt that portion of the proposed plan or plan amendment.

- 26. SB 36; HB 455: Comprehensive Waste Reduction/Recycling Plan – DIED - HB 455 by Representative Joe Casello (D - Boynton Beach) passed the House but died in the Senate. The Senate companion bill, SB 36 by Senator Linda Stewart (D – Orlando), died in committee.**

HB 455 would have required the Florida Department of Environmental Protection (“DEP”), by July 1, 2025, to develop a comprehensive waste reduction and recycling plan for the state based on prior recommendations from its 2020 report.

- 27. SB 298: Local Government Coastal Protections/Coastal County, Municipality Coastal Construction Zoning, Building Codes/Saltwater Intrusion Vulnerability Assessments/Water Utilities – DIED - SB 298 by Senator Tina Scott Polsky (D – Boca Raton) passed the Senate but died in messages to the House. The House companion bill, HB 1079 by Representative Fiona McFarland (R – Sarasota), died in committee.**

SB 298 would have amended the Resilient Florida Grant Program to authorize the Florida Department of Environmental Protection (DEP) to provide grants to coastal counties to conduct vulnerability assessments analyzing the effects of saltwater intrusion on their water supplies and the preparedness to respond to such a threat. Each vulnerability assessment would have been required to include an analysis of all of the following information:

- a. The coastal county’s primary water utilities;
- b. Current maps of the coastal county’s freshwater wellfields and latest saltwater intrusion impact lines;
- c. Projections of saltwater intrusion over the next decade, including specific wells that may be impacted during that timeframe; and
- d. The costs necessary to relocate freshwater wellfields that are anticipated to be impacted, including current projects that are underway to relocate the freshwater wellfields.

The bill also would have required DEP to do all of the following:

- a. Use the information contained in a coastal county’s saltwater intrusion vulnerability assessment to update its Comprehensive Statewide Flood Vulnerability and Sea Level Rise Data Set;

- b. Make publicly available on DEP’s website any appropriate information from a saltwater intrusion vulnerability assessment it receives from coastal counties; and
- c. Provide 50 percent cost-share funding up to \$250,000 for each grant awarded under this section of the Resilient Florida Grant Program. A coastal county with a population of 50,000 or less is not required to contribute to the cost share.

28. HB 1301: Transportation/Transit Administrative Costs/COVID-19 Documentation, Information, Airports/Seaports/Airport Zoning/Bus Wraps – SIGNED - The Governor signed HB 1301 into law today, which is an omnibus bill related to transportation and is the Florida Department of Transportation legislative package, effective July 1, 2024.

Among other provisions, HB 1301:

- a. Caps administrative costs of public transit providers at 20 percent above the annual state average of administrative costs based on tiers. With over 1,000 buses, Miami-Dade County is in the large tier. But this tier includes public transit providers with just over 100 buses, including providers as small as the City of Gainesville Regional Transit System. According to an analysis by the Florida Department of Transportation (FDOT), Miami-Dade County has the lowest administrative costs at 13.25 percent of any transit provider in the large tier and well below the cap at 20 percent above the state average administrative costs for the large tier.
- b. Revises the definition of administrative costs to include, but not be limited to, costs related to transit service development, injuries and damages, safety, personnel administration, legal services, data processing, finance, and accounting, purchasing and stores, engineering, real estate management, office management and services, customer service, promotion, market research, and planning. Administrative costs do not include insurance.
- c. Caps the year-over-year cumulative increase in general transit administrative costs requiring review and approval by the Florida Department of Transportation at 5 percent.
- d. Requires airport land use compatibility zoning regulations to “address”, rather than “consider” issues specified in statute.
- e. Contains an exception to the prohibition on residential construction near airports under Florida law to allow residential property within the buffer zone of a public-use airport that has a sole runway measuring less than 2,800 in length.
- f. Requires that any lane elimination or lane repurposing, recommendation, or application relating to public transit projects must be approved by a two-thirds vote of the transit authority board in a public meeting with a 30-day public notice and that any action of eminent domain for acquisition of public transit facilities carried out by a public transit provider must be discussed by the public transit provider at a public meeting with a 30-day public notice.
- g. Adds a new section under Florida law relating to streetlights and limitations on liability which provides that “electric utility” shall include subsidiaries of an electric utility, regardless of whether the electric utility or subsidiary is providing electric street light service; and
- h. Provides that the remaining unallocated New Starts Transit Program funds as of June 30 of each fiscal year, must be reallocated for the purpose of the Strategic Intermodal System (SIS).

- i. Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities, including any wraps displayed on a transit bus.
- j. Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- k. Prohibits FDOT from spending state funds on a public transit provider, public-use airport, or seaport violating s. 381.00316, Florida Statutes, relating to COVID-19 mask and vaccine requirements and provides that FDOT must withhold state funds until such entities are found to be in compliance with this statute.

In addition, HB 1301 provides that beginning November 1, 2024, and annually thereafter, each public transit provider, during a publicly noticed meeting must:

- a. Certify that its budgeted and general administration costs are not greater than 20 percent above the annual state average of administrative costs for their respective tier;
- b. Present a line-item budget report of its budgeted and actual general administration costs; and
- c. Disclose all salaried executive and management level employees' total compensation packages, ridership performance and metrics, and any gift accepted in exchange for contracts. This disclosure must be posted annually on the transit provider's website.

48. HB 287: Florida Department of Transportation/20 Percent Cap on Transit Funding – SIGNED - The Governor signed into law HB 287 by Representative Tiffany Esposito (R – Fort Myers), effective July 1, 2024.

HB 287 prohibits the Florida Department of Transportation (FDOT), with certain exceptions, from annually committing more than 20 percent of the revenues derived from state motor fuel taxes and motor vehicle license-related fees to public transit projects.

More specifically, current law provides a 15 percent floor on transit spending from these sources, HB 287 imposes a 20 percent cap on transit spending, with the following exceptions:

- a. A public transit project that uses revenues derived from state fuel taxes and motor vehicle license related fees to match funds made available by the federal government;
- b. A public transit project included in the transportation improvement program and approved by a supermajority vote of the board of county commissioners where the project is located; or
- c. A bus rapid transit or rail project that would result in maintaining or enhancing the level of service of the state highway system along the corridor of the project, provided state funds do not exceed 50 percent of the non-federal share of the costs and the percent of the local share. This exception was added to HB 287 in committee this week.

29. HB 1363: Traffic Camera Enforcement/Red Light Cameras/Procurement – SIGNED - The Governor signed into law HB 1363 by Representative Demi Busatta Cabrera (R – Coral Gables), effective July 1, 2024.

HB 1363 prohibits counties or municipalities from using a contract procured with a governmental entity outside the state for any camera system used to detect traffic infractions, entered into on or after July 1, 2025.

The bill prohibits a governmental entity from knowingly entering into or renewing a contract, on or after July 1, 2025, for a camera to enforce traffic infractions where the contracting vendor is owned by the government of a foreign country of concern or a foreign country of concern has a controlling interest in the contracting vendor.

The bill creates the following additional requirements regarding the installation and use of traffic infraction detectors, commonly known as red light cameras:

- a. Requires a county or municipality to enact an ordinance following a public meeting to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of, one or more traffic infraction detectors installed on or after July 1, 2025.
- b. Requires a county or municipality to determine that the intersection at which the traffic infraction detector is to be placed constitutes a heightened safety risk that warrants additional enforcement measures.
- c. Requires a county or municipality operating traffic infraction detectors to annually report, at a public meeting, the results of all traffic infraction detectors within the county's or municipality's jurisdiction and provides specific requirements for such report, including data on notices of violation and the collection and distribution of proceeds.
- d. Provides that compliance or sufficiency of compliance with the above reporting requirement may not be raised in a proceeding challenging specified traffic violations enforced by a traffic infraction detector.

Additionally, the bill provides that a county or municipality that does not comply with the specified reporting requirements is suspended from operating traffic infraction detectors until such noncompliance is corrected. The bill requires municipalities and counties operating traffic infraction detectors to report specified information to the Department of Highway Safety and Motor Vehicles (DHSMV). The DHSMV must publish each of these reports on its website.

- 30. SB 1110; HB 1177: Land Development/Impact Fees/Developments of Regional Impact/Community Planning Act – DIED – HB 1177 by Representative Wyman Duggan (R – Jacksonville) died on the House floor, and the House companion bill, SB 1110 by Senator Nick DiCeglie (R – St. Petersburg), died in committee.**

HB 1177 would have:

- a. Required local governments implementing transportation concurrency to credit the fair market value of any land dedicated to a governmental entity for transportation facilities against the total proportionate share payments computed pursuant to general law, and provided that proportionate-share fees of an applicant for a land use development permit may be based on a cumulative analysis of trips from a previous stage or phase that were not analyzed;
- b. Revised application of credits against local impacts for Developments of Regional Impact (DRIs);

- c. Revised review requirements for changes to DRIs and clarifies the application of vested rights in DRIs;
- d. Provided counties with the power to hear final decisions made by municipal historic preservation boards; and
- e. Prohibited local governments from requiring certain approvals or fees before allowing the alteration or removal of a tree on property used for the construction of a healthcare facility for veterans.

31. HB 1350: Damaged, Salvage Vessels, Motor Vehicles, Mobile Homes – SIGNED - The Governor signed into law HB 1350 by Senator Nick DiCeglie (R – St. Petersburg), effective July 1, 2024.

