



# Palm Beach County State Legislative Update

## Department of Legislative Affairs

### Legislative Session Week 7

February 19-23, 2024

The Florida Legislature has officially completed seven of nine scheduled weeks of the 2024 Legislative Session. At this time, the House and Senate are preparing to conference to reconcile the differences between the two chambers' budget proposals and a few other bills that would have significant impacts on the state spending plan.

Senate Appropriations Chair Doug Broxson informed members on Thursday that the House and Senate will begin conferencing next week. Senate President Passidomo indicated during a scheduled media availability after Thursday's floor session that conference could start as early as Monday.

### On the Floor This Week

#### House

The Florida House passed two bills that are part of Senate President Passidomo's "Live Healthy Initiative" this week. **CS/SB 7016** and **SB 7018** contain several provisions aimed at increasing Florida's health care workforce and fostering health care innovation. The bills have now been approved by both chambers and will be sent to the Governor for his approval or veto.

The House also passed **CS/CS/HB 981** related to advanced air mobility. The bill directs the Florida Department of Transportation to perform a variety of functions and it assigns duties to the Department related to vertiports and advanced air mobility. This legislation also requires airport land use compatibility zoning regulations to "address" rather than merely "consider" a list of things already outlined in statute and prohibits residential construction and educational facilities within a specified buffer zone adjacent to the airport if the airport has not conducted a noise study. The bill now awaits consideration by the Senate.

Another bill of interest approved by the House was **HB 601**, which prohibits local governments from enacting or enforcing measures regarding the handling of police and correctional officer misconduct complaints. It also bars local entities from creating or enforcing any rules related to civilian oversight in the investigation of such complaints. The bill was sent to the Senate for consideration.

## Senate

The Florida Senate supported two bills that were of the priority of House Speaker Paul Renner this week, despite Governor DeSantis indicating that he did not believe the language in one of the bills was quite where it needed to be to survive judicial scrutiny. **CS/HB 1** prohibits minors from creating or maintaining social media accounts and requires social media platforms to enact age verification measures to ensure compliance with the bill's provisions. The bill now heads to the Governor for his signature or veto. **CS/CS/HB 3** requires commercial entities publishing material harmful to minors online, like pornography, to perform reasonable age verification and prevent access to the sites by minors. This bill was amended by the Senate and is being sent back to the House.

The Senate also passed several other bills of interest including **HB 377**, allowing vehicle for hire operators who hold a license or permit issued by a county or municipality to operate in any other county or municipality without being subject to additional fees or licensing requirements. Even though this bill has already passed the House, the Senate added a technical amendment to the bill on the floor, therefore the bill must be sent back to the House for final approval. **CS/CS/HB 273** was approved unanimously and will now be sent to the Governor. The bill exempts the personal identifying information of individuals who adopt, foster, or obtain legal custody of animals at local government animal control agencies.

**CS/HB 117** also cleared the full Senate this week and will now be sent to the Governor, who has already stated he will sign the bill. This narrowly tailored measure will help to unseal grand jury records, currently unavailable to the public, from 2006 regarding the crimes of Jeffrey Epstein.

## **Bills of Interest in Committee**

### **House Appropriations Committee**

*CS/CS/HB 1239, Affordable Housing:* Revises provisions included in the Live Local Act passed during the 2023 Legislative Session by prohibiting counties and municipalities from restricting the floor area ratio of qualifying developments, exempting airport impacted areas, modifying the height preemption for developments adjacent to single-family residential uses, changing parking reduction requirements for qualifying developments, and clarifying that a local government's "currently allowed" density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations. The bill also appropriates \$100 million for the Florida Hometown Hero Program. This bill and its Senate companion are scheduled to be heard next week on the House floor.

*CS/CS/HB 1417, Funding for Environmental Resource Management:* Requires the deposit of 96 percent of any revenue share payment received under the 2021 Seminole Compact as follows: the lesser of 26.042 percent or \$100 million to support the Florida Wildlife Corridor, the lesser of 26.042 percent or \$100 million to support the management of uplands and removal of invasive species, the lesser of 26.042 percent or \$100 million to the Department of Environmental Protection (DEP) for the Statewide Flooding and Sea Level Rise Resilience Plan, and the remainder of the funds to DEP for the Water Quality Improvement Grant Program. Additionally, the bill provides the following in nonrecurring funding: \$32 million for the control of invasive species and upland management, \$32 million for land management activities, \$100 million for land acquisition, \$150 million for the South Florida Water Management District for operations and maintenance, and \$220 million to DEP for various

programs and a study. Lastly, this measure provides a \$2 million recurring appropriation to the University of Florida to continually update the Wildlife Corridor plan and the Florida Ecological Greenways Network plan. The bill is now eligible to be heard on the House Floor, while its Senate companion is awaiting consideration by the House.

