

## Legislative Update: 2019 Session - Week 6

April 15, 2019

By: Mario J. Bailey, José A. Bermudez, Ellyn S. Bogdanoff, Bernie Friedman, José K. Fuentes, Michael A. Grissom, Yolanda Cash Jackson, Nicholas G. Matthews



Week 6: April 8 - 12, 2019

### Proposed 2019-2020 Budget

The House and Senate Chambers have also released the first drafts of their proposed 2019-2020 budget. Here is a generalized breakdown of the current draft budget compared to last year's budget, and the draft budget broken down by section.

Source	Senate PCB 2500	House PCB APC 19-01	Governor's Recommendation	Agency Requests	Current Year Budget
<b>Total Positions</b>	113,309.60	113,215.51	113,666.71	114,435.71	112,874.21
<b>Total All Funds</b>	\$90,325,810,643	\$89,902,634,370	\$91,269,254,710	\$91,260,330,912	\$89,314,312,431
<b>Current Year Budget</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>
112,874.21	435.39	341.3	792.5	1,561.50	0
\$89,314,312,431	\$1,011,498,212	\$588,321,939	\$1,954,942,279	\$1,946,018,481	\$0
<b>Agency Requests</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>
114,435.71	1,126.11	1,220.20	769	0	1,561.50
\$91,260,330,912	\$934,520,269	\$1,357,696,542	\$8,923,798	\$0	\$1,946,018,481
<b>Governor's Recommendation</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>
113,666.71	357.11	451.2	0	769	792.5
\$91,269,254,710	\$943,444,067	\$1,366,620,340	\$0	\$8,923,798	\$1,954,942,279
<b>House PCB APC 19-01</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>
113,215.51	94.09	0	451.2	1,220.20	341.3
\$89,902,634,370	\$423,176,273	\$0	\$1,366,620,340	\$1,357,696,542	\$588,321,939
<b>Senate PCB 2500</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>	<b>Difference</b>
113,309.60	0	94.09	357.11	1,126.11	435.39
\$90,325,810,643	\$0	\$423,176,273	\$943,444,067	\$934,520,269	\$1,011,498,212

By Sections	House PCB APC 19-01		Senate PCB 2500		Difference	
	Dollars	Positions	Dollars	Positions	Dollars	Positions
<b>TOTAL</b>	\$89,902,634,370	113,215.51	\$90,325,810,643	113,309.60	-\$423,176,273	94.09
Education Enhancement	\$2,112,416,482	0.00	\$2,112,564,899	0.00	-\$148,417	0.00
Education (All Other Funds)	\$25,633,310,307	2,256.75	\$26,251,776,905	2,266.75	-\$618,466,598	10.00
Human Services	\$37,193,773,270	31,142.26	\$37,738,141,121	31,107.85	-\$544,367,851	-34.41
Criminal Justice and Corrections	\$4,777,242,252	42,276.25	\$4,860,499,387	42,365.25	-\$83,257,135	89.00
Natural Resources / Environment / Growth Management / Transportation	\$14,699,410,888	14,887.25	\$14,606,989,458	14,889.25	\$92,421,430	2.00

General Government	\$7,053,014,751	18,358.50	\$6,312,792,196	18,368.50	\$740,222,555	10.00
Judicial Branch	\$545,882,902	4,294.50	\$555,611,576	4,312.00	-\$9,728,674	17.50
<b>TOTAL</b>	<b>\$89,902,634,370</b>	<b>113,215.51</b>	<b>\$90,325,810,643</b>	<b>113,309.60</b>	<b>-</b>	<b>94.09</b>
					<b>\$423,176,273</b>	

## **Affordable/Work Force Housing:**

Since it was passed in 1992, The Sadowski Act (The Housing Trust Fund) has created a dedicated revenue source to fund Florida's affordable housing programs as well as the Catalyst Program for training and technical assistance. Affordable housing, or housing deemed affordable to those with a median household income or below, helps to accommodate Florida's most vulnerable populations including veterans, the elderly, those experiencing homelessness, and persons with special needs.

The Housing Trust Fund is funded by an excise document stamp tax paid on all real estate transactions. These monies are dedicated to the State and Local Housing Trust Funds. Seventy percent of the monies go to the Local Government Housing Trust Fund for the SHIP program which funds housing programs in all sixty seven counties and larger cities in Florida. Likewise, thirty percent of monies go to the State Housing Trust Fund for the Florida Housing Finance Corporation for programs such as the State Apartment Incentive Loan (SAIL) program. SHIP and SAIL are highly leveraged, with private sector loans and equity providing \$4 to \$6 for every one dollar of state funding, thus greatly increasing economic impact. It is estimated that there is \$352 million\* available for appropriations in the Sadowski Housing Trust Funds FY 2019-20 and since its inception, almost \$6 billion has been generated for affordable housing through the Fund. However, since 2003, more than \$2 billion of that has been used for purposes other than affordable housing.

The State and Local Housing Trust Funds are factored into the Senate's proposed budget. In the Senate's budget (**SB 2500 - Appropriations**), \$228,330,000 will be used from the Local Government Housing Trust Fund, and \$103,548,000 will be used from the State Housing Trust Fund; totaling \$331,878,000.

The State and Local Housing Trust Funds are factored into the House's proposed budget. In the House's budget (**HB 5001 - General Appropriations Act**), \$86,840,000 will be used from the Local Government Housing Trust Fund, and \$36,790,000 will be used from the State Housing Trust Fund; totaling \$123,630,000.

