



**MEMORANDUM**  
**Audrey Edmonson**  
**Chairwoman**  
**BOARD OF COUNTY COMMISSIONERS**

To: Honorable Carlos A. Gimenez, Mayor  
Honorable Rebeca Sosa, Vice Chair and  
Members, Board of County Commissioners

Date: August 1, 2019

Cc: Linda Cave, Director, Clerk of the Board

From: Audrey Edmonson, Chairwoman

Re: 2019 Florida Legislature  
End-of Session Report

This legislative session, the Governor approved a state budget totaling approximately \$91 billion, an increase from last year's \$89 billion budget.

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 I address issues in various policy areas.

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

1. **Conference Report on the General Appropriations Act -APPROVED BY THE GOVERNOR**-The House and Senate passed the Conference Report on SB 2500, which is the state fiscal year 2019-20 budget.

Priorities and Key Funding:

- **Operation Blue and Brown -APPROVED-** \$500K

*This was the subject of Resolution No. R-728- 18 and R-282-19 (County Priority).*

- **Elder Affairs/Meals -APPROVED-** \$2.9M in non-recurring countywide funds was approved as follows:
  - Hialeah Gardens Elder Meals Program - \$292K
  - Hialeah Elder Meals Program - \$1.4M
  - City of Hialeah Elder Meals Program -\$250K
  - North Miami Foundation for Seniors Citizens-\$50K
  - Marta Flores High Risk Nutritional Programs-\$624K
  - Congregate & Homebound Meals for At-Risk Elderly(Allapattah)-\$362K
  - Little Havana Activities & Nutritional Centers of Dade County – **VETOED**-\$1M

*(County Priority)*

- **Tamiami Everglades Restoration Project -APPROVED-** \$40M
- **Sadowski Act Affordable Housing/State Housing Initiative Program (SHIP) - APPROVED** - Of the total \$330 million in the state affordable housing trust fund, the Conference Report on SB 2500 diverts \$130 million to the state's general revenue fund. Of the remaining \$200 million, \$115 million is allocated to panhandle counties impacted by Hurricane Michael, leaving \$86 million for affordable housing programs statewide. Of the \$86 million, \$46.6 million is allocated to the State Housing Initiative Program (SHIP).

Originally, \$8 Million had been allocated to a Jacksonville housing initiative but was **VETOED** by the Governor.

*This was the subject of Resolution No. R-323-19 (County Priority).*

2. **Statewide Task Force on Opioid Drug Abuse -CREATED-** SB 1658 by Senator Simpson(R-Trilby) and HB 875 by Representative Tyler Sirois (R-Merritt Island) would have established the Statewide Task Force on Opioid Drug Abuse. These bills did not pass because, the **Governor proactively created a Statewide Task Force** on Opioid Drug Abuse mid-Session.

Additionally, as reported, Governor DeSantis announced that the U.S. Department of Labor is allocating another \$2.5 million to Florida to help combat the opioid epidemic. The funds are to be dispersed over three years and will fund peer recovery specialist, addiction counselors, and behavioral health technicians at community centers across the state.

*This was the subject of Resolution No. R-281-19 (County Priority).*

3. **Texting While Driving/Primary Offense -APPROVED BY THE GOVERNOR-**  
HB 107 by Representative Jackie Toledo (R-Tampa) authorizes primary enforcement of a ban on texting, emailing and instant messaging while driving as a primary offense, which will allow a law enforcement officer to stop a vehicle solely for texting while driving. HB 107 also prohibits talking on or otherwise using a handheld cell phone while driving in a school crossing, school zone or work zone, but in the case of a work zone, only if workers

are present or operating equipment on the road or immediately adjacent to the work zone area (hands free is still allowed in these areas).

*This was the subject of Resolution No. 1045-18 (County Priority).*

4. **Transportation/MDX/PTP/TPO -APPROVED BY THE GOVERNOR-** HB 385 by Representative Bryan Avila (R-Hialeah) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 385 includes the following provisions:

**PTP:**

- Provides that the transit half penny surtax may be spent on operations and maintenance of any of the projects and programs approved by voters in conjunction with the 2002 PTP ballot question, in addition to capital expenditures;

**MDX:**

- Repeals the Miami-Dade Expressway Authority (MDX) and transfers all assets, facilities, property, powers, duties, governance and control to the Greater Miami Expressway Agency (GMX) effective upon the bill becoming a law on July 1, 2019;
- Creates a 9-member GMX Board consisting of Miami-Dade residents (except the FDOT district secretary) who are not elected officials and who do not hold or have not held in the past two years, elected or appointed office in Miami-Dade County; and provides that GMX Board members have two four-year term limits;
- Provides that appointments to the GMX Board are on staggered terms, with appointments to be made by July 31, 2019, as follows:
  - Three members appointed by the Governor;
  - Two members, who must be residents of an unincorporated portion of the county residing within 15 miles of an area with the highest amount of agency toll roads, appointed by the County Commission;
  - Three members, who must be residents of cities within the county, shall be appointed by the TPO; and
  - The FDOT district secretary shall serve as an ex officio voting member.
- Prohibits persons from being appointed members of the GMX Board who, on or after July 1, 2009, were MDX Board members appointed by the County Commission or MDX employees; MDX Board members who were appointed by the Governor may be on the GMX Board (along with the FDOT district secretary);
- Provides that the Kendall Parkway shall be a top priority for planning, design and construction by the GMX;
- Prohibits the GMX from raising toll rates, including for inflation adjustments, until July 1, 2029, except (i) as necessary to comply with bond covenants or (ii) on or after July 1, 2024 by a supermajority vote of the GMX Board;
- Provides that any toll rate increase must be approved by a two-thirds vote of the members of the GMX Board;
- Creates the Greater Miami Toll Rebate Program within the GMX and requires the GMX to develop and implement a monthly rebate program effective January 1, 2020, for SunPass holders who incur \$12.50 or more in tolls on GMX roads whose SunPass is registered to a motor vehicle registered to an address in Miami-Dade County, subject to:
  - Bond covenants;

- Consideration of the financial feasibility of such a rebate program as reported by the state Auditor General as required by the bill; and
- Consideration of the impact of such a rebate program to the financial feasibility of prioritized projects that have been allocated funds for a project development and an environmental study but are not contained in the 5-year work program on July 1, 2019 (this language is targeted at the Kendall Parkway);
- Provides that the GMX shall have “a goal” of rebating 25 percent of tolls paid by eligible SunPass under the rebate program;
- Provides that the GMX Board shall review the employment of all MDX employees to determine whether each employee will continue employment with the GMX;
- Provides that the GMX Board shall conduct a nationwide search in hiring an executive director;
- Provides that bonds may be issued on behalf of the GMX as provided by the State Bond Act, and that the GMX may issue bonds which do not pledge the full faith and credit of the state in such principal amount as, in the opinion of the GMX, is necessary to provide sufficient moneys for achieving its purposes;

**TPO:**

- Prohibits only the Miami-Dade TPO from assessing fees on cities and other TPO members;
- Does not revise the appointments to the TPO, and leaves the current TPO membership in place; and

**Road Codesignations:**

- Makes various road codesignations, including codesignations of state troopers killed in the line of duty statewide and three road codesignations approved by the Board, Countyline Parkway, Manuel S. Gonzalez Plaza and Jorge P. Castano Way.

*This was the subject of Resolution No. R- 1062-18, R-85-19, R-86-19 and R-287-19.*

**5. Florida Red Tide Mitigation and Technology Development Initiative -APPROVED BY THE GOVERNOR-** SB 1552 by Senator Joe Gruters (R-Sarasota) passed both chambers and was signed by the Governor (effective July 1, 2019).