SB 1350 relates to salvage motor vehicles, mobile homes, and vessels. The bill:

- a. Incorporates vessels into the definition of “independent entity” for purposes of the salvage certificate of title statute;
- b. Defines “major component parts” of electric, hybrid, and plug-in hybrid motor vehicles for the purpose of verifying the sources of these parts during the rebuilt inspection process;
- c. Requires, if the owner maintains possession of a total loss motor vehicle or mobile home, that the owner or insurance company or owner notify the Florida Department of Highway Safety and Motor Vehicles (DHSMV), and DHSMV must issue a salvage certificate of title or a certificate of destruction directly to the owner of such or vehicle or mobile home;
- d. Clarifies that a certificate of title may be paper or electronic;
- e. Provides that as an alternative for the insurance company having received a release of all liens, it may pay the amount due to the lienholder and obtain proof that the lienholder accepts payment as satisfying the amount due to the lienholder;
- f. Incorporates damaged or dismantled “vessel” into the salvage statute and provides procedures for the release and application for titling by an independent entity in possession of the vessel; and
- g. Reenacts statutes relating to the sale of specified motor vehicles and the rebuilt motor vehicle inspection program to incorporate changes into the definition of “major component parts.”

D. Public Safety, Regulatory, Animal Services & Procurement

32. HB 275: Intentional Damage to Critical Infrastructure/Water, Wastewater Facilities/Seaports/ Airports – SIGNED - The Governor signed into law HB 275 by Representative Jennifer Canady (R – Lakeland), effective July 1, 2024.

HB 275 creates new criminal offenses involving critical infrastructure, including:

- a. Knowingly and intentionally tampering with critical infrastructure that results in \$200 or more of damage to such infrastructure, or where the damage causes the interruption or impairment of the function of critical infrastructure which costs \$200 or more in labor and supplies to restore, punishable as a second degree felony;

- b. Trespassing on critical infrastructure as to which notice against entering or remaining in is given, punishable as a third degree felony;
- c. Accessing a computer, computer system, computer network, or electronic device owned, operated, or used by a critical infrastructure entity without authorization, punishable as a third degree felony; and
- d. Physically tampering with or inserting a computer contaminant into a computer, computer system, computer network, or electronic device that causes a disruption in any service delivered by a critical infrastructure entity, punishable as a second degree felony.

A person who is found in a civil action to have improperly tampered with critical infrastructure based on a conviction is civilly liable to the owner or operator in an amount equal to three times the amount of the actual damage sustained by the owner or operator, or three times any claim the owner or operator is required to pay, whichever is greater, for any personal injury, wrongful death, or property damage caused by the act.

- 33. HB 437: Biscayne Bay/Anchoring of Vessels in Limitation Areas – SIGNED -** The Governor signed into law HB 437 by Representative Juan Carlos Porras (R – Miami), effective July 1, 2024.

HB 437 expands the sections of Biscayne Bay in Miami-Dade County that are designated as anchoring limitation areas. In these anchoring limitation areas, a person is prohibited from anchoring a vessel at any time during the period between one half-hour after sunset and one half-hour before sunrise. The bill designates the sections of Biscayne Bay lying between Palm Island and State Road A1A and between San Marino Island and Di Lido Island as anchoring limitation areas.

The bill specifies that documentation used to prove that a vessel has not exceeded the limits of county-established anchoring limitation areas must show the vessel at least one nautical mile away within a certain period. The bill allows navigational or tracking devices to be used for electronic evidence of a vessel's location if the devices are permanently affixed to the vessel.

- 34. SB 356: Protection of Elderly, Vulnerable Community/Prohibited Acts by Notaries Public – DIED –** SB 356 by Senator Bryan Avila (R – Hialeah Gardens) passed the Senate but died in messages to the House. The House companion bill, HB 1255 by Representative Juan Carlos Porras (R – Miami), died in committee.

The bills would have created criminal penalties for prohibited acts by notaries public, with increased penalties for violations pertaining to real estate transactions.

This was the subject of Resolution No. R-107-23, prime sponsored by Senator Rene Garcia.

- 35. SB 280: Vacation Rentals/Advertising Platforms/Preemption – VETOED -** The Governor vetoed SB 280 by Senator Nick DiCeglie (R – St. Petersburg), the vacation rentals bill.

SB 280 revise the regulation of vacation rentals by the state and by local governments. A vacation rental is defined as a unit in a condominium or cooperative, or a single, two, three, or four family house that is rented to guests more than three times a year for periods of less than 30 days or one calendar month, whichever is shorter, or held out as regularly rented to guests. Vacation rentals are licensed by the Division of Hotels and Restaurants (division) within the Florida Department of Business and Professional Regulation (DBPR).

The bill preempted to the state the regulation of advertising platforms, defined as a person, which may be an individual or a corporation, who electronically advertises a vacation rental to rent for transient occupancy, maintains a marketplace, and a reservation or payment system.

The bill authorized local governments to require that vacation rentals be registered and to charge a reasonable fee for registration and for specified inspections of a vacation rental. Before implementing a vacation rental registration program, however, local governments must prepare a business impact estimate including specified information.

This was the subject of Resolution R-1177-23, prime sponsored by Commissioner Micky Steinberg.

36. HB 1365: Unauthorized Public Camping and Public Sleeping/Preemption – SIGNED

= The Governor signed into law HB 1365 by Representative Sam Garrison (R – Fleming Island), effective January 1, 2025.

HB 1365 preempts counties and municipalities from authorizing individuals to regularly sleep or camp on public property, at public buildings, or on public rights-of-way within their jurisdictions. The prohibition against camping or sleeping on public property does not apply when the Governor has declared a state of emergency or when a sheriff or other local officer has declared a local state of emergency pursuant to chapter 170, Florida Statutes, relating to rioting, acts of violence and unlawful assembly.

The bill authorizes a county, by majority vote of the county's governing body, to designate property owned by the county or by a municipality within the county to be used for public camping or sleeping for up to one year. If the designated property is within a municipality, the designation is contingent upon concurrence of the municipality, by majority vote of the municipality's governing body. The designation is also contingent on certification by the Florida Department of Children and Families (DCF), when the county requests it and certifies to DCF that certain criteria are met.

Under the bill, if a county designates public property to be used for public camping or sleeping, the county must establish and maintain minimum standards and procedures related to ensuring safety, security, sanitation, mental health and substance abuse services coordination, and illegal substance and alcohol use prohibition, unless the county is a fiscally constrained county and complying with such requirements would result in a financial hardship. The bill requires a county to publish the minimum standards and procedures on the county and municipality's website within 30 days after certification of designation. The bill authorizes DCF to inspect such designated property at any time and provide notice to the county recommending closure of designated property if requirements for maintaining the property are not being met. The bill establishes a civil cause of action for injunctive relief.

HB 1365 also authorizes a resident of the county, owner of a business located in the county, or the Attorney General to bring a civil action to enjoin the county or municipality from authorizing public camping or sleeping without designating property for that use. If successful, the petitioner may recover reasonable expenses. The bill requires an application for an injunction to be accompanied by an affidavit confirming that the applicant provided written notice of the violation to the county or municipality and that the county or municipality failed to cure the violation within five business days.

37. HB 1555: Cybersecurity Policies and Procedures/Local Government Reporting/State Agencies – SIGNED – The Governor signed into law HB 1555 by Representative Mike Giallombardo (R – Cape Coral), effective July 1, 2024.

The final version of HB 1555 no longer included new mandates for local government with respect to cybersecurity procedures that appeared in prior versions of the bill. HB 1555 provides that the Florida Center for Cybersecurity at the University of South Florida may be referred to as “Cyber Florida” and revises its mission and goals. The bill adds the following new mission: conduct, fund, and facilitate research and applied science that leads to the creation of new technologies and software packages that have military and civilian applications and which can be transferred for military and homeland defense purposes or for sale or use in the private sector.

38. HB 3: Age Verification for Social Media Platform Accounts/Online Access to Materials Harmful to Minors/Public Records Investigations – SIGNED – the Governor signed into law HB 3 by Representatives Chase Tramont (R – Port Orange) and Tobin Rogers 'Toby' Overdorf (R – Stuart), effective January 1, 2025.

HB 3 regulates the availability of both social media and online pornographic content with respect to minors. This issue was a priority of House Speaker Paul Renner (R – Palm Coast). HB 3 is a follow up bill to HB 1 which was vetoed by the Governor.

HB 3 requires social media platforms that are regulated by the bill to perform reasonable age verification before permitting users to access their platforms. These platforms regulated by the bill are distinguishable from unregulated platforms primarily due to their:

- a. Use of addictive, harmful, or deceptive design features, or any other feature that is designed to cause an account holder to have an excessive or compulsive need to use or engage with the social media platform; and
- b. Allowance of the use of information derived from the social media platform’s tracking of the activity of an account holder to control or target at least part of the content offered to the account holder.

HB 3 prohibits minors younger than 14 years of age from becoming account holders and allows minors 14 and 15 years of age to become account holders only with the consent of the minor’s parent or guardian. With respect to existing accounts belonging to minors younger than 14, the bill requires social media platforms to terminate them, and allows the account holders or their parents or guardians to terminate them. Social media platforms are required to permanently delete all personal information held by them relating to terminated accounts unless otherwise required by law to maintain the personal

information. The bill's social media regulations do not apply to services whose only function is email or direct messages between two users.

HB 3 also targets online materials that are harmful to minors, such as pornography. As a result, the bill requires websites that knowingly publish or distribute such materials to utilize reasonable age verification methods to prevent minors from accessing the materials. HB 3 provides penalties for violations as well as the right for certain individuals to sue. HB 3 exempts news-gathering websites from these provisions.

Any violation of the bill's regulations is deemed to be an unfair and deceptive trade practice, actionable only by the Florida Department of Legal Affairs under the Florida Deceptive and Unfair Trade Practices Act. The bill also provides a private cause of action against social media platforms for failing to timely delete the account of a minor younger than 14 years of age after receiving a request to delete the account, as well as a private cause of action against sites distributing materials harmful to minors if such sites fail to properly restrict access.