## **Elections:**

The Senate Infrastructure and Security Committee and the House State Affairs Committee heard **SB 230/ HB 131, Voter Registration Maintenance**, sponsored by Senator Gruters and Representative Mariano. The bill requires the supervisors of elections to enter into agreements with clerks of the circuit

courts to receive specified information, and also requires the Department of Highway Safety and Motor Vehicles to furnish monthly to the Department of State a list of persons who identify themselves as aliens. It also requires the Department of State to compare the list with the statewide voter registration system, and provide the names of the registered voters who are aliens to the supervisors of elections of the counties in which the voters are registered. The Senate bill was passed favorably with 5 yeas and 3 nays and will move on to the Senate Appropriations Committee. The House bill was passed favorably with 19 yeas and 2 nays and will move on to the House Chamber for a second reading.

The Senate Judiciary Committee and the House State Affairs Committee heard **SB 7086/ HB 7089, Voting Rights Restoration**, sponsored by the Senate Criminal Justice Committee and the House Criminal Justice Subcommittee. The bill revises the terminology regarding voting rights restoration to conform to the State Constitution, and requires the voting disqualification of certain felons to be removed and voting rights restored pursuant to s. 4, Art. VI, of the State Constitution. The bill also requires the Department of Corrections to include notifications of all outstanding terms of sentence in an inmate's release documents, and also requires each county detention facility to provide information on the restoration of voting rights pursuant to s. 4, Art. VI of the State Constitution to certain prisoners. The Senate bill was passed favorably with 3 yeas and 2 nays and will move on to the Senate Rules Committee. The House bill was passed favorably with 12 yeas and 6 nays and will move on to a third committee.

The House State Affairs Committee heard **HB 57/ (SB 232), Percentage of Elector Votes Required to Approve Constitutional Amendment or Revision**, sponsored by Representative Roth. The bill proposes an amendment to the State Constitution to increase the percentage of elector votes required to approve an amendment or a revision to the State Constitution from 60 percent to 66 and 2/3 percent. The bill was passed favorably with 15 yeas and 6 nays and will move on to the Judiciary Committee.

The House State Affairs Committee heard **HB 281/ (SB 342), Public Records/Voters and Voter Registration**, sponsored by Representative Stevenson. The bill provides an exemption from public record requirements for telephone numbers and email addresses of voter registration applicants and voters, and also provides an exemption from public record requirements for information concerning preregistered voter registration applicants who are minors. The bill also provides for future legislative review and repeal, and provides for retroactive application. It will also provide statements of public necessity. The bill was passed unanimously and will move on to the House Chamber for a second reading.

The House State Affairs Committee heard **HB 689/ (SB 268), Voting Methods**, sponsored by Representative Fitzenhagen. The bill provides that voting must be conducted using a marking device or a voter interface device that produces a voter-verifiable paper output. It also revises the requirements

for the Department of State rules regarding the manual recounts of certain ballots. The bill was passed unanimously and will move on to the House Chamber for a second reading.

### **Emergency Services:**

The Senate and the House heard **SB 96/ HB 67, Police, Fire, and Search and Rescue Dogs**, sponsored by Senator Bean. The bill would increase the penalty for intentionally and knowingly causing great bodily harm, permanent disability, or death to, police canines or horses, fire canines, or search & rescue canines. The bill would also increase the penalty for using a deadly weapon upon police canines or horses, fire canines, or search & rescue canines. The Senate bill was substituted for HB 67. The Senate bill was read in the House Chamber for a second and third time, and it was passed unanimously.

The Senate Appropriations Committee heard **SB 426/ (HB 857), Firefighters**, sponsored by Senator Flores. The bill grants certain benefits to a firefighter upon receiving a diagnosis of cancer if certain conditions are met, and requires an employer to make certain disability payments to a firefighter in the event of a total and permanent disability. The bill also provides for death benefits to a firefighter's beneficiary if a firefighter dies as a result of cancer or cancer treatments. The bill was passed unanimously.

The House Government Operations & Technology Appropriations Subcommittee heard **HB 441/ (SB 536), 911 Services**, sponsored by Representative DuBose. The bill requires counties to develop a plan for implementing a text-to-911 system, and to implement a system to receive E911 text messages by a specified date. This bill also requires that the Technology Program within the Department of Management Services develop and implement a plan to require that emergency dispatchers will be able to transfer an emergency call from one E911 system to another E911 system in this state. It also defines the terms "first responders" and "911 public safety answering point" or "PSAP", and it requires a PSAP to be able to directly communicate by radio with first responders. The bill was passed unanimously and will move on to the Commerce Committee.

The House Government Operations & Technology Appropriations Subcommittee heard **HB 723/ (SB 908), Fire Protection Systems**, sponsored by Representative Donalds. The bill authorizes local authorities to accept inspection reports by specified means, and requires the State Fire Marshal to adopt rules to implement a uniform procedure for the submission of inspection reports and provides requirements therefor. The bill also requires the association to retrofit certain condominiums with fire sprinkler system or Engineered Life Safety System, and to provide compliance deadlines. It also provides penalty, and authorizes an association to elect an alternative assessment option while implementing qualifying fire protection improvements. The bill was passed favorably with 9 yeas and 3 nays and will move on to the Commerce Committee.