SB 1552 establishes the Florida Red Tide Mitigation and Technology Development Initiative to develop technologies and approaches needed to address the control and mitigation of red tide and its impacts. SB 1552 appropriates \$3 million annually beginning in the 2019-2020 fiscal year through the 2024-2025 fiscal year to the Fish and Wildlife Conservation Commission for Mote Marine Laboratory to carry out the purposes of the bill. Additional funding for red tide research is also included in the Conference Report on SB 2500.

*This was the subject of Resolution No. 1043-18 (County Priority).*

**6. Firefighters/Cancer/Benefits/Rules to Establish Employer Cancer Prevention Best Practices -APPROVED BY THE GOVERNOR-** SB 426 by Senator Anitere Flores (R-Miami) passed both chamber and was signed by the Governor (effective July 1, 2019).

SB 426 provides for monetary benefits for firefighters who are diagnosed with certain types of cancer and who otherwise qualify.

*This was the subject of Resolution No. R-800-18.*

7. **School Safety and Security/Marjory Stoneman Douglas High School Public Safety Commission Recommendations** -APPROVED BY THE GOVERNOR- SB 7030, a committee bill by the Senate Education Committee, passed both chambers and was signed by the Governor (effective immediately).

SB 7030 is the successor bill to SB 7026, which is the Marjory Stoneman Douglas High School Public Safety Act that passed during the 2018 session. The controversial provision of SB 7030 removes the prohibition on a teacher who exclusively performs classroom duties from participating in the guardian program that allows school personnel to be armed who meet certain eligibility and training requirements.

*This was the subject of Resolution No. 1042-18 (County Priority).*

8. **Elections/Voter Verifiable Paper Trail /Election Administration/Amendment 4 Voting Rights Restoration** -APPROVED BY THE GOVERNOR- SB 7066, a committee bill by the Senate Ethics and Elections Committee passed both chambers and was signed by the Governor (effective July 1, 2019).

SB 7066 combines three pair of bills:

- SB 268/HB 689, which required all voting either be by paper marksense ballot or by voter interface device that meets state and federal standards for accessibility and produces a voter-verifiable paper output;
- SB 7086/HB 7089 related to voting rights restoration, which defined terms included in the Amendment 4 ballot initiative approved by Florida voters in 2018, such as felony sexual offense and murder. It also defines “completion of all terms of sentence” to include restitution, fines and fees ordered by a court as part of a sentence; and
- SB 7066/HB 7101, which address various issues related to pre- and post-election ballot processing identified from the 2018 General Election.

*This was the subject of Resolution No. R-217-19 and R-328-19 (County Priority)*

9. **Affordable Housing Preemption** -APPROVED BY THE GOVERNOR- HB 7103 by Representative Jason Fischer (R-Jacksonville) passed both chambers and signed by the Governor (effective immediately).

HB 7103 does the following, in part:

- Affordable Housing: Allows counties and cities to adopt and enforce inclusionary zoning ordinances, but requires them to provide incentives to fully offset the costs to the developer of its affordable housing contribution. Incentives include, but are not limited to density or intensity bonuses or reduced/waived fees.
- Development Permits and Orders: Requires a county or city, upon receiving an application for approval of a development order or permit, to review the application for completeness within 30 days. An applicant will have an additional 30 days to address deficiencies in the application, if identified by the county or city. A city or county then has 120 days to approve, approve with conditions, or deny the

application. For applications requiring final action through a quasi-judicial or public hearing, the county or city has 180 days to approve, approve with conditions, or deny. The parties may agree to extend the time frame requirements in this subsection.

- **Pre-existing Development Orders:** The bill provides that a comprehensive plan adopted after January 1, 2019 and all land development regulations adopted to implement such a plan are required to: incorporate pre-existing development orders; not impair the completion of a development in accordance with a pre-existing development order; and, vest pre-approved density and intensity per the pre-existing development order without limitation or modification.
- **Impact Fees:** Subsection (3) codifies the dual rational nexus test, similar to HB 207, which has already passed and been sent to the Governor; the only addition is the word “proportional”. Subsections (4) and (5) address impact fee credits. Counties and cities shared concerns that the effect of this would be to artificially inflate the value of the credit, resulting in a reduction of the revenue stream to local government to pay for the infrastructure. By inflating the value of credits, more of the cost of new infrastructure must be borne by new development and the general taxpaying public. This requirement is prospective and not retroactive.
- **Attorney Fees:** Controversial language was amended onto the bill on the Senate floor which provides that the prevailing party in a challenge to a development order is entitled to recover reasonable attorney fees and costs incurred in challenging or defending an order, including reasonable appellate attorney fees and costs.

**10. Public Records /Voters and Voter Registration -APPROVED BY THE GOVERNOR-** HB281 by Representative Cyndi Stevenson (R-St. Johns) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 281 provides exemption from public records requirements for telephone numbers and email addresses of voter registration applicants and voters. It also provides exemption from public records requirements for information concerning preregistered voter registration applicants who are minors, and provides for future legislative review and repeal. The bill also provides for retroactive application, and provides statements of public necessity.

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

**11. State Aid to Libraries -APPROVED-** \$21.8M statewide (this amount is tied to federal grant funding).

**12. Miami-Dade Main Library -APPROVED-** \$500K in library construction grants.

**13. Miami Military Museum and Memorial -NOT FUNDED.**

*This was the subject of Resolution No. R-91-19.*

**14. Cultural and Museum Grants -APPROVED-** \$2.3M in statewide funds

**15. Viscaya Museum and Gardens -APPROVED-** \$45K

**16. Zoo Miami/Expansion/Renovation of Animal Hospital -APPROVED-** \$100K

17. **Historic Preservation Grants** -APPROVED- \$1.5M in statewide funds

18. **Underline Multi-Use Trail** -APPROVED- \$1.5M

19. **Camp Matecumbe Gym Renovation** -VETOED- \$250K

C. **Transportation & Economic Development Issues**

20. **Film and Television Production** -ADOPTED-The Senate passed Senate Resolution (SR) 1808 by Senator Annette Taddeo (D-Miami) by a voice vote.

SR 1808 is a nonbinding resolution that recognizes the value of film and television production as an economic driver and creator of high-wage jobs. The resolution encourages the continuing collaboration of public- and private-sector efforts in program and partnership development, and encourages the Florida Office of Film and Entertainment's collaborative programs and partnerships for national and international marketing.

21. **Transportation/Small Business Road Construction** -DIED- SB 112 by Senator Jose Javier Rodriguez (D-Miami) would have required FDOT to create a Small Business Road Construction Mitigation Grant Program and required the department to disburse grants to qualified businesses for the purpose of maintaining the businesses during a road construction project. The bill was not heard in any of its committees of reference. Its companion, House Bill 61 by Representative Nicholas Duran (D-Miami), was not heard in any of its committees of reference.

*This was the subject of Resolution No. R-1300-18.*

22. **Off-highway Vehicles** -APPROVED BY THE GOVERNOR- SB 310 by Senator Perry (R-Gainesville) passed both chambers and was signed by the Governor (effective immediately).

SB 310 redefines the terms "ATV" and "ROV" to increase the authorized width and dry weight of such vehicles, and also redefines the term "all-terrain vehicle" to increase the authorized width and dry weight of the vehicle.