39. SB 1764: Car Racing Penalties/Street, Intersection Takeover – SIGNED – The Governor signed into law SB 1764 by Senator Jason Pizzo (D – Hollywood), effective July 1, 2024.

SB 1764 makes numerous changes to penalties related to racing on highways, street takeovers, and stunt driving. Specifically, the bill:

- a. Defines the term “coordinated street takeover” to mean 10 or more vehicles operated in an organized manner to effect a street takeover;
- b. Increases the fine for a first violation of prohibited racing activities from \$500 up to \$1,000, to \$500 up to \$2,000;
- c. Decreases the time period during which a second violation will result in an enhanced penalty, from within five years after the date of a prior violation that resulted in conviction, to within one year of such violation. It increases the penalty for such a violation from a first degree misdemeanor to a third degree felony. It also increases the fine for such a violation from \$1,000 up to \$3,000, to \$2,500 up to \$4,000;
- d. Creates a third degree felony for any person who, in the course of committing the offense, knowingly impedes, obstructs, or interferes with an authorized emergency vehicle which is on call and responding to an emergency other than the violation of prohibited racing activities. A second or subsequent violation of this provision is punishable as a second degree felony with a four year driver license revocation. Pursuant to the Florida Contraband Forfeiture Act, the arresting law enforcement agency may move to seize any vehicle used in violation of this provision;
- e. Increases the penalty for a third or subsequent violation within five years after the date of a prior violation that resulted in a conviction, from a first degree misdemeanor to a second degree felony and increases the fine from \$2,000 up to \$5,000, to \$3,500 up to \$7,500;
- f. The bill provides that any person who violates specified provisions while engaged in a coordinated street takeover commits a third degree felony, must pay a fine of \$2,500 up to \$4,000, and is subject to a two year license revocation; and
- g. Increases the spectator fine from \$60 to \$400.

As part of the 2024 state legislative package, the Board of County Commissioners adopted a Miami-Dade Police Department request to support increased penalties for street takeovers, drag racing, and stunt driving.

- 40. HB 179: Towing and Storage Rates/Wrecker Operator Systems/Preemption – SIGNED** - The Governor signed into law HB 179 by Representative Robert Alexander "Alex" Andrade (R – Pensacola), effective July 1, 2024.

HB 179 makes the following changes, among others, to laws relating to towing-storage operators:

- a. Requires counties, cities, and the Florida Highway Patrol (FHP) to post their respective maximum towing and storage rates online and to establish a process for investigating and resolving complaints regarding fees charged in excess of such rates;
- b. Requires a towing-storage operator to accept payment for accrued charges from specified authorized persons in any form from at least two of the following lists:
 - i. Cash, cashier's check, money order, or traveler's check.
 - ii. Bank, debit, or credit card.
 - iii. Mobile payment service, digital wallet, or other electronic payment system.
- c. Expressly preempts a county or municipal charter, ordinance, resolution, regulation, or rule that conflicts with the provision specifying the forms of payment that a towing-storage operator must accept.

- 41. HB 1589: Driving Without a Valid Driver's License – SIGNED** - The Governor signed into law HB 1589 by Representative Rachel Saunders Plakon (R – Longwood), effective July 1, 2024.

HB 1589 establishes revised penalties related to the offense of driving without a valid driver's license. Specifically, any person who drives without ever having been issued a valid driver license commits an offense of no valid driver license (NVDL), and the bill revises the penalty for NVDL:

- a. For a first conviction, a misdemeanor of the second degree.
- b. For a second conviction, a misdemeanor of the first degree.
- c. For a third or subsequent conviction, a misdemeanor of the first degree and is subject to a minimum of 10 days in jail as ordered by the court.

- 42. SB 184: Impeding, Threatening, or Harassing First Responders – SIGNED** - The Governor signed into law SB 184 by Senator Bryan Avila (R – Hialeah Gardens), effective January 1, 2025.

SB 184 provides that it is a second degree misdemeanor for any person, after receiving a verbal warning not to approach from a person he or she knows or reasonably should know is a first responder engaged in the lawful performance of a legal duty, to knowingly and willfully violate the warning and approach or remain within 25 feet of the first responder, with the intent to:

- a. Impede, or interfere with the first responder's ability to perform such duty;
- b. Threaten the first responder with physical harm; or
- c. Harass the first responder.

The bill defines “harass” to mean to willfully engage in a course of conduct directed at a first responder which intentionally causes substantial emotional distress in that first responder and serves no legitimate purpose.

43. HB 149: Procurement/CCNA/Continuing Contracts/Governmental Entities – SIGNED
– The Governor signed into law HB 149 by Representative Daniel Antonio "Danny" Alvarez (R – Riverview), effective July 1, 2024.

HB 149 increases the maximum limit for continuing contracts covered by the Consultants' Competitive Negotiation Act from an estimated per-project construction cost of \$4 million to \$7.5 million plus an annual increase based on the Consumer Price Index (CPI). Beginning July 1, 2025, the bill requires the Florida Department of Management Services to adjust annually the maximum amount allowed for each individual project in a continuing contract by using the change in the June-to-June CPI and to publish the adjusted amount on its website.

44. HB 601: Preemption/Independent Civilian Panel/Investigation of Complaints Against Law Enforcement and Correctional Officers/Elected Sheriff Salary Increase – SIGNED - The Governor signed into law HB 601 by Representative Wyman Duggan (R – Jacksonville), effective July 1, 2024.

HB 601 preempts local law enforcement and correctional officer independent civilian panels, including the Miami-Dade County Independent Civilian Panel in its current form. The bill specifies that a political subdivision may not adopt or attempt to enforce any ordinance relating to either:

- a. The receipt, processing, or investigation by any political subdivision of this state of complaints of misconduct by law enforcement or correctional officers; or
- b. Civilian oversight of law enforcement agencies' investigations of complaints of misconduct by law enforcement or correctional officers.

The bill permits a sheriff or a chief of a municipal police department, respectively, to establish a civilian oversight board to review the policies and procedures of his or her office or department and its subdivisions. The bill requires such a civilian oversight board to be composed of at least three and up to seven members appointed by the sheriff or chief of police, one of which must be a retired law enforcement officer.

45. SB 676: Food Delivery Platforms/Preemption - Food Delivery Platforms/Preemption – SIGNED – The Governor signed into law SB 676 by Senator Jennifer Bradley (R-Fleming Island).

SB 676 expressly preempts the regulation of food delivery platforms to the state. The bill defines a “food delivery platform” as a business that acts as a third-party intermediary for the consumer by taking and arranging for the delivery or pickup of orders from food service establishments. Among other provisions, the bill requires:

- a. Food delivery platforms to receive express consent from a food service establishment prior to taking and arranging for the delivery or pickup of orders from a food service establishment;

- b. Food delivery platforms to itemize and clearly disclose to the consumer the cost breakdown of each transaction;
- c. Food delivery platforms to clearly provide the anticipated date and time of delivery, including the address, a delivery confirmation, and a mechanism for the consumer to express concerns directly to the platform;
- d. By July 1, 2025, a food delivery platform must provide a food service establishment with a method of contacting the consumer while preparing the order and a method to respond to ratings or reviews left by the consumer;
- e. Food delivery platforms to remove a food service establishment's listing on a platform within 10 days after receiving an establishment's request for removal;
- f. Food delivery platforms to refrain from intentionally inflating or decreasing or altering a food service establishment's pricing; and
- g. Agreements between a food delivery platform and a food service establishment must clearly enumerate certain provisions, including all fees, commissions, and charges, insurance requirements, alcohol policies, and taxes.

46. HB 165: Safe Waterways Act/Beach Waters/Bacteriological Sampling/Notification/FDOH/FDEP/County Health Departments/Preemption - VETOED - The Governor vetoed HB 165 by Representative Peggy Gossett-Seidman (R – Boca Raton)

HB 165 would have preempted to the state the issuance of health advisories related to the results of bacteriological sampling of public bathing places.

HB 165 would have required the Florida Department of Health (DOH) to adopt and enforce rules to protect the health, safety, and welfare of persons using beach waters and public bathing places. The DOH would have been required by the bill, rather than allowed, to issue a health advisory, within 24 hours or the next business day, if water quality does not meet certain standards and must require the closure of beach waters and public bathing places if necessary to protect public health, safety, and welfare. The closure would have had to remain in effect until the water quality is restored.

Among other provisions, the bill also would have required:

- a. Municipalities and counties to, within 24 hours or the next business day, whichever occurs first, notify the Florida Department of Health of any incident that negatively impacts the quality of beach waters or public bathing places within their respective jurisdictions;
- b. Municipalities and counties to post and maintain health advisory signs around affected beach waters and public bathing places that they own; and
- c. Public boat docks, marinas, and piers to, within 24 hours or the next business day, whichever occurs first, notify the jurisdictional municipality or county of any incident that negatively impacts the quality of beach waters in which the dock, marina, or pier is located.

Additionally, the DOH would have been required to adopt by rule a sign that must be used when it issues a health advisory due to elevated fecal coliform, Escherichia Coli (E. coli), or enterococci bacteria, in tested waters which must be a specific size and be maintained by municipalities and counties around waters they own and by the Department of Environmental Protection around state waters.

- 47. SB 1054/HB 1127: Relocation of Pari-mutuel Permitholders Miami-Dade, Broward Counties/Slot Machines/Preemption – DIED** – HB 1127 by Representative Alex Rizo (R – Hialeah) and SB 1054 by Senator Blaise Ingoglia (R – Spring Hill) were identical companion bills that died in committee.

This pair of bills would have provided that any greyhound dogracing permitholder may, without the necessity of an additional county referendum, move the location for which a permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued, provided that certain requirements are met.