## **Environmental:**

The Senate Appropriations Subcommittee on Agriculture, Environment, and General Government Committee heard **SB 286/ (HB 105), Domestic Wastewater Collection System Assessment and Maintenance**, sponsored by Senator Albritton. The bill establishes the Blue Star Collection System Assessment and Maintenance Program and provides its purpose. It also requires the Department of Environmental Protection to adopt rules and to review and approve the program applications for certification. The bill also requires the department to allow public and private, nonprofit utilities to be able to participate in the Clean Water State Revolving Fund Program under certain conditions. It also authorizes additional recipients and uses of Small Community Sewer Construction Assistance Act grants. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Community Affairs Committee heard **SB 816/ (HB 771), Environmental Regulation**, sponsored by Senator Perry. The bill requires counties and municipalities to address the contamination of recyclable materials in specified contracts, and also prohibits counties and municipalities from requiring the collection or transport of contaminated recyclable materials by residential recycling collectors. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Appropriations Subcommittee on Agriculture, Environment, and General Government heard **SB 1278/ (HB 405), Biosolids Management**, sponsored by Senator Mayfield. The bill defines the term “biosolids”, and requires the Department of Environmental Protection to adopt rules for biosolids management which meet certain requirements. The bill also provides that certain ordinances, moratoriums, or regulations remain in effect until they are repealed or expire. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Appropriations Subcommittee on Agriculture, Environment, and General Government and the House Appropriations heard **SB 1502/ HB 5401, Department of Environmental Protection**, sponsored by Senator Bradley and the House Agriculture & Natural Resources Appropriations Subcommittee. The bill transfers and reassigns functions and responsibilities of the Division of Law Enforcement relating to investigators of environmental crimes within the Fish and Wildlife Conservation Commission to the Division of Law Enforcement of the Department of Environmental Protection. This bill also provides requirements for a memorandum of agreement between the department and the commission regarding the responsibilities of the department and the commission. It also establishes the Division of Law Enforcement within the department. The Senate bill was passed unanimously and will move on to the Senate Appropriations Committee. The House bill was passed unanimously and will move on to a second committee.

The Senate Appropriations Subcommittee on Agriculture, Environment, and

General Government heard **SB 1552/ (HB 1135), Florida Red Tide Mitigation and Technology Development Initiative**, sponsored by Senator Gruters. The bill establishes the Florida Red Tide Mitigation and Technology Development Initiative, and requires the initiative to submit an annual report by a specified date to the Governor, the Legislature, the Secretary of Environmental Protection, and the Executive Director of the Fish and Wildlife Conservation Commission. The bill also establishes the Initiative Technology Advisory Council. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Environment and Natural Resources Committee and the House State Affairs Committee heard **SB 1820/ HB 1379, Moratorium on Drilling in the Gulf of Mexico**, sponsored by Senator Hooper and Representative Ponder. The bill supports an extension of the current moratorium on drilling in the Gulf of Mexico east of the Military Mission Line. The Senate bill was passed unanimously and will move on to the Senate Rules Committee. The House bill was passed unanimously and will move on to the House Chamber for a second reading.

The House heard **HB 521/ (SB 532), Wetland Mitigation**, sponsored by Representative McClure. The bill authorizes local governments to allow certain permittee-responsible mitigation on lands purchased and owned by local government for conservation purposes. The bill also provides an exception to provisions prohibiting a governmental entity from creating or providing mitigation for a project other than its own, unless certain conditions are met. The bill was read a second and third time and was passed favorably with 72 yeas and 42 nays.

### **Taxes and Financials:**

The Senate Community Affairs Committee and the House Ways & Means Committee heard **SB 854/ HB 691, Special Neighborhood Improvement Districts**, sponsored by Senator Gruters and Representative Newton. The bill revises the number of directors allowed for boards of special neighborhood improvement districts, and requires local planning ordinances to specify the director number and provide for 4-year staggered terms. It also requires that the directors be landowners in proposed area and be subject to certain taxation. The Senate bill was passed unanimously and will move on to the Senate Innovation, Industry, and Technology Committee. The House bill was passed unanimously and will move on to the House Chamber for a second reading.

The Senate Appropriations Subcommittee on Health and Human Services and the House Health Care Appropriations Subcommittee heard **SB 1218/ HB 1353, Homelessness**, sponsored by Senator Book and Representative Altman. The bill requires that certain taxes of a specified amount be transferred annually to the Grants and Donations Trust Fund within the Department of Children and Families for the purpose of funding challenge grants. The bill also

increases the number of members on the Council on Homelessness to include a representative of the Florida Housing Coalition and the Secretary of the Department of Elder Affairs or his or her designee. It also revises the duties of the State Office on Homelessness. The Senate bill was passed unanimously and will move on to the Senate Appropriations Committee. The House bill was passed unanimously and will move on to the House Health & Human Services Committee.

The Senate Innovation, Industry, and Technology Committee heard **SB 1704/ (HB 1393), Department of Financial Services**, sponsored by Senator Wright. The bill requires the Division of Treasury to maintain, rather than turn over to the Division of Accounting and Auditing, warrants drawn by the Chief Financial Officer. The bill also deletes a requirement that trust companies, where certain care and maintenance trust funds may be established, must operate pursuant to ch. 660, F.S., and revises requirements for the Supervision of Licensed Funeral Establishments by funeral directors in charge. It also deletes an examination requirement for an applicant for an industrial fire insurance or burglary insurance license. The bill was passed unanimously and will move on to a third committee.

The House State Affairs Committee heard **HB 717/ (SB 886), Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities**, sponsored by Representative Killebrew. The bill proposes amendments to the State Constitution to authorize the surviving spouse of a deceased veteran to carry over certain discounts on ad valorem taxes on homestead property under specified circumstances. It also authorizes the transfer of discount to another permanent residence if surviving spouse remains unmarried. The bill was passed unanimously and will move on to the House Chamber for a second reading.