23. **Autonomous Vehicles** -APPROVED BY THE GOVERNOR- HB 311 by Representative Fischer (R-Jacksonville) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 311 exempts autonomous vehicles and operators from certain prohibitions, and provides that a human operator is not required to operate a fully autonomous vehicle. It also authorizes a fully autonomous vehicle to operate regardless of the presence of a human operator, and authorizes the Florida Turnpike Enterprise to enter into agreements to fund and operate facilities. The bill also provides requirements for insurance and the operation of on-demand autonomous vehicle networks, and revises registration requirements for autonomous vehicles. Furthermore, it provides for the uniformity of laws governing autonomous vehicles.

**24. Port Tunnel - APPROVED- \$19.5M**

**25. Miami-Dade TPO -APPROVED- \$3M -Transport Planning Grants.**

**26. Miami-Dade Transportation and Public Works -APPROVED- \$134M - Public Transit/Development Grants.**

**27. Miami International Agriculture, Horse and Cattle Show -VETOED- \$99K**

*This was the subject of Resolution No. R-87-19.*

**28. Miami International Airport -APPROVED- \$25.2M - Aviation Development Grants.**

**29. Biscayne Trail -APPROVED- \$1.8M - (Segment D - SW 328 St/SW 117 Ave)**

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

**30. Public Utility Storm Protection Plans -APPROVED BY THE GOVERNOR- SB 796 by Senator Joe Gruters (R-Sarasota) passed both chambers and was signed by the Governor (effective immediately).**

SB 796 requires public utilities to individually submit to the Public Service Commission, for review and approval, a transmission and distribution storm protection plan. The bill also requires the commission to conduct an annual proceeding to allow utilities to justify and recover certain costs through a storm protection cost recovery clause, and authorizes utilities to recover depreciation on certain capital costs through the recovery clause.

**31. Mosquito Control Program -APPROVED- \$2.7M was allocated statewide to the Mosquito Control Program that is housed in the Department of Agriculture and Consumer Services. Specifically, \$500,000 was allocated to competitive grants that are approved by the Department.**

**32. Preemption of Local Ordinances and Regulations/Licensing of Occupations -DIED-**  
The House passed HB 3 by Representative Michael Grant (R-Port Charlotte) on April 11, but the bill died in messages to the Senate when the Senate never took it up.  
As filed, HB 3 would have been a sweeping preemption of local government regulation. Its scope was narrowed as it moved through committees. In its final form, HB 3 would have preempted the licensing of occupations and trades to the state and superseded any local government licensing of occupations.

*This was the subject of Resolution No. R-283-19.*

**33. Expanded Uses of Drones by Law Enforcement/Fire Departments -DIED- HB 75 by Representative Clay Yarborough (R-Jacksonville) passed by a vote of 115 yeas, 0 nays, but died in messages to the Senate. The Senate companion bill, SB 766 by Senator Joe Gruters (R-Sarasota), died in committee.**



HB 75 would have expanded the authorization for drone use by law enforcement agencies, fire departments, state agencies and political subdivisions. HB 75 would have allowed law enforcement agencies to use drones to:

- Assist in crowd control where the crowd consists of 50 or more persons;
- Assist with traffic management, except that the agency may not use the drone to gather evidence to enforce traffic infractions; and
- Facilitate evidence collection at a crime scene or traffic crash scene.

The bill also would have allowed:

- Certified fire department personnel to use drones to perform tasks within the scope of their certification; and
- Use of drones for damage assessment due to a flood, wildfire, or natural disaster, or for vegetation and wildlife management purposes on publicly owned land or water.

*This was the subject of Resolution No. R-320-19.*

**34. Alcohol or Drug Overdose Prosecutions -APPROVED BY THE GOVERNOR-** HB 595 by Representative David Silvers (D-West Palm Beach) passed both chambers and was signed by the Governor (effective July1, 2019).

HB 595 prohibits the arrest or penalty under specified provisions of a person seeking medical assistance for an individual experiencing an alcohol-related or drug-related overdose or for himself or herself. It also prohibits this protection from being grounds for suppression of evidence in other prosecutions.

**35. State Attorney/Public Defender Salaries -APPROVED-** \$50K - minimum annual salary for Assistant State Attorneys and Assistant Public Defenders statewide.

*This was the subject of Resolution No. R-175-19.*

**36. Carrying of Firearms by Tactical Medical Professionals -APPROVED BY THE GOVERNOR-** HB 487 by Representative Michael Gottlieb (D-Davie) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 487 provides that paramedic or physician acting in support of a law enforcement agency may carry a concealed firearm during a law enforcement operation if he or she has a valid concealed weapons license.

The bill defines a tactical medical professional (TMP) as a paramedic, physician, or osteopathic physician who has been appointed to provide medical services to a tactical law enforcement unit. To be qualified as a TMP, a medical professional must:

- Be lawfully able to carry a firearm and have a concealed weapons permit;
- Be appointed to the tactical law enforcement unit;
- Be trained and deployed pursuant to established law enforcement agency policies;
- Complete a firearm and tactical training course; and
- Participate in annual firearm training provided by the law enforcement agency.

The bill allows a TMP to carry a firearm in the same manner and in the same locations as a law enforcement officer while the TMP is actively operating in direct support of a law enforcement operation. A TMP has no duty to retreat and may only use force for self-defense or in the defense of others. The bill grants a TMP the same criminal and civil immunity as a law enforcement officer when the TMP is acting in the scope of his or her official duties. The bill does not authorize a TMP to carry a firearm or ammunition on a fire apparatus or EMS vehicle and requires the appointing law enforcement agency to issue the TMP a firearm and ammunition.

**37. Public Records /Public Utility Held Customer Information and Data -APPROVED BY THE GOVERNOR-** HB 591 by Representative Tracie Davis (D-Jacksonville), passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 591 exempts from public records requirements customer meter-derived data and billing information in increments of less than one billing cycle that is held by certain utilities, and also provides a statement of public necessity.

**38. Public Meetings/Public Records/Local Government Utilities -APPROVED BY THE GOVERNOR-** CS/CS/HB 327 by Representative Tracie Davis (D-Jacksonville) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 327 exempts from public meetings requirements portions of meetings that would reveal certain exempt information concerning information technology systems held by specified utilities, and requires exempt portions to be recorded and transcribed. It also exempts from public records requirements recordings and transcripts of such meetings, and authorizes the release of portions of such meetings under specified circumstances. The bill also provides for future legislative review and repeal of exemption, and provides a statement of public necessity.

**39. Public Records/Personal Information related to Emergency Management Functions -DIED-** Senate Bill 836 by Senator Bobby Powell (D-Riviera Beach). The bill would have created an exemption from public records requirements for certain information of a person using a public shelter during an emergency and provide for retroactive application of the exemption. The bill was not heard in any of its committees of reference.

*This was the subject of Resolution No. R-417-19.*

**40. Public Records/Civilian Personnel Employed by a Law Enforcement Agency - APPROVED BY THE GOVERNOR-** SB 248 by Senator Hooper (R-Palm Harbor), passed both chambers and was signed by the Governor (effective July 1, 2019).

SB 248 expands exemptions from public records requirements for agency personnel information by defining the term "home addresses" for purposes of public records exemptions for personal identifying and location information of certain agency personnel and their family members. The bill also exempts personal identifying and location information of active or former civilian personnel employed by a law enforcement agency, and of spouses and children of such personnel, from public records requirements. It also provides for legislative review and repeal of the exemptions, and provides statements of public necessity.

- 41. R-1094-18 Lawsuit to Prohibit Publication of Blueprints for 3D Printed Firearms - DIED**- At this time, the Florida Attorney General has not joined that lawsuit, but Senate Bill 956 by Senator Linda Stewart (D-Orlando) would have prohibited the printing, transferring, importing, distributing, selling, possessing, or giving to another person certain 3D-printed firearms. The bill was not heard in any of its committees of reference.