This pair of bills further would have provided that, notwithstanding any local government regulations, permitting, or ordinances, such permitholder may continue to operate at the new location all pari-mutuel wagering and gaming activities that it was already authorized and licensed to operate. A pari-mutuel permitholder would not have been able to relocate its pari-mutuel facility to a location within 15 miles of the Seminole Hard Rock Casino in Hollywood.

These bills also would have provided that pari-mutuel facilities that relocate are not subject to municipal restrictions on the establishment of cardrooms.

This pair of bills would have allowed the permit held by the Big Easy Casino in Hallandale Beach to be relocated to the Fontainebleau Hotel in Miami Beach.

- 48. HB 49: Employment, Curfew of Minors/Preemption of Local Laws Regulating Presence of Minors in Public Places – SIGNED** – The Governor signed into law HB 49 by Representative Linda Chaney (R- St. Petersburg), effective July 1, 2025.

The bill makes the following changes to hours and timeframes relating to the employment of minors:

- a. Clarifies that minors 15 years old or younger may not work more than 15 hours in any one week, when school is in session;
- b. Provides that minors 16 and 17 years old:
 - i. May only work between 6:30 a.m. and 11 p.m., when school is scheduled the following day;
 - ii. May not work for more than 8 hours in any one day when school is scheduled the following day, except when the day of work is on a holiday or Sunday;
 - iii. May work for more than 30 hours per week when the minor's parent or custodian, or the school superintendent or his or her designee, waives the limitation on a form prescribed by DBPR and provided to the minor's employer
- c. Provides that minors 15 years of age or younger, instead of 17 years of age or younger, may not work more than 6 consecutive days in any one week or 4 hours continuously without an interval of at least 30 minutes for a meal period;
- d. Provides that minors 16 and 17 years of age who work for 8 hours or more in any one day may not work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period;
- e. Provides that the work restrictions do not apply to:

- i. Minors enrolled in an educational institution who qualify on a hardship basis;
- ii. Minors 16 and 17 years old who are in a home education program, or are enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only;
- iii. Minors in domestic service in private homes or employed by their parents.
- f. Clarifies that the DBPR is authorized to grant a waiver of these restrictions;
- g. Clarifies that an employer who requires, schedules, or otherwise causes a minor to be employed, permitted, or suffered to work in violation of these provisions commits a second degree misdemeanor.

49. SB 696/HB 339: Agritourism Preemption/Certificate of Use/State-Regulated Activity – DIED – SB 696 by Senator Ana Maria Rodriguez (R – Doral) and the House companion bill, HB 339 by Representative Rick Roth (R - West Palm Beach), died in committee.

SB 696 would have amended the agritourism preemption statute, section 570.85, Florida Statutes, to extend the existing preemption.

SB 696 would have prohibited a local government from adopting or enforcing a local ordinance that:

- a. Requires a certificate of use for any agricultural use land, agricultural-related facility, or agritourism venue unless specifically provided by general law; or
- b. Limits any state-regulated activity associated with agritourism, including a farm stand, farmers market, brewery, winery, distillery, food processing and preparation activity, food truck, or mobile food service operation associated with agritourism agricultural products.

SB 696 retained existing language that provided that the preemption does not limit the powers and duties of a local government to address substantial offsite impacts of agritourism activities or an emergency. Language also remained in place that preempts a local government from prohibiting, restricting, regulating, or otherwise limiting an agritourism activity on land classified as agricultural land under section 193.461, Florida Statutes.

E. Housing, Health & Human Services

50. HB 1021: Community and Condominium Associations – SIGNED - The Governor signed into law HB 1021 by Representative Vicki L. Lopez (R – Coral Gables), effective July 1, 2024.

HB 1021 is a comprehensive 154-page bill relating to community and condominium associations. As amended and among other provisions, the bill:

- a. Provides requirements and penalties for community association managers and management firms relating to conflicts of interest;
- b. Revises and provides provisions relating to condominium and cooperative associations, including reporting requirements, access to official records, financial

- reports, unit owner and board meetings, director education, contingent special assessments, reserves, criminal activity and penalties, legal actions, notices, and auditing;
- c. Prohibits access to unit owner email addresses and facsimile numbers without a unit owner's consent, and prohibits the sale or sharing of such personal information to third parties;
 - d. Regarding the milestone inspection requirements, exempts four-family dwelling with three or fewer habitable stories above ground (current law exempts single-family, two-family, and three-family dwellings from these requirements);
 - e. Requires condominium associations to notify the Florida Division of Condominiums, Timeshare, and Mobile Homes (division) within 45 days after the structural integrity reserve study (SIRS) is completed, requires the division to maintain an online database of associations that have completed the SIRS, and requires the division to include an internet link to a list of associations that have completed the SIRS in its annual report;
 - f. Effective October 1, 2024, requires a nondeveloper seller of a unit to give, to a prospective purchaser of a unit, a copy of the annual financial statement and annual budget of the condominium association; and
 - g. Authorizes the division to issue citations and adopt rules to provide for citation bases and citation procedures, and to request access to an association's website to investigate complaints related to unit owner access to official records on such website.

51. HB 1305: Residential Tenancies/Security Deposits/Florida Financial Institutions – SIGNED - The Governor signed into law HB 1305 by Representative Randall Scott Maggard (R - Zephyrhills), effective immediately.

HB 1305 amends Florida law to define the term "Florida financial institution" for purposes of the Florida Residential Landlord and Tenant Act ("Act"). Specifically, the bill defines "Florida financial institution" to mean a bank, credit union, trust company, savings bank, or savings or thrift association doing business under the authority of a charter issued by the United States, this state, or any other state which is authorized to transact business in this state and whose deposits or share accounts are insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

52. HB 1029: My Safe Florida Condominium Pilot Program – SIGNED - The Governor signed into law HB 1029 by Representatives Vicki Lopez (R - Coral Gables), effective July 1, 2024.

HB 1029 creates the My Safe Florida Condominium Pilot Program within the Florida Department of Financial Services (DFS), to provide hurricane mitigation inspections and hurricane mitigation grants to eligible condominium associations. Implementation of the program is subject to annual legislative appropriations. Under the program, the DFS must provide fiscal accountability, contract management, and strategic leadership for the program.

HB 1029 provides to condominium associations with condominium property within 15 miles of the coastline a program similar to that of the My Safe Florida Home Program (MSFH) for owners of single-family, residential properties regarding requirements for

participation, hurricane mitigation inspectors and inspections, eligibility for mitigation grants, contract management by the DFS, and required annual reports.

The bill places limits on grant awards. The limit for roof-related projects is set at \$11 per square foot times the square feet of the replacement roof, limited to \$1,000 per unit, and the maximum grant contribution is limited to 50 percent of the project. The limit for window and other opening protection-related projects grant contribution is a maximum of \$750 per replacement window, not to exceed \$1,500 per unit, and a maximum grant contribution of 50 percent of the project. The bill provides that an association may receive grant funds for both roof-related and opening protection-related projects, but the maximum grant contribution is limited to \$175,000 per association.

The bill provides that the DFS may not accept grant applications or maintain a waiting list for grants after the cumulative value of the grants awarded have fully obligated the appropriation, unless the Legislature provides express authority otherwise.

The bill requires the DFS to adopt rules to govern the program; to govern hurricane mitigation inspections and grants, mitigation contractors, and training of inspectors and contractors; and to carry out its duties under the Program.

The Governor also announced his commitment to approve \$30 million for the My Safe Florida Condominium Pilot Program in HB 5001, the State Fiscal Year 2024–25 Budget.

53. SB 1082: Housing for Agricultural Workers/Preemption – VETOED - The Governor vetoed SB 1082 by Senator Jay Collins (R – Fort Myers).

The Governor’s veto letter re: SB 1082 states that:

SB 1082 prohibits local governments from inhibiting the construction and installation of housing on farms for agricultural workers. The bill’s terms apply to legal migrant farm workers, but the bill does not include the means to enforce this limitation and could pave the way for housing for illegal alien workers. Additionally, local governments currently have the ability to establish uniform guidelines and standards through their zoning ordinances which best suit each agricultural community.

Here’s an overview of SB 1082 as passed by the Legislature, but vetoed today:

SB 1082 preempts a local government from inhibiting the construction or installation of housing for certain agricultural workers on land classified as agricultural if the housing meets certain criteria related to location and construction.

The bill provides that a local ordinance regulating such housing must comply with state and federal regulations for migrant farmworker housing, including rules adopted by the Department of Health and federal regulations under the Migrant and Seasonal Agricultural Worker Protection Act or the H-2A visa program. As the bill establishes maximum requirements for such housing, a local government may validly adopt less restrictive land use regulations. The bill provides for circumstances requiring the removal or disuse of such housing and recordkeeping requirements for property owners of housing sites.

The bill further provides that the construction or installation of housing for seasonal agricultural employees in the Florida Keys and City of Key West Areas of Critical State Concern is subject to the permit allocation system in place for those areas.

The bill grandfathers housing sites constructed and in use before July 1, 2024, which may continue to be used. The property owner may not be required to make changes to meet the requirements of the bill, unless the housing site will be enlarged, remodeled, renovated, or rehabilitated.

The agricultural workers for which the bill protects the creation of housing on agricultural land are “legally verified agricultural workers.” A legally verified agricultural worker is defined as a person who:

- a. Is seasonally or annually employed in agricultural production;
- b. Is lawfully present in the United States;
- c. Is authorized as and remains allowed to work; and
Has been verified according to the state’s employment eligibility verification requirements.

54. HB 7021: Mental Health and Substance Abuse/Baker & Marchman Acts – SIGNED -

The Governor signed into law HB 7021, a committee bill submitted by the House Children, Families and Seniors Subcommittee, effective July 1, 2024.

