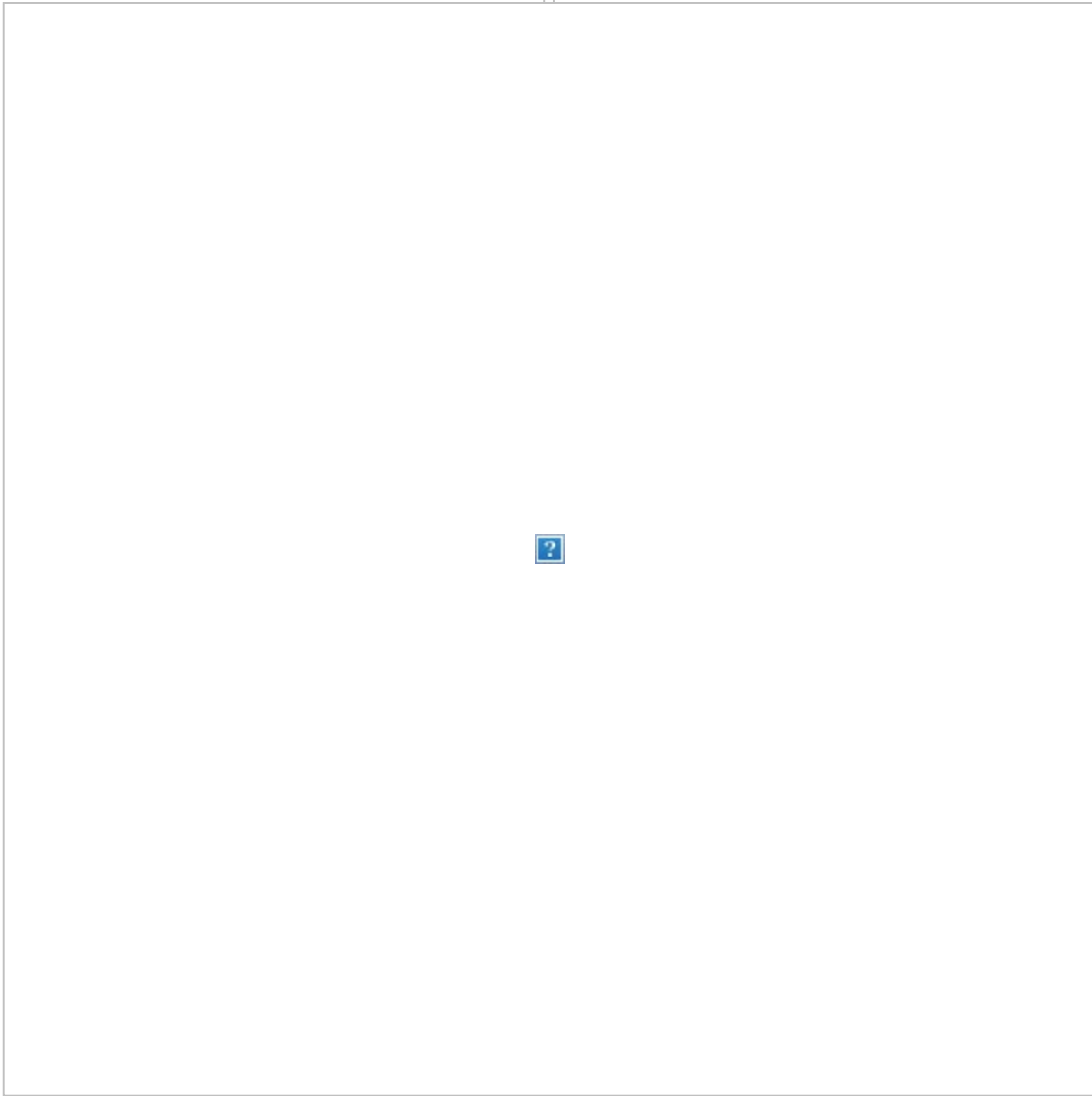


From: [Casey Cook, Legislative Director](#)
To: [Debbie McDowell](#)
Subject: [EXTERNAL] On Tap at the Cap Week Nine: Bills to Watch
Date: Friday, May 5, 2023 2:51:48 PM



Week Nine May 5, 2023

Join us on May 18 at 2:00 p.m. ET for our annual Post-Legislative Session webinar to learn what major legislation with municipal impact passed and failed during the 2023 Legislative Session. [Register Now](#)

As the 2023 Legislative Session comes to a close, the Florida

League of Cities legislative team would like to say a big THANKS to each of you for your efforts during this session. You all went above and beyond in your efforts to protect local decision-making, and as a result, we had a very successful session.

Below is a brief summary of some of the key bills impacting cities. A final report and bill summaries on all bills affecting municipalities will be prepared and released in the coming weeks.