*This is the subject of Resolution No. 1094-18.*

- 42. Police, Fire and Search and Rescue Dogs and Police Horses -APPROVED BY THE GOVERNOR**- SB 96 by Senator Aaron Bean (R-Fernandina Beach) increases the penalty from a third degree felony to a second degree felony for intentionally and knowingly, without lawful cause or justification, causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, a police, fire, or search and rescue (SAR) canine, or a police horse (effective October 1, 2019).

*This was the subject of Resolution No. R-206-19.*

- 43. County Detention Facilities/Lewd or Lascivious Exhibition -APPROVED BY THE GOVERNOR**- SB 828 by Senator Kevin Rader (D-Boca Raton) was passed by both chambers and signed by the Governor (effective July 1, 2019).

SB 828 expands the scope of the prohibition on lewd or lascivious exhibition in the presence of an employee of a correctional institution to include any person employed at or performing contractual work for a county detention facility. Current law prohibits such conduct only in a state or private correctional facility.

HB 7125 by the House Judiciary Committee and Representative Paul Renner (R-Palm Coast), which was signed by the Governor (effective October 1, 2019), also revises offenses related to county detention facilities by:

- Adding cell phones and other portable communication devices to prohibited contraband items;
- Prohibiting lewd and lascivious exhibition in the presence of an employee (this language also passed in SB 828, see above);
- Clarifying that if otherwise qualified, a defendant released from a county detention facility instead of a prison, may be designated a prison release reoffender;
- HB 7125 also authorizes a veterinarian to report suspected animal cruelty without notice to or authorization from a client, to a law enforcement officer, an animal control officer, or an approved animal cruelty investigator.

- 44. Veterinarian Reporting of Animal Cruelty -APPROVED BY THE GOVERNOR**- HB 7125 by the House Judiciary Committee and Representative Paul Renner (R-Palm Coast) passed both chambers and was signed by the Governor (effective October 1, 2019).

HB 7125 allows veterinarians to report animal cruelty, with the exception that the veterinarian must give notice first to a client that is a bona fide agricultural operation under certain circumstances. This corrects a glitch in the veterinarian practice act that made it difficult for veterinarians to report animal cruelty without facing disciplinary action.

**45. Text-to-911 Services/Countywide Implementation / Multijurisdictional Emergency Call Transfers/First Responder Radio Communications -APPROVED BY THE GOVERNOR-** HB 441 by Representative Bobby Dubose (D-Fort Lauderdale) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 441 requires each county to implement countywide text-to-911 service by January 1, 2022. In response to Marjory Stoneman Douglas High School Public Safety Commission's recommendations, HB 441 also requires the development and implementation of communications systems that allow direct radio communication between each public safety answering point (PSAP) and first responders outside the PSAP's normal service area, for which the PSAP may reasonably receive 911 communications.

**46. Insurance/Bad Faith Claims by Property Owners against Insurance Companies - APPROVED BY THE GOVERNOR-** HB 301 by Representative David Santiago (R-Deltona) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 301 is an omnibus insurance bill that, as amended and among other provisions, amends Florida law to prohibit an insured from filing a pre-suit notice within 60 days after an appraisal process has been invoked.

*This was the subject of Resolution No. R-327-19*

**47. Cosmetic Surgery Centers/Clinics -APPROVED BY THE GOVERNOR-** SB 732 by Senator Anitere Flores (R-Miami) passed both chambers and was signed by the Governor (effective July 1, 2020).

SB 732 authorizes the Florida Department of Health to register and regulate office cosmetic surgery centers, and is a response to recent deaths at cosmetic surgery centers in South Florida.

*This was the subject of Resolution No. R-425-19.*

**48. Federal Immigration Enforcement/Sanctuary Policies -APPROVED BY THE GOVERNOR-** SB 168 by Senator Joe Gruters (R-Sarasota) passed both chambers and was signed by the Governor (effective July, 1, 2019).

SB 168 generally prohibits sanctuary policies and requires state and local entities to comply with federal immigration detainers when they are supported by proper documentation. SB 168 requires law enforcement agencies to use best efforts to support the enforcement of federal immigration law. It provides exceptions for certain witnesses and victims. The version of SB 168 largely aligns with prior versions of the Senate bill, except that a Senate amendment was removed from the final version of the bill that excluded the Florida Department of Children and Families from the definition of state entities.

**49. Community Redevelopment Agencies/Countywide Referendum/Preemption - APPROVED BY THE GOVERNOR-** HB 9 by Representative Chip LaMarca (R-Lighthouse Point) passed both chambers and was signed by the Governor (effective October 1, 2019).

The final version of HB 9 does not include the countywide referendum or supermajority vote requirements that were included in HB 9 as originally filed. Among ethics and

procurement provisions, it does provide for the phase-out of existing CRAs at the earlier of the expiration date stated in the agency's charter or on September 30, 2039, with the exception of those CRAs with any outstanding bond obligations. However, the governing board of a creating local government entity may prevent the phase-out of a CRA by a simple majority vote.

- 50. Nonemergency Medical Transportation Services/COPCN/Preemption -APPROVED BY THE GOVERNOR-** HB 411 by Representative Daniel Perez (R-Miami) passed both chambers and approved by the Governor (effective July 1, 2019).

HB 411 authorizes a transportation network company under contract with a Medicaid managed care plan, a transportation broker under contract with a Medicaid managed care plan, a transportation broker under direct contract with the Agency for Health Care Administration (AHCA), or a transportation network company that receives referrals from a transportation broker contracting with Medicaid managed care plans or the AHCA to provide Medicaid nonemergency transportation services to a Medicaid recipient, subject to compliance with state and federal Medicaid requirements. HB 411 may preempt or affect locally-issued Certificates of Public Convenience and Necessity (COPCN).

- 51. Incarcerated Women/County Detention Facilities/Health Care Products/Male Correctional Employees -APPROVED BY THE GOVERNOR-** HB 49 Representative Shevrin Jones (D-West Park) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 49 addresses how correctional facilities handle certain procedural and administrative circumstances that are unique to the incarceration of women. The bill requires all correctional facilities, including county detention facilities and Florida Department of Juvenile Justice facilities, to make available to each incarcerated woman certain health care products at no cost and in a quantity that is appropriate to the needs of the woman.

- 52. Firearms Background Checks, Risk Protection Orders/Authorize FDLE to Disclose Data to Local Enforcement -DIED-** There was no legislation pertaining to this specific issue, but amendment language was delivered that would accomplish this goal to Senator Manny Diaz (R-Hialeah) who, through his committee chairmanship, is the sponsor of Senate Bill 7030 relating to school safety and security.

*This was the subject of Resolution No. R-218-19.*

- 53. Environmental Regulation/Non-Hazardous Contamination of Recyclable Material in Contracts with Residential Recycling Collectors, Recovered Materials Processing Facilities/Plastic Straw Preemption -VETOED-** HB 771 by Representative Tobin Overdorf (R-Stuart) passed both chambers but was vetoed by the Governor.

HB 771 would have required local governments to address the contamination of recyclable material in contracts for the collection, transportation, and processing of residential material. The bill applies to contracts between a local government and a residential recycling collector or recovered materials processing facility that are executed or renewed after October 1, 2019. Such contracts are required to define the term "contaminated recyclable material" based on certain factors. The bill specifies terms that must be addressed in local government contracts with both residential recycling collectors and recovered materials processing facilities.