HB 7021 makes substantive changes to both Florida’s Baker and Marchman Acts by combining processes for courts to order individuals to involuntary outpatient services and involuntary inpatient placement in the Baker Act, to streamline the process for obtaining involuntary services, and provide more flexibility for courts to meet individuals’ treatment needs. The bill also repeals existing provisions for court-ordered involuntary assessments and stabilization in the Marchman Act and creates a new consolidated involuntary treatment process.

The bill amends the Baker Act by:

- a. Combining and streamlining processes for courts to order individuals to involuntary outpatient services and involuntary inpatient placement;
- b. Providing cleaner and clearer processes for courts to meet an individuals’ treatment needs and providing needed flexibility to order outpatient services over inpatient placement or both when necessary;
- c. Prohibiting courts from ordering an individual with a developmental disability who lacks a co-occurring mental illness to a state mental health treatment facility for involuntary inpatient placement;
- d. Authorizing certain parties and witnesses to appear remotely;
- e. Allowing an individual to be admitted as a civil patient in a state mental health treatment facility without a transfer evaluation and prohibits a court, in a hearing for placement in a treatment facility, from considering substantive information in the transfer evaluation unless the evaluator testifies at the hearing;
- f. Allowing for consideration of the patient’s treatment history at the facility and any information regarding the patient’s condition and behavior provided by knowledgeable individuals to be considered in the criteria for involuntary examination; and
- g. Allowing the court to retain jurisdiction to enter further orders as needed.

The bill amends the Marchman Act by:

- a. Repealing existing provisions for court-ordered involuntary assessments and stabilization in the Marchman Act, and creates a new consolidated involuntary treatment process; and
- b. Authorizing witnesses to appear remotely.

55. SB 2518: Health and Human Services/Homeless Continuum Of Care/KidCare – SIGNED - The Governor signed into law SB 2518 by Senate Appropriations, effective July 1, 2024.

SB 2518 conforms Florida laws to the funding decisions related to Health and Human Services in the General Appropriations Act for Fiscal Year 2024-2025.

Specifically, the bill:

- a. Revises the cap on the grant award levels for continuum of care lead agencies designated by the State Office on Homelessness;
- b. Amends Florida laws relating to Florida Kidcare program eligibility to specify that implementation of the act is contingent on federal approval;
- c. Allows the Florida Department of Health to deposit funds from returned Florida Reimbursement Assistance for Medical Education (FRAME) and the Dental Student Loan Repayment Program loan payments into the Grants and Donations Trust Fund and provides for the department to use the funds to make payments on behalf of awardees; and
- d. Authorizes an Area Agency on Aging to carry forward documented unexpended state funds from one fiscal year to the next. However, the cumulative amount carried forward may not exceed 10 percent of the area agency's planning and service area allocation for the community care for the elderly program.

F. Finance & Tax, Insurance, Government, Property and Elections

56. SB 770: Qualifying Improvements to Real Property/PACE Program/Septic-To-Sewer Conversions – SIGNED - The Governor signed into law SB 770 by Senator Jonathan Martin (R – Fort Myers), effective July 1, 2024.

SB 770 makes several changes to Florida's Property Assessed Clean Energy (PACE) program by modifying the types of improvements eligible for financing as qualifying improvements, establishing expanded underwriting requirements for financing agreements, requiring specific disclosures to applicants, and providing terms for the conduct of contractors and third-party administrators.

The bill modifies what improvements constitute "qualifying improvements" as follows:

- a. For residential properties, by adding certain wastewater improvements, flood and water damage resiliency improvements, and permanent generators; as well as removing certain energy efficiency and conservation improvements, including air sealing, building modifications to increase the use of sunlight, installation of energy

controls or energy recovery devices, electric vehicle charging equipment, and efficient lighting equipment.

- b. For commercial properties, by adding wastewater improvements, flood and water damage resiliency improvements, improvements to achieve a sustainable building rating or compliance with a national model resiliency standard, improvements to achieve wind or flood insurance rate reductions, and water conservation improvements.

The bill significantly restructures statutes related to the PACE program in order to enhance certain protections for consumers entering into PACE contracts, ensure oversight for contractors that install improvements, and expand the universe of improvements this financing may be utilized to install. Specifically, the bill:

- a. Adds waste system, flood and water damage mitigation, and resiliency improvements to qualified improvements, depending on if the improvement is for a residential or commercial program;
- b. Provides that a program administrator may only offer a program for financing qualifying improvements to residential or commercial property within the jurisdiction of a county or municipality which has authorized by ordinance or resolution the administration of the program;
- c. Creates for both residential and commercial financing a list of findings and disclosures, including the ability to pay and certain terms and conditions of the loan, which must precede a financing agreement;
- d. Sets requirements for program administrators to be able to participate in local programs;
- e. Requires contractor registration and provides for oversight of behavior of contractors utilized by program administrators to enter and perform contracted services under PACE programs;
- f. Provides parameters for solicitation and advertising and unenforceable financing agreements; and
- g. Enacts reporting requirements for program administrators and operational audit requirements to be performed annually by the Auditor General.

57. HB 7019 - Exemption of Homesteads – SIGNED – The Governor signed into law HB 7019, a committee bill by House Ways & Means Committee, effective immediately.

HB 7019 implements an amendment to Article VII, section 6 of the State of Florida Constitution proposed by HJR 7017 (2024) by making conforming statutory changes. If HJR 7017 is approved by the voters, HB 7019 amends current law to add an annual positive inflation adjustment to the current exemption on the assessed value for all levies other than school district levies of \$50,000 up to \$75,000. The bill also directs the Legislature to appropriate funds to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties as a result of the annual positive inflation adjustment.

To receive the offset, a qualifying county must annually apply to the Florida Department of Revenue and provide certain documentation. If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on January 1, 2025, if the amendment to the State Constitution proposed by HJR 7017 is approved by the voters at the 2024 general election or at an earlier special election.

58. SB 1420: County Ordinance, Charter Provision/Municipal Local Comprehensive Plan, Land Development Regulation Florida/Department of Commerce/Comprehensive Plan Amendments/Local Government Emergency Revolving Bridge Loan Program/Homeowner's Associations - SIGNED - The Governor signed into law SB 1420 by Senator Danny Burgess (R – Zephyrhills), effective July 1, 2024.

SB 1420 provides for the following changes that impact the Florida Department of Commerce (DCM):

- a. Provides that if a local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within ten working days after the final adoption hearing.
- b. Specifies that a citizen-led county charter amendment not required to be approved by the board of county commissioners which preempts certain land development decisions is prohibited, unless expressly authorized in the county charter that was lawful and in effect on January 1, 2024. This provision is effective immediately.
- c. Specifies that a homeowner's association's proposed revised declaration of covenants and articles of incorporation and bylaws must be submitted to the DCM within 60 days after obtaining valid written consent from a majority of the affected parcel owners, or within 60 days after the date the documents are approved by affected parcel owners by a vote at a meeting.
- d. Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years, and directs the DCM to amend existing loans executed before February 1, 2024, to increase the loan term to a total of 10 years from the original date of execution. This provision is effective upon becoming a law.
- e. Requires the DCM to establish a direction-support organization (DSO) to take over the duties of the Florida Defense Support Task Force; provides for organizational composition; revises the mission of the DSO; requires the DSO to operate under a contract with the DCM; revises the due date for the annual report; and provides a repeal date of October 1, 2029.
- f. Creates a Supply Chain Innovation Grant Program within the DCM; requires the DCM to jointly select grants with the Florida Department of Transportation; provides that priority must be given to projects with innovative plans, advanced technologies, and development strategies that focus on future growth and economic prosperity; requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to review the program by January 1, 2027, and every three years thereafter; and provides the program expires June 30, 2034. Neither the bill nor the General Appropriations Act provides funding for this program.
- g. Revises the term "businesses" in the Incumbent Worker Training Program to include healthcare facilities and allied health care opportunities, and revises the funding priority to provide that health care facilities, in addition to hospitals, operated by nonprofit or local government entities that provide opportunities in health care, are eligible for the funding.
- h. Provides that certain members of the state workforce development board are voting members.

- 59. HB 1105: Property Taxes/Homestead Assessments - DIED -** HB 1105 by Representative Michael A. "Mike" Caruso (R – West Palm Beach) passed the House but died in messages to the Senate. No Senate companion bill was filed.

HB 1105 would have allowed a taxpayer who timely filed a homestead exemption application to rescind the application between August 1 and September 15 of the same taxable year in which he or she filed the homestead application. To rescind the application, the taxpayer would have been required to notify the property appraiser, and can only rescind if:

- a. The taxpayer owned the property when the property was assessed on January 1 of the previous year;
- b. The property was assessed as non-homestead property on January 1 of the previous year; and
- c. The taxpayer has had continuous ownership of the property from the time of assessment on January 1 of the previous year, until the time in which the taxpayer filed an application for a homestead exemption on the property.

If a taxpayer elects to rescind his or her filed application, the property appraiser must adjust the tax roll before certifying the tax roll to the tax collector.

- 60. SB 1526: Local Regulation of Nonconforming or Unsafe Structures/Demolition/Replacement Structures/Historic Preservation/Preemption – SIGNED -** The Governor signed into law SB 1526 by Senator Bryan Avila (R – Hialeah Gardens), effective immediately.

SB 1526 creates the “Resiliency and Safe Structures Act,” which allows demolition of certain buildings under certain conditions, and provides that:

- a. Its provisions do not apply to any structure that is:
 - i. A single-family home,
 - ii. Individually listed on the National Register of Historic Places,
 - iii. A contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or
 - iv. On a barrier island in a municipality with a population of less than 10,000 with at least six city blocks not located in zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map.
- b. A local government may not prohibit, restrict, or prevent, for any reason other than public safety, the demolition of any structure seaward of the coastal construction control line that is also a:
 - i. Nonconforming structure, which is a structure that does not conform to the base flood elevation requirements for new construction issued by the National Flood Insurance Program for the applicable flood zone;
 - ii. Structure determined to be unsafe by the local building official; or
 - iii. Structure ordered to be demolished by the local government.
- c. A local government may only administratively review an application for a demolition permit for such a structure for compliance with the Building Code, the Fire Prevention Code, and any regulation applicable to a similarly situated parcel, and may not impose additional local land development regulations or public hearings on an applicant for such a demolition permit.