The House State Affairs Committee heard **HB 719/ (SB 888), Surviving Spouse Ad Valorem Tax Reduction**, sponsored by Representative Killebrew. The bill authorizes the surviving spouse of a deceased veteran to carry over certain discounts on ad valorem taxes on homestead property under specified conditions, and also authorizes the discount to be transferred to another permanent residence under specified conditions. It also provides a procedure by which an applicant may file an application after a specified date and receive the discount. The bill was passed unanimously and a committee substitute has been filed for it.

The House Appropriations Committee heard **HB 7105, Death Benefits for Survivors of First Responders and Military Members**, sponsored by the House Oversight, Transparency & Public Management Subcommittee. The bill revises and provides certain death benefits to law enforcement officers, correctional and correctional probation officers, firefighters, emergency medical technicians, paramedics, and members of the Florida National Guard and United States Armed Forces. It also provides for the distribution of such benefits, and provides that such benefits are in addition to other benefits. The

bill also provides requirements for employers to procure insurance, and specifies funding sources for such benefits. It authorizes a specified number of hours of educational expenses to be waived by certain educational institutions and provides requirements therefor. This bill also requires the SBE and the BOG to adopt rules, and specifies that the surviving spouse and children of the deceased service member may receive only one educational benefit. It also provides a declaration of important state interest. The bill was passed unanimously and will move on to the State Affairs Committee.

### **Local Government:**

The Senate Community Affairs Committee heard **SB 588/ (HB 603), Preemption of Local Regulations**, sponsored by Senator Hutson. The bill prohibits certain governmental entities from adopting or enforcing local ordinances or regulations relating to over-the-counter proprietary drugs and cosmetics before a specified date. The bill also preempts the establishment of the requirements for alternate generated power sources to the state and to the Division of Emergency Management. The bill was passed unanimously and will move on to the Rules Committee.

The Senate Community Affairs Committee and the House Commerce Committee heard **SB 616/ HB 827, Engineering**, sponsored by Senator Perry and Representative Toledo. The bill deletes a provision requiring a delinquent status licensee to apply for active or inactive status, and also revises the licensure certification requirements to include active engineering experience and a minimum age. The bill also provides requirements for qualifying agents who terminate an affiliation with or cease employment with qualified business organizations. It also decreases the amount of time a local building official has to take certain actions after receiving a permit application and affidavit from a private provider. The Senate bill was passed unanimously and will move on to the Senate Rules Committee. The House bill was passed unanimously and will move on to a third committee.

The Senate Finance and Tax Committee heard **SB 1000/ (HB 693), Communications Services**, sponsored by Senator Hutson. The bill reduces the rates of certain communications services taxes, and specifies limitations and prohibitions on municipalities and counties relating to registrations and the renewals of communications services providers. The bill also prohibits certain municipalities and counties from electing to impose permit fees, and specifies prohibited acts by municipalities and counties in the use of their authority over the placement of facilities for certain purposes. The bill was passed favorably with 5 yeas and 2 nays and will move on to the Appropriations Committee.

The Senate Community Affairs Committee heard **SB 1036/ (HB 715), Florida Building Code Enforcement**, sponsored by Senator Gruters. The bill prohibits local governments from carrying forward more than a specified amount of unexpended revenue, and also revises the requirements for the expenditure of certain unexpended revenue. The bill also expands the list of activities that are



prohibited from being funded by fees adopted for enforcing the Florida Building Code. The bill was passed unanimously and will move on to the Innovation, Industry, and Technology Committee.

The Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development heard **SB 1054/ (HB 9), Community Redevelopment Agencies**, sponsored by Senator Lee. The bill requires ethics training for community redevelopment agency commissioners, and requires a community redevelopment agency to publish certain digital boundary maps on its website. The bill also requires the Department of Economic Opportunity to declare inactive community redevelopment agencies that have reported no financial activity for a specified number of years. It also specifies the level of tax increment financing that a governing body may establish for funding the redevelopment trust fund. The bill was passed favorably with 6 yeas and 1 nay and will move on to the Appropriations Committee.

The Senate Community Affairs Committee heard **SB 1400/ (HB 1159), Private Property Rights**, sponsored by Senator Albritton. The bill deletes a provision that authorizes electric utilities to perform certain right-of-way tree maintenance only if a property owner has received local government approval, and also prohibits certain local government ordinances or regulations from requiring a permit, application, notice, fee, or fine for certain activities regarding trees on residential property. The bill also authorizes a local government to enforce ordinances or regulations pertaining to the replanting of trees under certain circumstances. The bill was passed unanimously and will move on to the Rules Committee.

The Senate Infrastructure and Security Committee and the House heard **SB 1494/ HB 6017, Small-scale Comprehensive Plan Amendments**, sponsored by Senator Perry and Representative Duggan. The bill removes the acreage limitations that apply to small-scale comprehensive plan amendments. The Senate bill was passed unanimously and will move on to the Senate Rules Committee. The House bill was read and second and third time and was passed favorably with 108 yeas and 5 nays.

The Senate Governmental Oversight and Accountability Committee heard **SB 1616/ (HB 861), Local Government Financial Reporting**, sponsored by Senator Baxley. The bill requires county and municipal budget officers to submit certain information to the Office of Economic and Demographic Research within a specified timeframe, and requires the adopted budget amendments and the final budgets to remain posted on each entity's official website for a specified period of time. The bill was passed unanimously and will move on to the Rules Committee.