HB 771 also would have prohibited local governments from requiring a person claiming an exemption from environmental resource permitting requirements to provide further verification from the Florida Department of Environmental Protection. The bill changes the requirements for the replacement or repair of a dock or pier that is exempt from permitting requirements. HB 771 also preempts local governments from regulating single-use plastic straws until July 1, 2024 and provides for a study of ordinances that have been adopted that regulate single-use plastic straws.

**54. Transportation/Road Aggregate/Reclaimed Asphalt Pavement/Solid Waste/Preemption/Design/Engineering/Inspection Construction Projects -APPROVED BY THE GOVERNOR-** HB 905 by Representative Robert Andrade (R-Pensacola) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 905 amends various statutory provisions relating to the Florida Department of Transportation (DOT). As amended and among other provisions, HB 905:

- Prohibits local governments from adopting standards or specifications for the permissible use of road aggregate that are contrary to DOT's standards or specifications;
- Prohibits local governments from adopting standards and specifications that are contrary to DOT's standards or specifications for permissible uses of reclaimed asphalt pavement, and provides that reclaimed asphalt pavement is not solid waste; and
- Provides that projects wholly or partially funded by FDOT and administered by a local government may not allow the same entity to perform both design services and construction engineering and inspection services, there is an exception for seaports.

**55. Attorney Fees, Costs/Challenges to Local Ordinances on Preemption Grounds - APPROVED BY THE GOVERNOR-** The Senate passed HB 829 by Representative Anthony Sabatini (R-Clermont) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 829 entitles a party to attorney's fees and costs if the party prevails in an action challenging a local government ordinance on the basis of preemption. Attorney fees and costs may not be awarded if the local government receives written notice that an ordinance or proposed ordinance is expressly preempted; and within 21 days of receiving the notice, repeals or withdraws the ordinance.

The remedies under HB 829 are cumulative to other available sanctions or remedies. Ordinances related to growth management and certain other exceptions are excluded from HB 829. In its final form, HB 829 is prospective and applies only to cases commenced after July 1, 2019.

**56. Communications Services/Use of Right-of-Way/Permit Fees/Preemption - APPROVED BY THE GOVERNOR-** The House passed SB 1000 by Senator Travis Hutson (R-Palm Coast) passed both chambers and was signed by the Governor (effective July 1, 2019).

Among other provisions, SB 1000 preempts local governments from regulating the placement of communications equipment in public rights-of-way. SB 1000:

- Applies the small cell time frames to all permit applications for communications facilities in local government rights-of-way;
- Includes extensive provisions on the placement of new poles in rights-of-way; and
- Includes a number of new limitations on local government authority in the permitting process and regulation of rights of way.

In the closing hours of the session, a tax/fee exemption was included in HB 7123, the tax cut package, for communication service providers who are considered pass-through providers and who place communication facilities on roads or rights-of-way.

**57. For-Hire Micromobility Devices/Motorized Scooters/Preemption -APPROVED BY THE GOVERNOR-** HB 453 by Representative Jackie Toledo (R-Tampa) passed both chambers and was signed by the Governor (effective immediately).

HB 453 provides a state regulatory framework for motorized scooters and other micromobility devices at the state level, but does not preempt local regulation. Prior preemption language was removed from the bill.

**58. Local Governmental Powers/Preemption/Nursing Homes/Gas Stations/Generators/Plastic Straws/ Sunscreen/Minimum Age re: Tobacco Products/ States of Emergency/Impact Fees -DIED-** The House passed HB 1299 by Representative Spencer Roach (R-North Fort Myers) but the Senate never took up the bill resulting in HB 1299 dying in messages.

HB 1299 would have preempted local governments in a number of areas. It would have prohibited local governments from:

- Setting marketing requirements for nicotine products, such as requiring such products to be behind a counter or in a locked case, which preempts a current Miami-Dade County ordinance;
- Establishing a minimum age for the purchase of nicotine products;
- Regulating the use of single-use plastic straws and sunscreen (the straw preemption passed in HB 771, see below);
- Regulating alternate generated power sources for gas stations;
- Establishing temperature requirements at assisted living facilities when such facilities act as a receiving provider; and
- Approving a district school board impact fee if the fee results in an increase of 5 percent or more over a two-year period.

HB 1299 also would have prohibited a municipality from purchasing real property within another municipality's jurisdictional boundaries, without the other municipality's consent.

**59. Vacation Rentals Preemption -DIED-** HB 987 by Representative James Grant (R-Tampa) died on the House floor when the House never took up the bill, and SB 824 by Senator Manny Diaz (R-Hialeah Gardens) died in committee.

HB 987 and SB 824 would have preempted to the state the regulation of vacation rentals, including, but not limited to, inspection, licensing, and occupancy limits, and allowed local

laws, ordinances and regulations to apply to vacation rentals only as long as they apply uniformly to all residential properties.

**60. Towing and Immobilizing of Vehicles and Vessels/Preemption -DIED-** The House passed HB 1237 by Representative Stan McClain (R-Ocala) by a vote of 83 yeas, 31 nays, but the bill died in messages to the Senate when the Senate never took it up. Among other provisions, SB 1792 would have prohibited Miami-Dade County from imposing a \$15 administrative fee on wrecker operators.

**61. Medical Use of Marijuana -APPROVED BY THE GOVERNOR-** SB 182 by Senator Jeff Brandes (R-St. Petersburg) passed both chambers and was signed by the Governor (effective immediately).

The bill redefines the term “marijuana delivery device” to provide an exception to the requirement that such devices must be purchased from a medical marijuana treatment center for devices that are intended for the medical use of marijuana by smoking. The bill also redefines the term “medical use” to include the possession, use, or administration of marijuana in a form for smoking, and restricts the smoking of marijuana in enclosed indoor workplaces. It also requires a qualified physician to submit specified documentation to the Board of Medicine and the Board of Osteopathic Medicine upon determining that smoking is an appropriate route of administration for a qualified patient, other than a patient diagnosed with a terminal condition.

**62. Vaping - APPROVED BY THE GOVERNOR-** SB 7012 by the Senate Innovation, Industry, and Technology Committee, implements s. 20, Art. X of the State Constitution, as amended by Amendment 9 (2018). The bill prohibits vaping in an enclosed indoor workplace, except as otherwise provided, and provides exceptions to the prohibition against vaping and smoking in an enclosed indoor workplace. It also requires the proprietor or other person in charge of an enclosed indoor workplace to develop and implement a policy regarding specified smoking and vaping prohibitions.

**63. Tobacco and Nicotine Products/Nicotine Dispensing Devices/Minimum Age/Marketing/Preemption -DIED-** The Senate passed SB 1618 by Senator David Simmons (R-Longwood) by a vote of 33 yeas, 6 nays, but the House never took the bill up resulting in SB 1618 dying in messages.

Among other provisions, SB 1618 would have:

- Preempted the establishment of the minimum age to possess or purchase nicotine dispensing devices, nicotine products, and tobacco products, and the regulation of the marketing of such products to the state. However, such preemption would not have prohibited a local government’s ability to require licensure for the retail sale of tobacco products;
- Increased the minimum age to lawfully purchase and knowingly possess tobacco products, nicotine products, and nicotine dispensing devices in Florida from 18 to 21;
- Prohibited the sale, delivery, bartering, furnishing, shipping, or giving tobacco products, nicotine products, or electronic nicotine dispensing devices except cigars to persons under the age of 21; and
- Increased the minimum age for the medical use of marijuana in a form for smoking from 18 to 21.



- 64. Engineering -APPROVED BY THE GOVERNOR-** HB 827 by Representative Jackie Toledo (R-Tampa) passed both chambers and was signed by the Governor (effective October 1, 2019).