- d. A local government must authorize replacement structures to be developed to the maximum height and overall building size authorized by local development regulations.
- e. A local government may not do any of the following:
 - i. Limit the development potential of replacement structures below the maximum development potential allowed by local development regulations.
 - ii. Require replication or preservation of elements of a demolished structure.
 - iii. Impose additional regulatory or building requirements on replacement structures or development applications not otherwise applicable to a similarly situated parcel in the same zoning district.

61. HB 59: Homeowners' Association Rules, Covenants – SIGNED - The Governor signed into law HB 59 by Representative Kristen Aston Arrington (D – Kissimmee), effective July 1, 2024.

HB 59 requires homeowners' associations to provide, before October 1, 2024, a physical or digital copy of the association's rules and covenants to every member of the association, including new members.

In addition, homeowners' associations must give every member an updated copy of the rules or covenants if the rules or covenants are amended. Under the bill, associations may adopt rules establishing standards for the manner of distribution and timeframe for providing copies of updated rules or covenants.

62. SB 1746: Public Employees/Collection of Union Dues/Transit Employees/Public Safety Employees/SB 256 (2023 Session) – SIGNED - The Governor signed into law SB 1746 by Senator Blaise Ingoglia (R – Spring Hill), effective immediately.

SB 1746 modifies the requirements for employee organizations and bargaining units to maintain registration and certification requirements. Specifically, the bill:

- a. Clarifies the Florida Public Employees Relations Commission's ("PERC") authority to waive requirements regarding the prohibition on dues and assessment deductions applies only to mass transit employees who have signed membership authorization forms and submitted the forms to the public employer as part of the employees' authorizations for the public employer to deduct amounts from the employees' salaries;
- b. Requires a public employee to submit the signed membership authorization form to the bargaining agent if the employee wants to join the bargaining unit. Under current law, these forms must be maintained by the employee organization and are subject to inspection by the PERC;
- c. Exempts from the membership authorization form requirements those bargaining units (not the employee organization generally) the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, correctional probation officers, firefighters, 911 public safety telecommunicators, emergency medical technicians or paramedics;
- d. Clarifies that an employee organization has the right to have its dues and assessments deducted from employees' salaries only if the affected bargaining

- unit the majority of whose employees eligible for representation are employed in particular occupations. The occupations that are eligible to have union dues and assessments deducted from public salaries are expanded to include 911 public safety telecommunicators, emergency medical technicians and paramedics;
- e. Modifies the information an employee organization must submit to the PERC during the renewal of registration process to include the frequency of collection of membership dues and data on expenditures. The annual financial statement will no longer be required to be “audited” by a certified public accountant. Instead, the statement must be “prepared” by a certified public accountant;
 - f. Requires an employee organization that has not had 60 percent of its unit employees pay dues during its last registration period and submit membership authorization forms to the employee organization to petition the PERC for recertification as the bargaining agent within 30 days (rather than 1 month) after the date the employee organization applied for renewal of registration. If the employee organization fails to petition timely, the certification as the bargaining agent is revoked;
 - g. Modifies the circumstances under which the PERC may revoke an employee organization’s registration or certification as a bargaining agent to include:
 - i. The employee organization’s refusal to permit the PERC to inspect membership authorization forms or revocations; and
 - ii. The employee organization intentionally misrepresenting any information submitted for its registration renewal rather than just the information submitted to determine whether a bargaining unit has 60 percent of its eligible employees paying dues to the employee organization.
 - h. Modifies the exemption regarding the submission of membership information and the associated consequences if a bargaining unit does not meet the 60 percent threshold. The exemption is applicable to a bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, correctional probation officers, firefighters, 911 public safety telecommunicators, emergency medical technicians or paramedics. This clarifies that the exemption is applicable to the bargaining unit rather than the employee organization as a whole. Moreover, the occupations exempted are expanded to include 911 public safety telecommunicators, emergency medical technicians, and paramedics;
 - i. Modifies the requirements placed on each employee organization to make certain information available to its members. The annual financial report will no longer be required to be “audited” by a certified public accountant. Instead, the report must be “prepared” by a certified public accountant. In addition, the PERC is granted authority to prescribe the categories of revenues and expenditures to be included in the annual financial report; and
 - j. Requires only a financial statement prepared by a CPA, in lieu of an audited financial statement from an employee organization for a renewal of registration between July 1, 2023 and the effective date of this bill. Consistent with this change, the PERC is prohibited from denying a renewal of registration or revoking a certification as the bargaining agent based solely upon an employee organization’s failure to submit an audited financial statement during the renewal process during this same period.

63. SB 1322/HB 1195: Supermajority Vote to Increase Millage Rate – DIED - HB 1195 by Representative Sam Garrison (R – Fleming Island) passed the House, but died in the

Senate when the Senate did not take up the Senate companion bill, SB 1322 by Senator Blaise Ingoglia (R – Spring Hill).

HB 1195 would have provided that in each fiscal year, the previous millage rate may only be increased if approved by a two-thirds vote of the membership of the governing body of the county, municipality, or independent district, except where a higher vote threshold is already required under current law.

64. HB 781: Unsolicited Proposals for Public-Private Partnerships/Procurement - SIGNED - The Governor signed into law HB 781 by Representative Charles Wesley Clemons, Sr. (R – Newberry), effective July 1, 2024.

HB 781 amends Florida law to provide an alternative process by which local governments may enter a public-private partnership for a project offered by a private entity's unsolicited proposal. The bill allows the governmental entity to hold public meetings at which the unsolicited proposal is presented for public comment.

At a subsequent public meeting, the governmental entity must present its determination whether the unsolicited proposal is in the public's interest, based on the:

- a. Benefits to the public;
- b. Financial structure of and any economic efficiencies that are achieved by the proposal;
- c. Submitting private entity's qualifications and experience, and ability to perform the project;
- d. Project's compatibility with regional infrastructure plans; and
- e. Public comments submitted at the meeting.

The determination must also explain why the proposal should proceed and address any public comments.

The local government's determination of public interest must be published in the Florida Administrative Register for at least seven days. The bill continues to allow a governmental entity to proceed with competitive procurement in response to its receipt of an unsolicited proposal as currently provided under Florida law should it choose that process instead.

65. HB 1451: Prohibition on Counties Accepting Identification Cards, Documents/Not Lawfully Present in U.S./Preemption – SIGNED - The Governor signed into law HB 1451 by Representative Kiyon Michael (R – Jacksonville Beach), effective July 1, 2024.

HB 1451 prohibits a county or a municipality from accepting as identification any identification card or document that is issued by any person, entity, or organization that knowingly issues the identification cards or documents to individuals who are not lawfully present in the United States. These identification cards are commonly called community ID cards. This prohibition does not extend to any documentation that is issued by or on behalf of the federal government.

During the 2023 legislative session, the Legislature enacted related restrictions. These restrictions prohibited a county or municipality from providing funds to a person, entity, or

organization for the purpose of issuing an identification card or document to an individual who does not provide proof of lawful presence in the United States.

66. SB 736: Local Tag Agencies/Florida Department of Highway Safety and Motor Vehicles/Tax Collector/Motor Vehicle Insurance Agencies/Title, Registration – SIGNED - The Governor signed into law SB 736 by Senator Jay Trumbull (R – Panama City), effective July 1, 2024.

SB 736 provides that in political subdivisions with a population of 1.9 million or greater (currently Broward and Miami-Dade Counties), the tax collector must appoint a general lines insurance agency as an agent for the tax collector for the limited purposes of motor vehicle and mobile home registration transactions upon petition by such an agent. This language is similar to language that appeared in SB 840 and HB 817, which died in a Senate committee and on the House floor, respectively.

Additionally, SB 736 makes changes to various services and programs administered by the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and its agents.

Specifically, the bill:

- a. Revises a requirement for a rightful heir to transfer ownership of a motor vehicle or mobile home if the previous owner died testate;
- b. Clarifies that no additional fee can be charged by the DHSMV or a tax collector for the reissuance of a certificate of title that is lost in transit and is not delivered;
- c. Allows permanent motor vehicle registration decals for rental trucks that weigh under 15,000 pounds;
- d. Authorizes the DHSMV to issue reduced dimension license plates for trailers;
- e. Provides that a disabled veteran who qualifies for a free “DV” license plate may choose a military or specialty license plate he or she qualifies for in lieu of the “DV” license plate;
- f. Adds the following two cases wherein DHSMV may design, issue, and regulate the use of temporary tags:
 - g. The existing owner of a vehicle has submitted an application to transfer a valid out-of-state title that is subject to a lien; and
 - h. An active-duty military service member who has a valid Florida driver license provides evidence satisfactory to the department that he or she is deployed outside this state; and
- i. Removes the requirement to provide a written, notarized request for the purchase of a temporary tag and provides requirements for renewal of a temporary tag.

67. SB 7014: Local Ethics Ordinances, Commissions/Preemption/Florida Commission on Ethics/Ethics Investigation Timeframes and Procedures – SIGNED - The Governor signed into law SB 7014, a committee bill by the Senate Committee on Ethics and Elections, effective immediately.