Legislative Update: Keeping You in the Know

Partisan Local Elections – Failed

[HB 405](#) (Tramont) proposed an amendment to the Florida Constitution that would have prohibited nonpartisan municipal elections. Fortunately, this bill did not receive a committee hearing this session. We anticipate seeing this issue again in the future. ([O'Hara](#))

Sovereign Immunity – Failed

[CS/HB 401](#) (Beltran) and [SB 604](#) (Gruters) were seeking to revise the statutory limits on liability for tort claims against the state and its agencies and subdivisions (which include cities). CS/HB 401 sought to increase the current statutory limits for claims to \$2.5 million per person and \$5 million per-incident cap, while SB 604 sought to increase limits for claims to \$400,000 per person and \$600,000 per-incident cap. Both bills died in committee. This is an issue we anticipate seeing again next session. ([Cruz](#))

Municipal Utilities – Failed

[CS/HB 1331](#) (Busatta Cabrera) and [SB 1380](#) (Martin) would have adversely impacted cities that have municipally owned water, wastewater, electric or gas utilities. These bills ultimately failed to make it across the finish line this year. ([O'Hara](#))

Solid Waste Management – Failed

[SB 798](#) (Ingoglia) and [CS/HB 975](#) (Holcomb) would have restricted a local government's ability to regulate solid waste and recycling services for certain types of properties, potentially leading to a reduction in the quality of these services and an increase in costs for consumers. The bills would have had a substantial fiscal impact on cities because they cap franchise fees. Thanks to all of your advocacy efforts, these bills died in the committee process. ([O'Hara](#))

Residential Building Permits – Failed

[HB 671](#) (Esposito) and [SB 682](#) (DiCeglie) were comprehensive building permit bills. The bills would have drastically changed the process that local governments have to go through before a building permit is approved, including significantly reducing the timeframes for approval of permits. ([Branch](#))

Short-term Rentals – Failed

[CS/CS/CS/SB 714](#) (DiCeglie) and [CS/CS/HB 833](#) (Duggan) are comprehensive bills relating to short-term rentals (STRs). Earlier this week, on the House floor, last-minute changes were made to CS/CS/SB 714. These changes were a step in the wrong direction and would have further eroded municipal tools and authority to effectively manage STRs. Ultimately, the bills died when the Senate did not agree to the proposed changes made by the House. Please reference bill summaries on our website for a more detailed overview of where the bills ended. ([Taggart](#))

Revised Limitations on Increases of Homestead Property Tax Exemptions – Failed

[SJR 122](#) (Avila) and [HJR 469](#) (Fernandez-Barquin) would have reduced the limitation on annual increases of homestead property tax assessments from 3% to 2%. SJR 122 and HJR 469 were constitutional amendments and would have required the approval of the Florida Legislature and the voters of Florida. ([Chapman](#))

Land Use and Development Regulations – Passed

[CS/CS/SB 1604](#) (Ingoglia) is a bill relating to Land Use Development Regulations. The bill revises local comprehensive planning requirements by increasing the two required planning periods to a 10-year and 20-year period, from 5 and 10, and prohibiting local governments that fail to update their comprehensive plans in accordance with the seven-year evaluation and appraisal process from initiating or adopting any publicly-initiated plan amendments. The bill also prohibits local governments from requiring specified building design elements for residential dwellings in planned unit developments, master planned communities, unless the local government has a design review board or architectural review board created before January 1, 2020, or the dwelling is approved by the local governing body by July 1, 2023. Lastly, the bill contains language to cancel an agreement Reedy Creek Improvement District reached with Walt Disney Company to circumvent state oversight of the district. CS/CS/SB 1604 was amended on the floor of the House to include language expanding permitting by right for electrical substations and passed (75-34). The Senate concurred and took up the amended version and passed it (27-13).

[\(Chapman\)](#)

FLC Policy Position – Water and Wastewater Facility Operators – Passed
[CS/CS/SB 162](#) (Collins) requires the Department of Environmental Protection to issue a license by reciprocity to any out-of-state water or wastewater operator that has an active and valid license from that other state with license requirements that are comparable to Florida.
[\(O'Hara\)](#)

Financial Disclosures for Local Officials – Passed
[CS/CS/SB 774](#) (Brodeur), relating to Financial Disclosures, has passed both chambers and will now make its way to the Governor's office. The bill requires all municipal mayors, city commissioners, elected members of a municipal governing body and members of the state Commission on Ethics to file an annual Full Disclosure of Financial Interests (Form 6) with the Florida Commission on Ethics. If this bill becomes law, the Form 6 requirement will go into effect for elected municipal officials on January 1, 2024. [\(Taggart\)](#)