HB 827 prohibits specified services to the Department of Transportation (DOT) for a project that is wholly or partially funded by the DOT and administered by a local governmental entity from being performed by the same entity. It also revises licensure certification requirements to include active engineering experience and a minimum age, and revises the timeframes in which a fee owner or the fee owner's contractor using a private provider to provide building code inspection services must notify the local building official.

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

- 65. Miami-Dade Veterans Court/Problem Solving Courts -APPROVED-** \$9.9M (statewide)

The Conference Report on SB 2500 does not provide a specific appropriation for the Miami-Dade County Veterans Treatment Court, but provides \$9.9 million statewide for treatment services, drug testing, case management, and ancillary services for participants in problem-solving courts, including, but not limited to, veterans courts, adult drug courts, juvenile drug courts, family dependency drug courts, early childhood courts, mental health courts, and veterans courts.

The state Trial Court Budget Commission will determine the allocation of funds to the circuits. Funds distributed must be matched by local government, federal government, or private funds. The matching ratio for allocation of these funds is 30 percent non-state and 70 percent state funding, except that veterans courts have a matching ratio of 20 percent non-state funding and 80 percent state funding.

*This was the subject of Resolution No. R-96-19.*

- 66. Substance Abuse Services/Recovery Residences/Sober Homes -APPROVED- BY THE GOVERNOR-** HB 369 by Representative Mike Caruso (R-Boca Raton) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 369 promotes the use of peer specialists in behavioral health care and revises requirements for recovery residences, also known as sober homes. HB 369 also revises background screening requirements and codifies existing training and certification requirements for peer specialists, and modifies requirements for licensed substance abuse service providers offering treatment to individuals living in recovery residences.

- 67. Homeless Trust/Housing First Mental Health Program -APPROVED BY THE GOVERNOR-** \$100K

- 68. Challenge Grants and Staffing Grants -APPROVED-** \$4.1M

- 69. Human Trafficking -APPROVED BY THE GOVERNOR-** HB 851 by Representative Heather Fitzenhagen (R-Fort Myers) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 851 requires the Department of Legal Affairs to establish a certain direct-support organization, and provides for future review and repeal. The bill also provides for instructions on human trafficking, and requires specified licensees or certificate holders to post human trafficking public awareness signs in their place of work. It also provides penalties, and requires specified continuing education for certain persons. Furthermore, the bill requires the Department of Law Enforcement to establish a continued employment training component relating to human trafficking.

**70. Camillus House Human Trafficking Recovery Program -APPROVED- \$250K**

**71. Getting2Zero (HIV/AIDS Education and Awareness) -NOT FUNDED.**

*This was the subject of Resolution No. R-205-19.*

**72. Infectious Disease Elimination Program/Needle Exchange -APPROVED BY THE GOVERNOR- SB 366 by Senator Oscar Braynon (D-Miami Gardens) passed both chambers and was signed by the Governor (effective July 1, 2019).**

SB 366 provides that boards of county commissioners may establish sterile needle and syringe exchange programs through adoption of an ordinance, and prohibits an exchange from operating unless approved by the applicable county commission. Exchange programs must cooperate with the Florida Department of Health and the local county health department. Programs are prohibited from using state, county or municipal funds to operate needle exchange programs

*This was the subject of Resolution No. R-929-18.*

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

**73. Environmental and Water Funding -APPROVED-**

- **Florida Forever** - \$33M
- **Springs** - \$50M (as well as an additional \$50M that was not released last year)
- **Beaches** - \$50M (including \$10M in new recurring Land Acquisition Trust Fund dollars)
- **Coastal Resiliency** - \$5.5M
- **Local Government Cleanup Contracting** - \$11.8M
- **Storage Tank Compliance Verification** - \$6.4M
- **Alternative Water Supply** - \$40M
- **Water quality (Algae Bloom)** - targeting sources that contribute to harmful algal blooms - \$25M

- **Water quality** - projects that help meet restoration goals (Total Maximum Daily Loads) - \$25M
- **Everglades Restoration** - \$360M, including in part:  
     \$32M – Restoration Strategies  
     \$145.5M – Comprehensive Everglades Restoration Plan  
     \$40M – Tamiami Trail  
     \$33M – Northern Everglades and Estuaries Protection Program

Lake Okeechobee Watershed Restoration Project - \$50M

*This was the subject of Resolution No. R-213-19.*

**74. Control of Invasive Snakes -APPROVED- \$315K**

*This was the subject of Resolution No. R-1298 -18.*

**75. Deering Field Research Center -APPROVED- \$200K**

*This was the subject of Resolution No. R-286-19.*

**76. State Hemp Program -APPROVED BY THE GOVERNOR- SB 1020 sponsored by Senator Rob Bradley (R-Fleming Island) passed both chambers and was signed by the Governor (effective July 1, 2019).**

SB 1020 creates the state hemp program within the Department of Agriculture and Consumer Services, and provides requirements for program licensure. The bill also directs the Commissioner of Agriculture, in consultation with and with final approval from the Administration Commission, to submit a specified plan within a specified timeframe to the United States Secretary of Agriculture, and revises the schools at which the department is required to authorize and oversee the development of industrial hemp pilot projects.

**77. Building Permits/Open and Expired Permits/Carry Forward Building Department Budgets/Florida Building Code -APPROVED BY THE GOVERNOR- HB 447 by Representative Ben Diamond (D-St. Petersburg) passed both chambers and was signed by the Governor (effective July 1, 2019).**

In its final form, HB 447 combines several bills and issues related to building permits and the Florida Building Code, and establishes processes and procedures for property owners and local governments to close open and expired building permits.

**78. Residential Front Yard Vegetable Gardens/Preemption -APPROVED BY THE GOVERNOR- SB 82 by Senator Rob Bradley (R-Orange Park) passed both chambers and was signed by the Governor (effective July 1, 2019).**

SB 82 preempts local governments from regulating vegetable gardens on residential properties. Local governments may still adopt local regulations of a general nature which does not specifically regulate vegetable gardens, including, but not limited to, regulations relating to water use during drought conditions, fertilizer use, or control of invasive species.

- 79. Mineral Rights -APPROVED BY THE GOVERNOR-** HB 767 by Representative Will Robinson (R-Bradenton) passed both chambers and was signed by the Governor (effective immediately).

HB 767 releases the right of entry to any interest in phosphate, minerals, and metals, or any interest in petroleum, reserved for a local government, water management district, or other agency of the state, for any parcel of property that is or has ever been a contiguous tract of less than 20 acres in the aggregate under the same ownership.

- 80. Community Development Districts -APPROVED BY THE GOVERNOR-** HB 437 by Representative James Buchanan (R-Osprey) passed both chambers and was signed by the Governor (effective immediately).

HB 437 authorizes certain lands within a county or municipality which a petitioner anticipates adding to a new community development district to be identified in a petition to establish a new district. It also provides detailed procedures for amending boundaries of a district to add land, and authorizes community development districts to merge with another type of special district created by a special act or by filing a petition for the establishment of the new district. The bill also authorizes community development district merging with another type of district to enter into merger agreements for certain purposes.

- 81. Beaches -APPROVED BY THE GOVERNOR-** HB 325 by Representative Chip LaMarca (R-Lighthouse Point) passed both chambers and was signed by the Governor (effective July1, 2019).

HB 325 amends the criteria the Department of Environmental Protection (DEP) must consider when determining annual funding priorities for beach management projects. Under the bill, DEP is required to implement a new scoring system consisting of weighted criteria divided into four tiers to determine annual project funding priorities. The bill also amends related requirements for DEP regarding reporting, oversight, and the use of surplus funds.