The Senate Infrastructure and Security Committee heard **SB 1730, Community Development and Housing**, sponsored by Senator Lee. The bill prohibits a county from adopting or imposing a requirement in any form relating to affordable housing which has specified effects, and it also requires

that a county review the application for completeness and issue a certain letter within a specified period after receiving an application for approval of a development permit or development order. The bill also requires a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities. The bill was passed favorably with 7 yeas and 1 nay and will move on to the Rules Committee.

The Senate Community Affairs Committee heard **SB 1752/ (HB 1139), Inspections and Permits**, sponsored by Senator Perry. The bill authorizes a county or municipality that imposes inspection fees to establish an expedited inspection process that provides priority processing for such inspections. It also authorizes a local government that imposes permit fees to establish an expedited permitting process that provides priority processing for such permits, and specifies that certain procedures apply to building permit applications for any nonresidential buildings, instead of nonresidential buildings less than a specified size. The bill was passed unanimously and will move on to the Innovation, Industry, and Technology Committee.

The House heard **HB 3/ (SB 1748), Preemption of Local Occupational Licensing**, sponsored by Representative Grant (M). The bill preempts the licensing of occupations to the state, and provides exceptions. The bill prohibits local governments from imposing additional licensing requirements or modifying licensing, and also specifies that certain local licensing that does not meet specified criteria does not apply and may not be enforced. It also specifies that certain specialty contractors are not required to register with the Construction Industry Licensing Board, and prohibits local governments from requiring certain specialty contractors to obtain a license. This bill also specifies the job scopes for which local government may not require a license, and it also authorizes counties and municipalities to issue certain journeyman licenses. The bill was read a second time and Amendment 366869 failed. The bill was read a third time and passed favorably with 88 yeas and 24 nays.

The House heard **HB 5/ (SB 1040), Discretionary Sales Surtax**, sponsored by Representative DiCeglie. The bill requires a two-thirds vote of certain county governing boards to authorize a discretionary sales surtax, and requires a local government discretionary sales surtax referenda to be held on specified date. The bill also requires such referenda to be approved by a specified percentage of voters for passage, and it revises requirements and procedures for discretionary sales surtax performance audits. It also requires the OPPAGA, upon receiving certain notice, to procure a certified public accountant for performance audit, and requires a supervisor of elections to verify the petition signatures and retain signature forms in a specified manner. Also it provides that an initiative sponsor's failure to comply with the specified requirements will render any referendum held void. The bill was read a second and third time and was passed favorably with 69 yeas and 44 nays.

The House heard **HB 15/ (SB 1350), Local Government Fiscal**

**Transparency**, sponsored by Representative Burton. The bill revises the Legislative Auditing Committee duties, and specifies the purpose of local government fiscal transparency requirements. The bill requires local governments to post voting record information on websites, and requires property appraisers and local governments to post property tax information and history on their websites. It also requires public notices for public hearings and meetings before increases of local government tax levies, and specifies noticing and advertising requirements. This bill also requires local governments to conduct debt affordability analyses under specified conditions, and it provides method for local governments to post certain required information. The bill was read a second and third time and was passed favorably with 111 yeas and 3 nays.

The House heard **HB 101/ (SB 246), Public Construction**, sponsored by Representative Andrade. The bill revises the amounts of retainage that local governmental entities and contractors may withhold from progress payments for construction services contract. It also revises the requirements for DMS rules governing certain contracts, and revises the amounts of retainage that public entities and contractors may withhold from progress payments for construction services contracts. The bill was read a second time and amendment 404883 was adopted. The bill was read a third time and was passed favorably with 104 yeas and 10 nays.

The House State Affairs Committee heard **HB 291/ (SB 428), Growth Management**, sponsored by Representative Clemons. The bill requires a comprehensive plan to include a property rights element, and also provides a statement of rights local governments may use. The bill also requires local governments to adopt a property rights element by a specified date, and provides that the local government's property rights element may not conflict with statutorily provided statement rights. It also requires a comprehensive plans to recognize the terms of existing development orders, and requires local land development regulations to provide for existing development orders. The bill was passed favorably with 15 yeas and 5 nays and will move on to the House Chamber for a second reading.

The House Commerce Committee heard **HB 447/ (SB 902), Building Permits**, sponsored by Representative Diamond. The bill requires counties and local government to provide a notice to certain persons when a building permit is set to expire or become null and void. It also prohibits local governments from charging an additional search fee under certain circumstances, and authorizes the local enforcement agency to close permits under certain circumstances. The bill was passed unanimously.

The House Justice Appropriations Subcommittee heard **HB 639/ (SB 762), Duties and Obligations of Sheriffs**, sponsored by Representative Perez. The bill requires each sheriff to coordinate with specified entities to develop a comprehensive plan for the security of trial court facilities, and specifies that sheriffs and chief judges retain certain authority. It also specifies that sheriffs

and their deputies, employees, and contractors are officers of court under specified circumstances. The bill was passed unanimously and will move on to the House Chamber for a second reading.

The House heard **HB 641/ (SB 1244), Community Development District Bond Financing**, sponsored by Representative Andrade. The bill requires district boards to authorize bonds by a two-thirds majority vote. The bill was read a second and third time and was passed favorably with 109 yeas and 3 nays.