### **Senate Appropriations Committee on Health & Human Services**

*CS/CS/SB 1380, Transportation Services for Persons with Disabilities & the Transportation Disadvantaged:* Revises the membership of the Commission for Transportation Disadvantaged, requires paratransit drivers to attend training programs provided through the Agency for Persons with Disabilities (APD), and requires providers to provide training to each paratransit driver that meets APD requirements. The legislation also requires providers to offer technology-based ride booking and tracking services, provide pre-booking and on-demand service to paratransit users, and establish certain best practices with its contracted local government entity. This bill is on the agenda of its final committee in the Senate, while the House companion is ready to be heard on the floor.

### **Senate Committee on Finance & Tax**

*SB 7076, Transportation Network Companies:* Prohibits airports and seaports from charging transportation network companies pickup fees greater than those charged to taxicab companies for pickups arranged within 60 minutes prior to passenger boarding. The bill is on the agenda of its final committee stop but does not have a House companion.

### **House State Affairs Committee**

*CS/CS/HB 735, Government Accountability:* Prohibits public officers, state agency employees, local government attorneys, and candidates for office from soliciting or accepting anything of value from a foreign country of concern. The bill also establishes requirements for lobbying before local governments and requires governing bodies of municipalities to place proposed charter amendments on the ballot at the next election held in the county. The legislation was amended in committee to push back the date by which municipal mayors and governing body members will have to begin filing a Form 6 financial disclosure with the State and exempt a municipality's elected officials if it has a population of less than 500. This measure is now eligible to be heard on the House Floor, while its Senate companion bill awaits a hearing in its final committee of reference.

*CS/CS/CS/HB 927, Improvements to Real Property:* Makes several changes to Florida law governing qualifying improvement programs, also known as PACE programs, to expand the scope of qualifying improvements, provide additional consumer protections, and clarify legislative intent regarding a local government's authority to require certain consumer protections of PACE agreements. This bill and its Senate companion are on the House Special Order Calendar next week.

*CS/HB 1547, Local Government Actions:* Revises the exemptions for both the business impact estimate requirement and the suspension of county or municipal ordinances subject to legal challenge requirement enacted by SB 170 last year to limit the exception for challenges to land use related ordinances to development orders, permits, and agreements. This bill and the Senate companion measure are eligible for consideration by their respective chambers.

## **Senate Committee on Rules**

CS/SB 742, Public Works Projects: Expands the definition of "public works project" to include activities paid for with local or state funds that involve construction, maintenance, and other improvements of facilities partly or wholly owned by any political subdivision and prohibits local governments from prescribing wages its contractors must pay its employees, controlling staffing, or preventing a qualified contractor from receiving information or bidding on a public works project. This bill is now ready to be considered by the Senate. Its House companion is on the Special Order Calendar to be considered next week.

CS/CS/SB 774, Towing & Storage: Requires counties, cities, and the Florida Highway Patrol to set maximum rates for towing and related fees, including fees for cleanup and disposal of hazardous and nonhazardous materials. It also provides that a person who disputes the appropriateness of the tow or the fees charged can post a bond to retrieve their vehicle back without filing a lawsuit, requires an investigating agency to take possession of a stored vehicle after 30 days, and requires towing-storage operators accept specified forms of payment while expressly preempting a county or city regulation that conflicts with the provision specifying the forms of payment that a towing-storage operator must accept. Counties and cities with established maximum towing and storage rates are required by the bill to post them on its website and develop a process for investigating and resolving complaints regarding fees charged for more than the maximum rates. The legislation includes a plethora of other requirements relating to towing-storage operators. This bill is now ready for the Senate Floor. The House bill has been placed on the Special Order Calendar next week.

## **House Commerce Committee**

CS/HB 141, Economic Development: Streamlines the process for regional rural economic development grants by eliminating certain match requirements. Both the House and Senate bills are eligible to be heard on the floor of their respective chambers.