The bill amends the criteria DEP must use to establish annual funding priorities for inlet management projects. The bill also amends related requirements for DEP regarding reporting and the amount of annual funding designated for inlet management projects.

The bill amends the requirements for DEP to develop and maintain the components of the comprehensive long-term beach management plan for the restoration and maintenance of Florida's critically eroded beaches. Under the bill, DEP must annually submit to the Legislature a 3-year work plan that lists beach restoration, beach nourishment, and inlet management projects in priority order based on the applicable criteria. We worked with the Florida Shore and Beach Preservation Association (FSBPA) and a coalition of affected stakeholders to pass this legislation.

*This was the subject of Resolution No. R-420-19.*

**82. Water Legislation -DIED-** Several pieces of water-related legislation were filed this session, all of which failed to pass. Many of the concepts in these bills were rolled into an amendment to HB 973 by Representative Bobby Payne (R-Palatka), including:

- Transfer of septic tank regulation from the DEP to the Department of Health (DOH) - this concept was contained in the underlying bill as well as SB 1022 by Senator Ben Albritton (R-Bartow), SB 1758 by Senator Debbie Mayfield, and HB 1395 by Representative Holly Raschein (R-Key Largo).
- Basin Management Action Plans (BMAPs) for nutrient Total Maximum Daily Loads (TMDLs) - BMAPs would have been required to include a wastewater treatment plan and remediation plan for septic tanks, as well as water quality monitoring. Variations of these concepts were included in SB 1758 and HB 1395.
- Sewage discharge notification for domestic wastewater treatment facilities that unlawfully discharge sewage – More onerous requirements were contained in HB 141 by Representative Fine and SB 216 by Senator Gruters (R-Sarasota).
- Biosolids - the HB 973 amendment would have prohibited the land application of biosolids under certain circumstances. Similar concepts were contained in SB 1278 by Senator Mayfield (R-Vero Beach) and HB 405 by Representative Grall (R-Vero Beach). Ultimately, HB 973 also failed to make it through the process. A similar amendment was filed to HB 771 but was withdrawn.

**83. Miami River Commission -NOT FUNDED.**

*This was the subject of Resolution No. 1097-18.*

**84. Laurel Wilt Disease/Avocado Trees -VETOED- \$150K**

**85. Fracking -DIED-** There were a number of bills filed this session related to fracking. SB 136 by Senator Linda Stewart (D-Orlando), SB 314 by Senator Bill Montford (D-Tallahassee), and HB 239 by Representative Heather Fitzenhagen (R-Fort Myers) all would have banned fracking, but none of these bills made it through the process. In addition to these fracking bills, two committee bills were introduced: HB 7029 by the House Agriculture and Natural Resources Subcommittee and Representative Holly Raschein (R-Key Largo) and SB 7064 by the Senate Agriculture Committee. Both of these bills were controversial because many environmental stakeholders expressed concerns that they created a loophole and would have allowed matrix acidizing to continue. None of these bills made it through all of their committees.

*This was the subject of Resolution No. R-94-19 and R-335-19.*

**86. Tree Preemption -APPROVED BY THE GOVERNOR-** HB 1159 by Representative Mike LaRosa (R-Saint Cloud) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 1159 prohibits a local government from requiring a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the tree presents a danger to persons or property, as documented by a certified

arborist or licensed landscape architect. A local government may not require a property owner to replant a tree that has been pruned, trimmed, or removed in accordance with the bill provisions. The bill does not apply to mangrove trees, which the trimming and alteration of is regulated statewide by the Department of Environmental Protection. We worked with the Florida Association of Counties (FAC) and a coalition of affected stakeholders to ensure the County's concerns were considered. As a result, we were able to secure several changes to this language to lessen the potential for negative impact at the local level.

As it pertains to maintaining vegetation within a utility right-of-way, current law requires a utility to give five business days' advance notice to a local government prior to conducting vegetation maintenance activities within a right-of-way. No advance notice is required for service restoration, to avoid an imminent vegetation caused outage, or when performed at the request of a property owner adjacent to the right-of-way, provided the owner has obtained any required approval from the local government. The bill removes the requirement that a property owner receive approval by the local government before requesting an electric utility to prune trees and maintain vegetation in an adjacent right-of-way.

Finally, the bill requires each county property appraiser to post a Property Owner Bill of Rights on its website and specifies the text to be included in the bill of rights. The website must list the seven property rights declared in the bill and must state that the bill of rights does not represent all property rights under Florida law and does not create a civil cause of action.

**87. Fertilizer -DIED-** HB 157 by Representative Geraldine Thompson (D-Windermere) and SB 1716 by Senator Randolph Bracy (D-Orlando) would have required county and municipal governments to adopt and enforce the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. The bills specified that county and municipal governments must require the use of slow-release fertilizers and they provided additional requirements for counties and municipalities within estuary runoff areas. The bills would have authorized county and municipal governments to adopt additional standards if certain criteria were met.

**88. Shark Fins and Ray Parts -DIED-** HB 99 by Representative Kristin Jacobs (D-Coconut Creek) and SB 352 by Senator Gruters (R-Sarasota) would have prohibited the possession, sale, and distribution of shark fins and ray parts. We worked with a coalition of affected stakeholders to support these bills. However, neither bill received a hearing amid opposition from the fishing community.

*This was the subject of Resolution No. R-62218.*

**89. Small-Scale Comprehensive Plan Amendments -APPROVED BY THE GOVERNOR-** The Senate passed HB 6017 by Representative Wyman Duggan (R-Jacksonville) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 6017 repeals the 120-acre cumulative annual limit on small-scale development amendments that may be approved by a local government.

**90. Wetlands Mitigation -APPROVED BY THE GOVERNOR-** HB 521 by Representative Lawrence McClure (R-Dover) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 521 allows, if state and federal mitigation credits are not available, a local government to permit mitigation consisting of the restoration or enhancement of conservation lands purchased and owned by a local government. The bill specifies that such mitigation must conform to certain permitting requirements.

The bill further provides that financial assurances are not required for mitigation areas created by local governments that were awarded mitigation credits pursuant to ch. 62-345, F.A.C., under a permit issued before December 31, 2011, when credits are not available under a mitigation bank permitted under s. 373.4136, F.S.

*This was the subject of Resolution No. R-216-19.*

**91. C-51 Reservoir -APPROVED BY THE GOVERNOR-** HB 95 by Representative Kristin Jacobs (D-Coconut Creek) passed both chambers and was signed by the Governor (effective July 1, 2019).

HB 95 authorizes the South Florida Water Management District (SFWMD) to acquire any portion of the C-51 reservoir project not already committed to utilities for alternative water supply purposes. The bill authorizes the SFWMD to acquire land near the C-51 reservoir project through the purchase or exchange of land owned by the SFWMD or state as necessary to implement any part of the project. Previously, these authorizations pertained only to Phase II of the project.

The bill requires the operation of Phase I of the C-51 reservoir project to be in accordance with any operation and maintenance agreement approved by the SFWMD. Water made available by the reservoir must be used for natural systems in addition to any permitted amounts for water supply. Water in the reservoir that is received from Lake Okeechobee may be made available to support consumptive use permits, but only if such use is in accordance with the SFWMD's rules.

The bill authorizes Phase II of the C-51 reservoir project to be funded by appropriation in addition to the existing authorized funding sources.

**92. Vessels -APPROVED BY THE GOVERNOR-** SB 1666 by Senator Anitere Flores (R-Miami) passed both chambers and was signed by the Governor (effective July 1, 2019).