The House heard **HB 791/ (SB 414), Sports Franchises and Facilities**, sponsored by Representative Avila. The bill deletes provisions authorizing counties to impose specified taxes to pay a debt service on bonds related to sports facilities. This bill also prohibits a county from leasing a specified professional sports franchise facilities, and prohibits leasing of public lands for certain purposes related to sports franchises and their facilities. It also requires that the lease of a facility on public lands for certain purposes to be at fair market value, and requires sports franchises to repay a specified debt incurred by the local government related to construction of the facilities. The bill was read a second and third time and was passed favorably with 103 yeas and 13 nays.

The Senate Community Affairs committee heard **HB 829/ (SB 1140) Attorney Fees and Costs**, sponsored by Senator Hutson. The bill waives the sovereign immunity of local governments for liability for certain attorney fees and costs, and provides for awards of attorney fees, costs, and damages in successful civil actions challenging local ordinances as being preempted by the State Constitution or state law. The bill would also prohibit an award of attorney fees and costs under certain circumstances. The bill was passed favorably with 3 yeas and 2 nays and will move on to the Rules Committee.

The House Commerce Subcommittee heard **HB 987/ (SB 824), Vacation Rentals**, sponsored by Representative Grant (J). The bill preempts to the state regulation of vacation rentals, with exception, and revises the application requirements for vacation rental licensure. It also requires the Division of Hotels & Restaurants of DBPR to make certain vacation rental license information available on its website. The bill was passed favorably with 13 yeas and 11 nays.

The House State Affairs Committee heard **HB 1169/ (SB 1572), Displacement of Private Waste Companies**, sponsored by Representative McClure. The bill requires local governments to pay a specified amount of compensation to displaced private waste companies at end of a specified notice period, and also removes a provision relating to the authorization of local governments to pay a specified amount of compensation to private waste companies as an alternative to delaying the displacement for a specified period. The bill also removes provisions authorizing local governments and private waste companies to be able to negotiate such compensation and notice. The bill

was passed unanimously and will move on to the House Chamber for a second reading.

The House State Affairs Committee heard **HB 1299/ (SB 588), Governmental Powers**, sponsored by Representative Roach. The bill prohibits municipalities from purchasing specified real estate properties, attempting to annex specified areas, and levying or collecting specified taxes on certain products and devices. The bill also revises the circumstances under which state of emergency declaration tolls are used, and also extends the remaining period for certain permits and authorizations. It also prohibits local government entities from imposing additional requirements for the maximum fuel supply or safe temperature and cooling requirements related to the comprehensive emergency management plan of nursing homes and assisted living facilities. Another thing this bill does is preempts the regulation of single-use plastic straws and over-the-counter proprietary drugs and cosmetics to state. It also preempts the establishment of requirements for alternate generated power sources to the state and the EOG. It also preempts the establishment of a minimum age for the sale or delivery of tobacco products, nicotine products, and nicotine dispensing devices to the state. The bill was passed favorably with 18 yeas and 6 nays and will move on to a third committee.

#### **Misc.:**

The Senate and the House heard **SB 184/ HB 7019, Aging Programs**, sponsored by Senator Book and the House Health Market Reform Subcommittee. The bill transfers the powers, duties, and functions of the Department of Elderly Affairs relating to hospices, assisted living facilities, adult family-care homes, and adult day care centers to the Agency for Health Care Administration, and also establishes that the agency is the lead agency responsible for the regulation of hospices, assisted living facilities, adult day care centers, and adult family-care homes. The Senate bill was substituted for HB 7019. The Senate bill was read in the House Chamber for a second and third time and was passed unanimously.

The Senate Commerce and Tourism Committee heard **SB 334/ (HB 397), Professional Regulation**, sponsored by Senator Brandes. The bill requires certain boards and entities within the Divisions of Certified Public Accounting, Professions, or Real Estate of the Department of Business and Professional Regulation to use a specified process for the review of an applicant's criminal record to determine the applicant's eligibility for certain licenses. The bill also prohibits the conviction, plea, adjudication, or sentencing of a crime before a specified date from being used as grounds for the denial of certain licenses. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Criminal Justice Committee and the House State Affairs Committee heard **SB 668/ HB 551, Public Nuisances**, sponsored by Senator Perry and Representative McClain. The bill revises notice requirements for temporary injunctions relating to enjoinderment of certain nuisances, and extends the notice

period before lien may attach to certain real estate. It also provides that the use of a location for criminal or gang-related activity is public nuisance, and declares that any place used on more than two occasions within certain period as a site of specified violations is nuisance and may be abated or enjoined. The bill also provides property owner opportunity to remedy the nuisance before specified legal actions may be taken against the property in certain circumstances. The Senate bill was passed unanimously and will move on to the Senate Rules Committee. The House Bill was passed unanimously and will move on to the House Judiciary Committee.

The Senate Rules Committee heard **SB 1128/ (HB 721), Emotional Support Animals**, sponsored by Senator Diaz. The bill provides that an individual with a disability who has an emotional support animal or obtains an emotional support animal is entitled to full and equal access to all housing accommodations. The bill also prohibits a housing accommodation from requiring such individual to pay extra compensation for such animal, and it specifies that an individual with a disability is liable for certain damage done by her or his emotional support animal. The bill was passed unanimously.

The Senate Commerce and Tourism Committee heard **SB 1420/ (HB 777), Insulation Products**, sponsored by Senator Gruters. The bill specifies that a person who takes certain actions relating to interior building envelope insulation products without having certain testing data is subject to the Florida Deceptive and Unfair Trade Practices Act. The bill requires that certain testing data be provided upon the request of a local building official. The bill was passed unanimously and will move on to the Rules Committee.