Housing – Passed
Priority of legislative leadership, [CS/SB 102](#) (Calatayud), is a comprehensive housing initiative that includes funding and tax credits that will result in increased funding for attainable housing. The bill did include a few preemptions, but it is important to note that the bill will sunset in 10 years. This bill passed in the early weeks of session and has been signed by the Governor. Effective July 1, 2023. Chapter No. 2023-17. [\(Branch\)](#)

Local Regulation of Nonconforming or Unsafe Structures – Failed
[CS/CS/HB 1317](#) (Roach) and [CS/CS/SB 1346](#) (Avila) would have allowed private property owners to obtain a building permit to demolish any nonconforming structure, including those which are designated on the National Register of Historic Places or the State Inventory of Historic Places. The bills died in messages. [\(Cruz\)](#)

Regulation of Sober Homes – Failed
[CS/SB 1010](#) (Gruters) and [HB 1303](#) (Snyder) would have wiped out local ordinances specific to recovery residences and created and given regulatory authority to the Substance Abuse and Mental Health Treatment and Housing Task Force within the Department of Children and Families. The League worked to address many concerns with the original bills, and significant changes were made throughout the process to CS/SB 1010, but ultimately the bills failed to make it across the finish line. [\(Taggart\)](#)

Alternative Mobility Funding Systems – Failed

[CS/CS/HB 235](#) (Robinson, W.) and [SB 350](#) (Brodeur) can be broken down into two parts: one part dealt with mobility fees, and the second part dealt with impact fees. The League supported the bills, especially the mobility fee provisions. We worked to address the impact fee provisions of the bills, which would have limited what qualified as an extraordinary circumstance allowing local governments to circumvent the gradual phasing of impact fee increases. Ultimately, these bills failed this session. ([Cruz](#))

Cybersecurity – Failed

[CS/HB 1511](#) (Giallombardo) and [CS/SB 1708](#) (DiCeglie) would have significantly reduced the incident reporting timelines in the Local Government Cybersecurity (Act). The bills died in committee. ([Taggart](#))

Municipal Annexation – Passed

Among other things, [CS/CS/SB 718](#) (Yarborough) provides much-needed clarity to the process of contraction. The goal of the legislation is to prevent situations where a small group of property owners has requested a contraction of a large area of land and most of the land in question is owned by a property owner who is opposed to the contraction but is not registered to vote from the parcels in question. The bill includes the substance of CS/CS/HB 41, which prohibits local governments from requiring an initiative and referendum process for amendments to land development regulations. ([Cruz](#))

Natural Emergencies – Passed

[CS/CS/SB 250](#) (Martin) is a bill dealing with natural emergencies that impact the state. Of interest to cities, the bill makes the Local Government Emergency Bridge Loan Program a revolving program and makes funds available for local governments impacted by federally declared disasters until July 1, 2038. The bill also increases the extension of certain building permits following a declaration of a state of emergency from six to 24 months and caps such extension at 48 months in the event of multiple natural emergencies. ([Branch](#))

Land and Water Management – Failed

[HB 1197](#) (Maggard) and [SB 1240](#) (Burgess) would have preempted local governments from regulating water quality, water quantity, pollution control, pollutant discharge prevention or removal, or wetlands. These bills died in committee. ([O'Hara](#))

Local Ordinances – Passed

[CS/CS/SB 170](#) (Trumbull) imposes new requirements on municipalities for adopting ordinances. This issue is returning from the 2022 Legislative Session, where the League worked to address many concerns with the original bill. This year we were in a posture to support the bill. Of note, the bill addresses a recent court decision relating to how meetings are noticed. ([O'Hara](#))

BUDGET ITEMS OF IMPORTANCE TO CITIES

Record Budget Passes

The Legislature approved the General Appropriations Act, SB 2500, on Friday once the 72-hour cooling off period ended. **SB 2500** appropriates nearly \$117 billion for state fiscal year 2023-24, which is the largest budget ever for the state of Florida. The budget represents approximately \$46.5 billion from general revenue and \$70.5 billion from trust funds.

Housing – Live Local Act

- State Housing Initiatives Partnership (SHIP) program: \$252 million
- State Apartment Incentive Loan (SAIL) program: 259 million
- Florida Hometown Hero Housing Program: \$100 million
- Inflation Loan Program for SAIL: \$100 million

Broadband Funding

- Broadband Equity, Access, and Deployment (BEAD) Funding and Broadband - Digital Capacity Grant Program: \$112.9 million

Cybersecurity Funding

- Local Government Cybersecurity Grants: \$40 million

Economic Development Funding

- Job Growth Grant Fund: \$75 million
- VISIT FLORIDA: \$80 million

Environmental Funding

- Florida Forever Programs and Land Acquisition: \$1 billion
- Flood and Sea Level Rise Program: \$300 million
- Beach Management Funding Assistance: \$206 million
- Springs Restoration: \$50 million
- Water Projects: \$433 million
- Wastewater and Drinking Water Revolving Loan Trust Fund: \$508.9 million
- Wastewater Grant Program: \$200 million
- Local Parks: \$22.9 million