SB 7014 partially preempts noncriminal complaint procedures for local ethics ordinances and ethics commissions by:

- a. Prohibiting the self-initiation of a complaint or investigation by the governing body of the political subdivision or the local ethics commission itself;
- b. Requiring complaints to be written and signed under oath and based upon personal knowledge or information other than hearsay;
- c. Requiring a provision establishing a process for the recovery of costs and attorney fees for public officers, public employees, or candidates for public office against a person found by the governing body of the political subdivision (or the entity charged with enforcing the ordinance) to have filed the complaint with a malicious intent to injure the reputation of the officer, employee, or candidate by filing it with knowledge that the complaint contains one or more false allegations or with reckless disregard to whether the complaint contains a material false allegation; and
- d. Voiding any existing or future ordinance or regulation that conflicts with SB 7014.

SB 7014 also creates a number of timeframes for completion of specific steps of the process conducted by the Commission on Ethics (commission) when investigating alleged ethics violations, including:

- a. The commission's pre-investigation review of complaints and referrals for technical and legal sufficiency;
- b. The deadline for the complainant to file an amended complaint;
- c. The completion of a report containing the results of an investigation, its transmission to the alleged violator and counsel for the commission, the alleged violator's response, and the counsel for the commission's written recommendation relating to probable cause; and
- d. The hearings held by the commission, including informal hearings and those held for the purpose of determining probable cause or taking final action on a case relinquished from the Division of Administrative Hearings (DOAH) back to the commission without a recommended order.

The bill makes the following additional changes related to investigations conducted by the commission:

- a. Clarifies that the counsel representing the commission in enforcement actions is an assistant attorney general, unless there is a conflict, in which case the commission must designate an attorney not otherwise employed by the commission;
- b. Removes the commission's ability to conduct a formal hearing to determine disputed material facts. Provides that the alleged violator may elect to have a formal administrative hearing conducted by an administrative law judge in the DOAH or an informal hearing conducted before the commission; and
- c. Requires that at least two-thirds of commission members present at a meeting must vote to reject or deviate from a stipulation or settlement that is recommended by the counsel representing the commission.

The bill also, effective upon becoming a law:

- a. Requires complaints be based upon personal knowledge or information other than hearsay;
- b. Conforms the maximum civil penalty for a violation of the constitutional prohibition against lobbying by a public officer to those for other violations of ethics laws;
- c. Provides that terms of commission members are limited to two total, rather than two successive;

- d. Adds candidates for public office to the categories of persons authorized to recover costs and attorney fees for defending against a maliciously filed ethics complaint; and
- e. Provides a Form 1 and Form 6 reporting exception for attorneys who have a conflict with Florida Bar requirements by allowing an attorney filer to remove identifying information regarding a client when reporting sources of income if disclosure of the information will violate confidentiality requirements.

68. HB 377: Vehicle for Hire/Portability of Licenses, Permits to Operate/Preemption/Airport/ Seaport – SIGNED - The Governor signed into law HB 377 by Representative David Borrero (R – Doral), effective July 1, 2024.

HB 377 relates to the licensing or permitting of a vehicle-for-hire. Specifically, the bill:

- a. Prohibits a county or municipality from requiring a person 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 if the person: (i) holds a valid, active license or permit to operate a vehicle-for-hire in the county or municipality in which the person permanently resides, and (ii) has not had a license or permit to operate a vehicle for hire suspended or revoked within the preceding five years; and
- b. Provides that certain persons who hold a valid, active license or permit to operate a vehicle-for-hire are exempted from the bill when such person provides transportation of persons: (i) while on stretchers or wheelchairs, or (ii) whose handicap, illness, other incapacitation makes it impractical to be transported by a regular common carrier such as a bus, taxi, non-taxi, limousine, or other vehicle-for-hire.

69. SB 7076: Transportation Network Companies/Uber/Lyft/Airport/Seaport – DIED - SB 7076, a committee bill by the Senate Committee on Finance and Tax died on the Senate floor calendar.

SB 7076 would have prohibited an airport or a seaport from charging a transportation network company (TNC) a pickup fee for a prearranged ride requested within 60 minutes before the time the rider enters the TNC vehicle which is greater than the lowest pickup fee charged to a taxicab company. A TNC is an entity, such as Uber or Lyft, that uses a digital network to connect a rider to a TNC driver who provides prearranged rides.

70. HB 429: Real Property/Condominium Association/Timeshares – SIGNED - The Governor signed into law HB 429 by Representative William Cloud Robinson Jr. (R – Bradenton), effective July 1, 2024.

HB 429 authorizes the board of administration for a condominium or cooperative association operating a timeshare plan to delete facilities of the timeshare plan without the approval of the members of the association if the deletion is approved by a two-thirds vote of the board of administration and the deletion is consistent with the fiduciary duties of the managing entity to the purchasers of the timeshare as set forth under Florida law. However, the bill maintains the requirement in current law that, if the timeshare

condominium or timeshare cooperative contains any residential units that are not subject to the timeshare plan, the board of administration for the condominium or cooperative must obtain the approval of a majority of the owners of such residential units before it can make any material alterations or substantial additions to the accommodations or facilities of such timeshare condominium or timeshare cooperative.

The bill also provides that the managing entity of a timeshare project has all of the rights and remedies of an operator of any public lodging establishment or public food service establishment as set forth under Florida law and which authorizes the operator of a public lodging establishment or public food service establishment to remove a person from these establishments. The operator may also have a law enforcement officer remove a person if the person engages in certain activities, including the possession and use of controlled substances and engaging in disorderly conduct.

- 71. HB 619: Sovereign Immunity for Professional Firms/Roadway, Bridge, Transportation Projects/Indemnification/Contracting – SIGNED –** The Governor signed into law HB 619 by Representative Kaylee Tuck (R – Sebring), effective July 1, 2024.

HB 619 amends Florida law to expand the scope of the sovereign immunity protections granted to a professional firm and its employees. Specifically, the bill provides that sovereign immunity protections apply not only to a professional firm that is in direct contract with the Florida Department of Transportation (“FDOT”), but also to a professional firm providing monitoring and inspection services as a consultant to the professional firm that is in direct contract with FDOT. Further, under the bill, any contract with a professional firm must indemnify FDOT for any liability, including reasonable attorney fees, incurred up to the statutory recovery limits to the extent caused by the negligence of the firm or its employees.

- 72. HB 293: Hurricane Protection Specifications/Homeowners’ Associations – SIGNED** – The Governor signed into law HB 293 by Representative Tyler I. Sirois (R - Merritt Island), effective immediately.

HB 293 requires homeowners’ associations (HOAs) to adopt hurricane protection specifications for each structure or other improvement on a parcel governed by the HOA. The specifications may include the color and style of hurricane protection products and any other factor deemed relevant by the board. All specifications adopted by the HOA must comply with the applicable building code. The bill allows the HOA to require parcel owners to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel.

- 73. SB 1142: Occupational Licensing/Construction Industry Licensing Board/Extension of Local Government Licensing to 2025/HB 735 (2021 session) – SIGNED -** The Governor signed into law SB 1142 by Senator Ed Hooper (R – Palm Harbor), effective July 1, 2024.

SB 1142 extends for an additional year from July 1, 2024 to July 1, 2025 the date of expiration of all local licensing of occupations.

The bill also authorizes registered contractors in good standing who have been registered with a local jurisdiction during calendar years 2021, 2022, or 2023, to qualify for a registration when the local jurisdiction has determined not to continue issuing local licenses or exercising disciplinary oversight over such licensees.

The bill requires the Florida Construction Industry Licensing Board to issue licenses to eligible applicants in certain circumstances identified in the bill, and an applicant must provide:

- a. Evidence of the prior local registration during 2021, 2022, or 2023;
- b. Evidence that the local jurisdiction does not have a license type available for the category of work for which the applicant was issued a certificate of registration or local license during 2021, 2022, or 2023, which may include a notification on the website of the local jurisdiction or an e-mail or letter from the local building department;
- c. The required application fee; and
- d. Proof of compliance with the insurance and financial responsibility requirements for contractors under current law.

74. HB 535: Low-voltage Alarm System Projects/Low-Voltage Electric Fence/Zoning/Preemption – SIGNED - The Governor signed into law HB 535 by Representative John Snyder (R – Palm City), effective July 1, 2024.

HB 535 clarifies that additional requirements, whether by ordinance or rule, for the installation or maintenance of low-voltage alarm system projects, may not be adopted or maintained by local governments.

75. HB 481: HVAC Building and Construction System Warranties/Florida Building Code/Florida Accessibility Code for Building Construction – SIGNED - The Governor signed into law HB 481 by Representative Randall "Randy" Scott Maggard (R – Zephyrhills), effective July 1, 2024.

HB 481 expands the kind of work that Class A and Class B air-conditioning contractors and mechanical contractors may undertake to include replacing, disconnecting, or reconnecting power wiring on the line side of a dedicated existing electrical disconnect switch on a single phase electrical system; and repairing or replacing power wiring, disconnects, breakers, or fuses for dedicated HVAC circuits with proper use of a circuit breaker lock.

The bill prohibits the conditioning of an HVAC system warranty on product registration, and specifies that the full-length term of such a warranty's overage term begins on the date a licensed contractor installs the system. The bill also requires that an HVAC warranty or product registration card or form must specify that the card or form is for the product registration and that failure to complete and return the form does not diminish any warranty rights.

76. SB 7054: Private Activity Bonds – SIGNED - The Governor signed into law SB 7054, a committee bill by the Senate Committee on Community Affairs, effective January 1, 2025.

SB 7054 codifies certain Florida Division of Bond Finance rules related to the administration of private activity bonds. Specifically, the bill:

- a. Provides legislative intent to maximize the annual use of private activity bonds to finance improvements, projects, and programs serving public purposes and benefitting the social and economic well-being of Floridians;
- b. Revises the regions, pools, and timelines related to bond allocations to consolidate infrequently used pools and expedite usage of bonds;
- c. Codifies current rules and procedures related to requests for volume limitation by notice of intent to issue, evaluation of such notices, and the division's role in final certification of bond issuance;
- d. Allows for all volume cap allocated in a confirmation to be entitled to be carried forward, rather than limiting it to specific types of projects or basing it on the amount of the confirmation;
- e. Replaces the existing processes for requesting and granting allocation of volume cap with an electronic application wherein all notices and issuance reports will be submitted on the division's website in lieu of via certified/overnight mail; and
- f. Repeals the division's rulemaking authority.