The Senate Children, Families, and Elder Affairs Committee heard **SB 1492/ (HB 1305), Government-sponsored Recreation Programs**, sponsored by Senator Book. The bill revises the definition of the term “child care facility” to exclude government-sponsored recreation programs. It also defines the term “government-sponsored recreation program”. The bill was passed unanimously and will move on to the Governmental Oversight and Accountability Committee.

The Senate Commerce and Tourism Committee heard **SB 1640 / (HB 27), Deregulation of Professions and Occupations**, sponsored by Senator Albritton. The bill renames the Board of Architecture and Interior Design as the Board of Architecture within the Department of Business and Professional Regulation. It also repeals provisions relating to hearings for persons or labor organizations denied licensure as a business agent, and also requires the Department of Business and Professional Regulation or a board to seek reciprocal licensing agreements with other states under certain circumstances. The bill also repeals provisions relating to fees and local licensing requirements. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Appropriations Committee heard **SB 7030/ (HB 7093), School Safety and Security**, sponsored by the Senate Education Committee. The bill

requires a sheriff to establish a school guardian program under a certain condition, and it also requires school districts to promote a mobile suspicious activity reporting tool through specified mediums. The bill also requires the Commissioner of Education to review recommendations from the School Hardening and Harm Mitigation Workgroup, and revises the duties of the commissioner to include oversight of compliance with the safety and security requirements of the Marjory Stoneman Douglas High School Public Safety Act by specified persons and entities. The bill was passed favorably with 11 yeas and 9 nays.

The Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development heard **SB 7096/ (HB 7111), Constitutional Amendments**, sponsored by the Senate Judiciary Committee. The bill requires a compensated petition gatherer to register with the Secretary of State, and to also attest that he or she is a Florida resident for a specified period before obtaining signatures on petition forms. The bill also requires the name of the sponsor of an initiative to appear on the ballot with the percentage of donations received from certain in-state donors, and it prohibits compensation for initiative petition gatherers or entities based on the number of petitions gathered. The bill was passed favorably with 5 yeas and 3 nays and will move on to the Appropriations Committee.

The House Health & Human Services Committee heard **HB 171/ (SB 366), Infectious Disease Elimination Programs**, sponsored by Representative Jones. The bill authorizes the county commission to establish the Sterile Needle and Syringe Exchange Program, and prohibits the operation of such program under certain conditions. The bill also provides requirements for the operation of such program, and it requires the collection of data and the submission of reports. It also provides for the immunity from civil liability under certain circumstances, and it authorizes the continuation of the specified pilot program under certain circumstances. The bill was passed unanimously and will move on to the House Chamber for a second reading.

The House Education Committee heard **HB 7095, School Choice**, sponsored by the House PreK-12 Innovation Subcommittee. The bill revises provisions relating to controlled open enrollment, the state school choice scholarship program accountability and oversight, charter schools, schools of hope, and The Hope Scholarship Program. The bill authorizes the Center for Community Schools to award grants for purposes related to community schools. The bill was passed unanimously.

### **Public Records:**

The Senate Rules Committee heard **SB 600/ (HB 591), Pub. Rec./Public Utility Held Customer Information and Data**, sponsored by Senator Gibson. The bill exempts from public record requirements customer meter-derived data and billing information in increments of less than one billing cycle that is held by certain utilities. It also provides a statement of public necessity. The bill was

passed unanimously and will move on to the House Chamber for a second reading.

The Senate Governmental Oversight and Accountability Committee heard **SB 602, Public Records**, sponsored by Senator Perry. The bill prohibits an agency that receives a request to inspect or copy a record from responding to such a request by filing a civil action against the individual or entity making the request. The bill was passed unanimously and will move on to the Judiciary Committee.

The House heard **HB 407, Public Records**, sponsored by Representative Rodrigues (R). The bill prohibits an agency that receives a request to inspect or copy a record from responding to such a request by filing a civil action against the individual or entity making the request. The bill was read a second and third time and was passed unanimously.

The Senate and the House heard **SB 7036/ HB 7007, OGSR/Payment of Toll on Toll Facilities/Identifying Information**, sponsored by Senate Infrastructure and Security Committee and the House Oversight, Transparency & Public Management Subcommittee. The bill amends provisions which provides an exemption from public record requirements for personal identifying information held by the Department of Transportation, a county, a municipality, or an expressway authority for certain purposes. The Senate bill was substituted for HB 7007. The Senate bill was read in the House Chamber for a second and third time, and it was passed unanimously.

### **Substances:**

The Senate Rules Committee heard **SB 530/ (HB 595), Alcohol or Drug Overdose Prosecutions**, sponsored by Senator Brandes. The bill prohibits the arrest, charge, prosecution, or penalization under specified provisions of a person acting in good faith who seeks medical assistance for an individual experiencing, or believed to be experiencing, an alcohol-related overdose. The bill also prohibits the arrest, charge, prosecution, or penalization under specified provisions of a person acting in good faith who seeks medical assistance for an individual experiencing, or believed to be experiencing, a drug-related overdose. The bill was passed unanimously and will move on to the Senate Chamber for a second reading.

The Senate Judiciary Committee heard **SB 630/ (HB 451), Non-opioid Alternatives**, sponsored by Senator Perry. The bill requires the Department of Health to develop and publish on its website an educational pamphlet regarding the use of non-opioid alternatives for the treatment of pain. It also requires that the pamphlet include specified information, including the advantages and disadvantages of the use of such alternatives. The bill was passed unanimously and will move on to the Rules Committee.