Law Enforcement & Fire Funding

- Law Enforcement Recruitment Bonus Program: \$20 million
- Local Government Fire and Firefighter Services: \$87.4 million

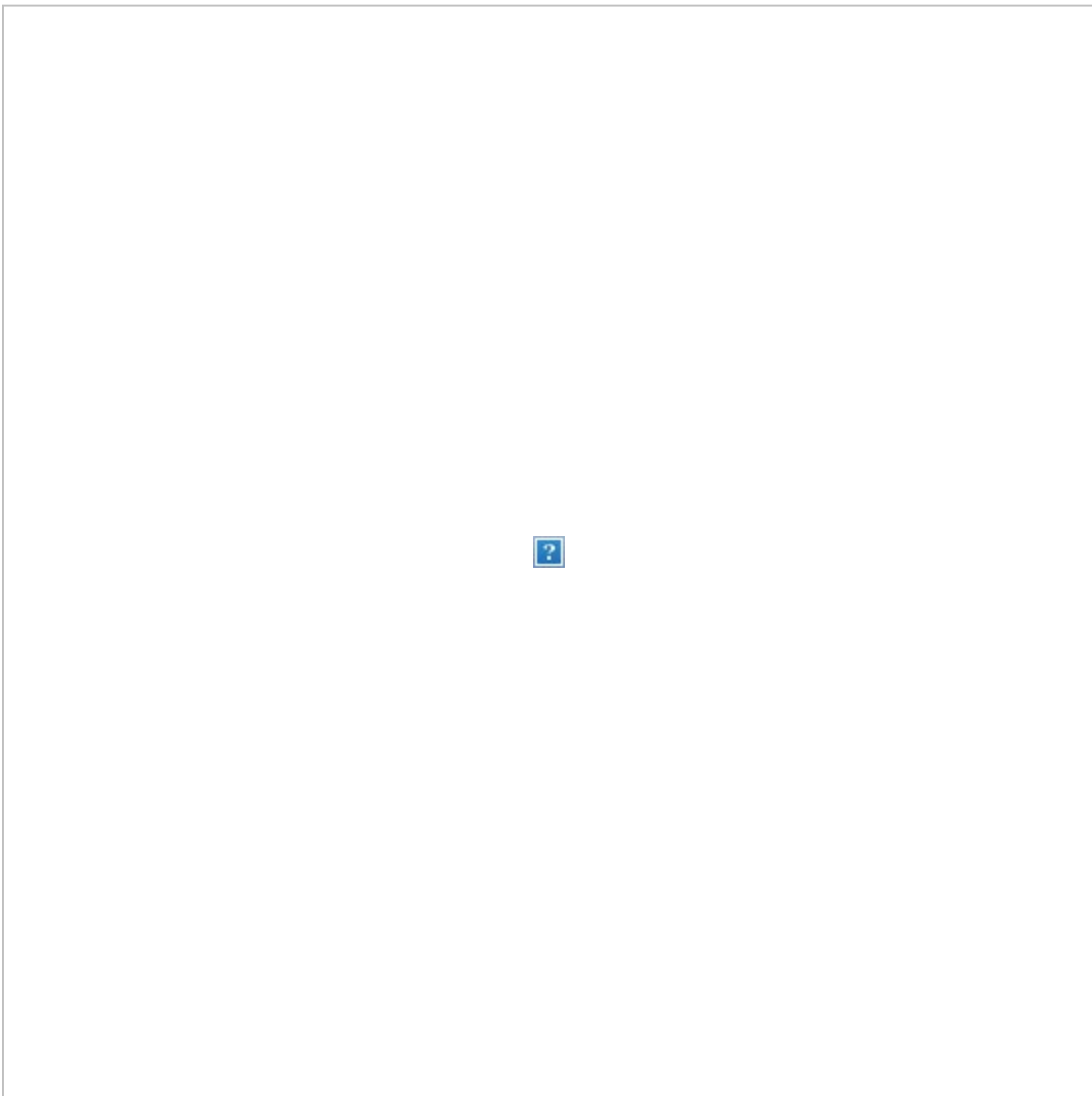
Natural Emergencies Funding

- Department of Economic Opportunity - Local Government Emergency Revolving Bridge Loan Program: \$50 million

Transportation Funding

- Small County Resurface Assistance Program (SCRAP): \$28.4 million
- Small County Outreach Program: \$87.4 million
- Five-year Work Program: \$13.6 billion

[View All Legislative Bill Summaries](#)



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