CS/CS/HB 433: Employment Regulations: Prohibits local governments from preferring one contractor over another based on the wages or employment benefits provided by the contractor and removes the ability of local governments to require a minimum wage for certain employees under the terms of a contract. The bill also expressly preempts the regulation of the terms and conditions of employment to the state, preempts the regulation of workplace heat exposure requirements to the state, clarifies that the preemption of workplace heat requirements does not limit the authority of a local government to provide workplace heat exposure requirements for the employees of the local government, and clarifies that the provisions do not apply if compliance will prevent the local government from receiving federal funds. This bill is now ready for the floor, with its Senate companion measure on the agenda of its last committee of reference next week.

## **House Health & Human Services Committee**

CS/CS/HB 165, Sampling of Beach Waters & Public Bathing Spaces: Preempts the issuance of health advisories related to the results of bacteriological sampling of public bathing places. This legislation also requires counties and municipalities to notify the Department of Health within 24 hours or the next business day, whichever occurs first, of any incident that negatively impacts the quality of beach waters or public bathing places within their jurisdiction.

Counties and cities are also required by the bill to post and maintain health advisory signs around the waters they own. The legislation can now be heard on the floor of the House. The Senate companion awaits a hearing in its second committee.

*CS/HB 1365, Unauthorized Public Camping & Public Sleeping:* Prohibits counties and municipalities from allowing camping or sleeping on public property unless a local government designates the property for use exclusively for this purpose and it is certified by the Department of Children and Families as meeting certain minimum requirements. The bill provides a civil action mechanism for residents, business owners, or the Attorney General to address violations of established regulations. Both the House and Senate bills have cleared all of their committees and are ready to be heard on the chamber floor.

### **Senate Appropriations Committee**

*CS/CS/SB 472, Suits Against the Government:* Raises sovereign immunity caps from \$200,000 per person and \$300,000 per incident to \$400,000 per person and \$600,000 per incident. The bill authorizes state agencies and subdivisions to settle claims in excess of these limits without further legislative action, prohibits insurance policies from conditioning payment upon the enactment of a claim bill, and modifies the period in which claims must be presented. It also requires the Department of Financial Services to adjust liability limits every five years based on the Consumer Price Index, with a maximum increase of 3% per adjustment. The Senate bill is on the agenda of its final committee, however the House bill has died in its final committee reference.

### **Senate Committee on Fiscal Policy**

*CS/CS/SB 656: Continuing Contracts:* Increases the maximum dollar amount for continuing contracts of local governments from \$4 million to \$7.5 million. Beginning July 1, 2025, and annually thereafter, the Department of Management Services must adjust the maximum amount allowed on the preceding June 30 for each individual project in a continuing contract based on the June-to-June Consumer Price Index issued by the United States Department of Labor. The bill has now cleared all of its committee references. The House bill is on the House Special Order Calendar next week.

### **Bills of Interest Up Next Week**

**\*CS/HB 479, Alternative Mobility Funding Systems:** House Special Order Calendar, 2/27

**\*CS/CS/CS/HB 149, Continuing Contracts:** House Special Order Calendar, 2/27

**\*CS/CS/SB 328, Affordable Housing:** House Special Order Calendar, 2/27

**\*CS/CS/SB 770, Improvements to Real Property:** House Special Order Calendar, 2/27

**\*CS/HB 705, Public Works Projects:** House Special Order Calendar, 2/27

**\*CS/CS/HB 1195, Millage Rates:** House Special Order Calendar, 2/27

**\*CS/CS/CS/HB 1301, Department of Transportation:** House Special Order Calendar, 2/27

**CS/SB 438, Term Limits:** Senate Committee on Rules, 2/26 at 2 PM

**CS/SB 472, Suits Against the Government:** Senate Committee on Rules, 2/26 at 2 PM

**CS/SB 684, Residential Building Permits:** Senate Committee on Rules, 2/26 at 2 PM

**SB 688, Alternative Mobility Funding Systems:** Senate Committee on Rules, 2/26 at 2 PM

**CS/SB 1040, Veterinary Practices:** Senate Committee on Rules, 2/26 at 2 PM

**CS/SB 1492, Employment Regulations:** Senate Committee on Rules, 2/26 at 2 PM

**SB 7076, Transportation Network Companies:** Senate Committee on Appropriations, 2/27 at 9 AM

**CS/CS/SB 1226, Department of Transportation:** Senate Committee on Fiscal Policy, 2/27 at 9 AM

**CS/CS/SB 1690, Human Trafficking:** Senate Committee on Fiscal Policy, 2/27 at 9 AM