The Senate Appropriations Subcommittee on Health and Human Services



Committee heard **SB 900/ (HB 369), Substance Abuse Services**, sponsored by Senator Harrell. The bill authorizes the Department of Children and Families and the Agency for Health Care Administration to grant exemptions from the disqualification of certain service provider personnel. The bill also requires individuals screened on or after a specified date to undergo a specified background screening, and increase the criminal penalty for certain unlawful activities relating to personnel. It also prohibits an individual who is not a certified peer specialist from advertising or providing recovery services unless the person is exempt, and it authorizes the department, a behavioral health managing entity, or the Medicaid program to reimburse peer specialist services as a recovery service. The bill was passed unanimously and will move on to the Appropriations Committee.

The Senate Appropriations Committee heard **SB 1020/ (HB 333), State Hemp Program**, sponsored by Senator Bradley. The bill creates the State Hemp Program within the Department of Agriculture and Consumer Services, and provides requirements for the program's registration and for the distribution and retail sale of hemp and hemp products. The bill also directs the Commissioner of Agriculture, in consultation with the Governor and Attorney General, to submit a specified plan within a specified timeframe to the United States Secretary of Agriculture. It also revises the schools at which the department is required to authorize and oversee the development of industrial hemp pilot projects. The bill was passed unanimously.

The Senate and the House heard **SB 7012/ HB 7027, Vaping**, sponsored by the Senate Innovation, Industry, and Technology and the House Health Quality Subcommittee. The bill implements s. 20, Art. X of the State Constitution, as amended by Amendment 9 (2018), and prohibits vaping in an enclosed indoor workplace, except as otherwise provided. It also provides exceptions to the prohibition against vaping and smoking in an enclosed indoor workplace, and it 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. The Senate bill was substituted for HB 7027. The House read the bill a second and third time and it was passed unanimously.

### **Transportation:**

The Senate heard **SB 436/ (HB 529), Use of Vessel Registration Fees**, sponsored by Senator Hooper. The bill authorizes a portion of a county's or municipal's vessel registration fees to be used for specified additional purposes. The bill was read a second time and has been placed on the calendar for a third reading on 04/17/19.

The Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Committee and the House State Affairs Committee heard **SB 542/ HB 453, Micromobility Devices**, sponsored by Senator Brandes and Representative Toledo. The bill defines the term "micromobility device", and revises the definition of the term "motorized scooter". The bill also

authorizes a county or municipality to regulate the operation of the micromobility devices and for-hire motorized scooters, subject to certain restrictions. It also authorizes a county or municipality to require that a person offering micromobility devices or for-hire motorized scooters be licensed, and this bill exempts a micromobility device or motorized scooter from certain registration, insurance, and licensing requirements. The Senate bill was passed unanimously and will move on to the Senate Appropriations Committee. The House bill was passed favorably with 21 yeas and 1 nay.

The Senate Infrastructure and Security Committee and the House State Affairs Committee heard **SB 826/ HB 347, Towing-Storage Operator Liens**, sponsored by Senator Rouson and Representative Rodriguez (AM). The bill requires that certain lien notices be sent through an electronic third-party mailing service, and also requires electronic third-party mailing services to apply to the Department of Highway Safety and Motor Vehicles for approval. The bill also requires an electronic third-party mailing service to maintain certain records for a specified timeframe and to allow the inspection of such records by the department. The Senate bill was passed unanimously and will move on to the Senate Appropriations Committee. The House bill was passed unanimously.

The Senate Criminal Justice Committee heard **SB 1530/ (HB 1319), Vessels**, sponsored by Senator Rouson. The bill requires vessel operators to reduce speed in specified hazardous situations, and revises civil penalties relating to certain at-risk vessels and prohibited anchoring or mooring. It also provides civil penalties relating to vessels that fail to reduce speed for special hazards. The bill was passed favorably with 4 yeas and 1 nay, and will move on to the Senate Rules Committee.

The Senate Rules Committee heard **SB 1666, Vessels**, sponsored by Senator Flores. The bill requires all persons, rather than only persons born after a specified date, to have a specified boating safety identification card in their possession before operating certain vessels. The bill will direct the Fish and Wildlife Conservation Commission to conduct, contingent upon appropriation, a specified study of the impacts of long-term stored vessels and certain anchored and moored vessels on local communities and the state and to submit a report to the Governor and the Legislature within a specified time. It also authorizes certain counties to create no-discharge zones. The bill was passed unanimously.

The Senate Appropriations Committee heard **SB 7068/ (HB 7113), Transportation**, sponsored by the Senate Infrastructure and Security Committee. The bill creates the Multi-use Corridors of Regional Economic Significance Program within the Department of Transportation. It also specifies that projects undertaken in the corridors are either tolled facilities or certain approved turnpike projects, and these are considered as Strategic Intermodal System facilities. The bill also requires the department to identify certain opportunities to accommodate or co-locate multiple types of infrastructure-addressing issues during the project development phase. The bill was passed

unanimously.

The Senate Community Affairs Committee heard **HB 1237/ (SB 1792), Towing and Immobilizing of Vehicles and Vessels**, sponsored by Representative McClain. The bill authorizes local governments to enact rates to tow or immobilize vessels on private property and to remove and store vessels, and also prohibits local governments from enacting ordinances that impose charges on authorized wrecker operators or towing businesses. The bill also prohibits local governments from imposing charges on specified entities, and authorizes certain persons to place liens on vehicles or vessels. It also requires persons who immobilize vehicles to be licensed, and provides procedures for licensing. The bill also specifies prohibited activities and insurance coverages. The bill was passed favorably with 20 yeas and 1 nay and will move on to the House Chamber for a second reading.