The bill combines certain bond allocation pools into a single pool available for all bonds other than those issued to finance affordable housing projects. The bill also consolidates a number of regions from the existing regional allocation pools and specifies that the regional pools are specific to affordable housing projects.

77. HB 1161: Verification of Eligibility for Homestead Exemption for Disabled Veterans/ Surviving Spouses/Property Appraiser – SIGNED - The Governor signed into law HB 1161 by Representative Kristen Aston Arrington (D – Kissimmee) and Representative Tom Keen (D – Orlando), effective July 1, 2024.

HB 1161 requires the Florida Department of Revenue to provide a form that a county property appraiser may use to tentatively verify the eligibility of a disabled veteran or surviving spouse who believes they will qualify for an exemption under sections 196.081, 196.082, or 196.091 of the Florida Statutes, once they purchase a homestead property.

The form may only be issued if the person provides the documentation or other proof necessary to qualify for the relevant exemption, and the person must still apply for the exemption after the purchase of the property and in each subsequent year in order to receive the exemption (unless an annual application is otherwise not required). The tentative verification by the property appraiser is not binding on the taxpayer or the property appraiser. Decisions by the property appraiser regarding whether to issue a tentative verification or a person's apparent eligibility to receive an exemption or a discount are not subject to administrative or judicial appeal.

78. SB 362: Workers Compensation/Payments for Health Care Providers and Surgical Procedures - SIGNED - The Governor signed into law SB 362 by Senator Jennifer Bradley (R - Fleming Island) effective January 1, 2025.

SB 362 increases the maximum hourly medical reimbursements for physicians and surgical procedures and the maximum hourly fees for expert witnesses under Florida's Workers Compensation Law from \$200 to \$300. The bill requires employers to provide injured employees with all medically necessary remedial treatment, care, and attendance as the nature of the injury or the process of recovery may require. The bill also increases the maximum reimbursement allowances for physicians and surgical procedures. Currently, the maximum reimbursement allowance for a licensed physician is 110 percent of Medicare and the maximum reimbursement allowance for surgical procedures is 140 percent of Medicare. The bill changes these amounts to 175 and 210 percent, respectively.

Implementation of the bill is estimated to result in a 7.3 percent increase in overall workers' compensation system costs.

79. HB 983: Public Records/Clerks of the Circuit Court, Deputy Clerks, and Clerk Personnel - SIGNED - The Governor signed into law HB 983 by Representative Dan Daley (D – Coral Springs), effective July 1, 2024.

HB 983 creates a public record exemption for current clerks of the circuit courts, deputy clerks, clerk personnel, and their families. Specifically, the following personal identifying and location information will be exempt from public record requirements under the bill:

- a. Home addresses, telephone numbers, dates of birth, and photographs of current clerks of the circuit courts, deputy clerks of the circuit courts, and clerk personnel;
- b. Names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current clerks of the circuit courts, deputy clerks of the circuit courts, and clerk personnel; and
- c. Names and locations of schools and day care facilities attended by the children of current clerks of the circuit courts, deputy clerks of the circuit courts, and clerk personnel.

80. SB 1628: Bond Referendum Greater than \$500 Million/General Election/Local Government Actions, Ordinances/SB 170 (2023 Session)/Suspension of Ordinances/Business Impact Statements/Growth Policy/Land Development Regulations - SIGNED - The Governor signed into law SB 1628 by Senator Jay Collins (R – Tampa), effective October 1, 2024.

Among other provisions, SB 1628 requires that if a bond issue amount is greater than \$500 million, the bond referendum must be held at a general election, as opposed to a special election held for that purpose.

Additionally, SB 1628 revises the exemptions to the requirement that local governments produce or have produced a "business impact estimate" prior to passing an ordinance, which requirement was enacted as part of SB 170 during the 2023 session. Current law exempts the entirety of growth policy, county and municipal planning, and land development regulations, the bill limits this exemption to development orders, permits, and

agreements. Local governments must therefore complete a business impact statement prior to adopting and implementing a comprehensive plan amendment or land development regulation. The requirement does not apply to those amendments initiated by an application of a private party other than the county or municipality.

81. HB 7019: Exemption of Homesteads – SIGNED – The Governor signed into law HB 7019, a committee bill by House Ways & Means Committee, effective immediately.

HB 7019 implements an amendment to Article VII, section 6 of the State of Florida Constitution proposed by HJR 7017 (2024) by making conforming statutory changes. If HJR 7017 is approved by the voters, HB 7019 amends current law to add an annual positive inflation adjustment to the current exemption on the assessed value for all levies other than school district levies of \$50,000 up to \$75,000. The bill also directs the Legislature to appropriate funds to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties as a result of the annual positive inflation adjustment.

To receive the offset, a qualifying county must annually apply to the Florida Department of Revenue and provide certain documentation. If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on January 1, 2025, if the amendment to the State Constitution proposed by HJR 7017 is approved by the voters at the 2024 general election or at an earlier special election.

82. HB 103: Public Records Exemption/County, City Attorneys/Personal Identifying, Location Information – SIGNED – The Governor signed into law HB 103 by Representative Kristen Aston Arrington (D – Kissimmee), effective July 1, 2024.

HB 103 creates a public record exemption for current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys and the spouses and children of such attorneys.

The following personal identifying and location information is exempt from public record requirements under the bill:

- Home addresses, telephone numbers, dates of birth, and photographs of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys;
- Names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of spouses and children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys; and
- Names and locations of schools and day care facilities attended by the children of current county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, and deputy city attorneys.

The exemption does not apply to a county attorney, assistant county attorney, deputy county attorney, city attorney, assistant city attorney, or deputy city attorney who qualifies as a candidate for election to public office.

83. SB 734; HB 735: Government Accountability/Gifts/Local Government Lobbyist Registration Program Preemption/Municipal Charter Amendments – DIED – HB 735 by Representative Alex Andrade (R – Pensacola) died on the House floor calendar. The Senate companion bill, SB 734 by Senator Blaise Ingoglia (R – Spring Hill), died in committee.

HB 735 was related to government accountability and ethics. It would have required the Florida Commission on Ethics, rather than local governments, to administer a system of registration for lobbyists for local governments and required the Commission to investigate violations of such lobbyist registration requirements, rather than permitting local commissions on ethics to investigate.

In addition, HB 735 would have:

- a. Prohibited a person from lobbying a county, municipality, or special district unless he or she is a registered lobbyist with the Commission. The Commission must note in a public database which lobbyists are registered to lobby local governments, as well as make such registrations available on the Commission's website;
- b. Allowed the chief executive officer of the county or municipality, or the governing body of the special district, to enforce the State Commission on Ethics' findings and recommendations involving complaints;
- c. Prohibited public officers, state agency employees, local government attorneys, and candidates for office from soliciting or accepting anything of value from a foreign country of concern (China, Russia, Iran, North Korea, Cuba, Venezuela, Syria, and any other agency under significant control of such countries); and
- d. Established requirements for lobbying counties, municipalities, and special districts that mirror requirements for lobbying the executive branch, such as requiring registration and investigation for noncompliance; and
- e. Required governing bodies of municipalities to place proposed charter amendments on the ballot at the next general election held in the county, the next municipal election, or a special election called for that purpose, whichever occurs first.

84. HB 473: Cybersecurity Incident Liability/Local Government Cybersecurity Act – VETOED - The Governor vetoed HB 473 by Representative Mike Giallombardo (R – Cape Coral).

HB 473 would have provided that a county or municipality that substantially complies with cybersecurity training, standards, and notification protocols under Florida law, on a voluntary basis, is not liable in connection with a cybersecurity incident.

85. SJR 1560; HJR 1251: Property Tax Exemption/Tangible Personal Property on Agricultural Land/Agritourism - DIED – The Senate passed Senate Joint Resolution (SJR) 1560 by Senator Jay Collins (R – Tampa), but the bill died in messages to the House. The House companion bill, House Joint Resolution (HJR) 1251 by Representative Daniel Antonio "Danny" Alvarez (R – Riverview), died in committee.

SJR 1560 would have proposed an amendment to the Florida Constitution to permit the Legislature to provide property tax relief for tangible personal property on agricultural land,

used on such property in the production of agricultural products or for agritourism activities, and owned by the landowner or leaseholder of the land.

- 86. HB 799: Easements Affecting Real Property Owned by Same Owner – SIGNED** - The Governor signed into law HB 799 by Representative William Cloud Robinson (W) Jr. (R - Bradenton), effective immediately.

HB 799 provides that a landowner may create a valid easement, servitude, or other interest that affects his or her own land (that is, notwithstanding a "unity of title"). The bill conforms the law on easements and servitudes to modern practices and customs where such easements are commonly created in advance of subdividing property. The bill applies to existing easements or servitudes but does not reinstate an easement or servitude that is invalid for reasons other than unity of title.

- 87. HB 91: Road Codesignation/Jimmy Buffett Highway/Miami-Dade County – SIGNED** - The Governor signed in law HB 91 by Representative Charles Wesley "Chuck Clemons, Sr. (R– Newberry), effective immediately.

The bill designates the "Jimmy Buffett Memorial Highway" in Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian River, Brevard, Volusia, Flagler, St. Johns, Duval, and Nassau Counties. The bill also directs the Florida Department of Transportation to erect suitable markers for the designation by August 30, 2024.