SB 1666 revises provisions relating to vessels, specifically relating to the following issues:

- Boater safety education:
  - The bill establishes criteria for obtaining a temporary certificate for boater safety education which is valid for 90 days.
  - The bill provides that boating safety identification cards and temporary certificates may be issued in a digital, electronic, or paper format.
  - The bill authorizes the Fish and Wildlife Conservation Commission (FWC) to appoint agents to administer qualifying boating safety education and temporary certificate requirements. Agents must charge a \$2 fee and may charge a \$1

service fee for each boating safety education card or temporary certificate it issues.

- Long-term stored vessels:

- The bill defines the term “long-term stored vessel” to mean a vessel which has remained anchored or moored outside of a public mooring field without supervision or control for at least 30 days out of a 60-day period.
- The bill requires FWC to conduct a study, contingent upon appropriation, on the impacts of long-term stored vessels on local communities and the state, and to present the report to the Governor and Legislature.

- No-discharge zones:

- The bill authorizes, upon federal approval, counties designated as rural areas of opportunity to create within their jurisdiction a “no-discharge zone” where treated and untreated sewage discharges are prohibited for specified vessels.
- The bill requires vessel operators within a no-discharge zone to keep sewage discharges onboard for discharge at specified locations.
- The bill imposes a civil penalty if an unlawful discharge is made in a no-discharge zone.

- Vessel registration fees:

- The bill requires a certain portion of vessel registration fees designated for use by the counties to be deposited into the Marine Resources Conservation Trust Fund to fund grants for derelict vessel removal. Undisbursed balances from vessel registration fees may be reapportioned to fund the Florida Boating Improvement Program or public boating access. Appropriated funds not utilized by local governments for derelict vessel removal by a certain time may be used by FWC to remove derelict vessels.

- Derelict vessels:

- The bill prohibits a person who leaves or abandons a derelict vessel from residing or dwelling on the vessel until it is permanently removed from state waters or returned to waters in a non-derelict condition.

## **G. Finance & Tax / Property and Elections**

**93. Tax Cut Package/Charter Schools Voter-Approved Taxes /Commercial Leases/Sales Tax Holidays/Communications Facilities in the Rights-of-Way - APPROVED BY THE GOVERNOR-** HB 7123, a committee bill by the House Ways and Means Committee, bounced back and forth between the House and Senate as amendments were added. Eventually both chambers passed an identical version by a vote of 81 yeas, 25 nays in the House and 23 yeas, 17 nays in the Senate. HB 7123 is the tax cut package, and was one of the last bills to pass.

Among other provisions, HB 7123 includes the following provisions:

- A reduction in the commercial lease tax from 5.7 percent to 5.35 percent;
- A 3-day “back-to-school” holiday for certain clothing, school supplies, and personal computers;



- A 7-day “disaster preparedness” holiday for specified disaster preparedness items;
- A tax/fee exemption for communication service providers who are pass-through providers and that place or maintain communications facilities in the roads or rights-of-way; and
- A requirement that voted levies for school operational purposes be shared proportionately with charter schools, this provision is prospective only and does not impact the Miami-Dade Public Schools referendum.

**94. Ballot Measures -APPROVED BY THE GOVERNOR-** HB 5 by Representative Nick DiCeglie (R-Indian Rocks Beach) passed both chambers and was signed by the Governor (effective immediately).

HB 5 provides that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election, and requires the Office of Program Policy Analysis and Government Accountability, upon receiving a certain notice, to procure a certified public accountant for a performance audit. The bill also requires a supervisor of elections to verify petition signatures and retain signature forms in a specified manner, and provides that an initiative sponsor’s failure to comply with the specified requirements renders any referendum held void. It also requires a paid petition circulator to register with the Secretary of State and provide certain information, and prohibits compensation for initiative petition circulators based on the number of petition forms gathered. Furthermore, the bill also provides penalties for failure to register as a petition circulator.

**95. Local Government Financial Reporting/County Budgets/Special Taxing Districts - APPROVED BY THE GOVERNOR-** HB 861 by Representative Spencer Roach (R-North Fort Myers) passed both chambers and was signed by the Governor (effective immediately).

Beginning October 15, 2019, HB 861 requires each county and municipal budget officer to file an annual report to the Florida Legislature’s Office of Economic and Demographic Research (EDR), in a format and on forms prescribed by EDR, including information concerning government spending per resident, government debt per resident, median income within the county or municipality, average county or municipal employee salary, percent of the entity’s budget spent on salaries and benefits for the entity’s employees, and number of special taxing districts that are located wholly or partially within the county or municipality.

**96. Bert Harris Act/Property Rights Claims -DIED-** HB 1383 by Representative James Grant (R-Tampa) died on the House floor calendar. The Senate companion bill is SB 1720 by Senator Tom Lee (R-Brandon). SB 1720 died in committee.

HB 1383 would have revised the Bert J. Harris, Jr., Private Property Rights Protection Act and required a local government, when settling property rights claims, to treat similar properties in the same way.

**97. HB 51 Property Tax Exemption for Widows/Blind/Permanently Disabled -DIED-** Senate Bill 202 by Senator Tom Wright (R-Port Orange). The bill would increase the propertytax exemption for residents who are widows, widowers, blind, or totally and permanently disabled. The bill was passed in its first committee of reference but was not heard in subsequent committees. Its companion, House Bill 51 sponsored by Representative Tyler Sirois (R-Merritt Island), was not heard in any of its committees of reference.

- 98. Equal Pay -DIED-** House Bill 1287 - Reducing Income Inequality, sponsored by Representative Carlos Guillermo Smith (D-Orlando), was a memorial requesting Congress to adopt budgetary and other measures to reduce income inequality. The bill was not heard in any of its committees of reference.

Its companion, Senate Bill 1734 sponsored by Senator Gary Farmer (D-Lighthouse Point), was not heard in any of its committees of reference.

Senate Bill 512 - Income Inequality was sponsored by Senator Kevin Rader (D-Delray Beach). The bill required the Office of Program Policy Analysis and Government Accountability (OPPAGA) to study and identify the legislative actions and requirements necessary to achieve a reduction of income inequality. The bill had no House sponsor or bill equivalent. The bill was not heard in any of its committees of reference.

Senate Bill 510 - Income Inequality Impact Statements was sponsored by Senator Rader. The bill stated that at the request of a member of the Legislature, the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall prepare an impact statement that estimates the anticipated effects of proposed legislation on income inequality among the residents of this state. The bill was not heard in any of its committees of reference and had no House sponsor or bill equivalent.

*This was the subject of Resolution No. 1095-18.*

## **H. Education**

- 99. Anti-Semitism/Public Schools -APPROVED BY GOVERNOR-**The Senate passed HB 741 by Representatives Randy Fine (R-Palm Bay) and was signed by the Governor (effective immediately).

HB 741 prohibits discrimination in the K-20 public education system against a student or employee based on religion. HB 741 further provides that a public K-20 educational institution must treat discrimination by students or employees resulting from institutional policies based on anti-Semitism in the same way it treats discrimination based on race. For purposes of the hate crime statute and the prohibition against discrimination in the K-20 public education system, the bill lists examples of conduct or speech evidencing anti-Semitism.

*This was the subject of Resolution No. R-421-19.*

## **I. Technology**

- 100. Blockchain Technology -APPROVED BY THE GOVERNOR-** sponsored by Senator Joe Gruters (R-Sarasota) passed both chambers and was signed by the Governor (effective immediately).

SB 1024 establishes the Florida Blockchain Task Force within the Department of Financial Services, and requires the task force to develop a specified master plan. It also specifies the duties and procedures of the task force.

