

REVISED BACKUP

Agenda Item #: 4A-1
TIME CERTAIN 9:45 A.M.

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 7, 2015

☐ Consent ☒ Regular
☐ Public Hearing

Department: Legislative Affairs Office

Submitted By: Legislative Affairs Office

Submitted For: Legislative Affairs Office

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Presentation of the 2015 Legislative Session final report by the Palm Beach County Legislative Affairs Office and Palm Beach County Legislative Delegation Office.

Summary: A presentation of the final legislative report reviewing Palm Beach County's 2015 State Legislative Agenda priorities and appropriations with the Board of County Commissioners. Countywide (DW)

Background and Policy Issues: A presentation of the final Session report for the 2015 State Legislative Session with participation by Palm Beach County's lobbying team and Palm Beach County Legislative Delegation Office.

Attachments:

1. Final 2015 State Legislative Report

Recommended by: _____

Department Director

Date

6/29/15

Approved By: _____

Assistant County Administrator

Date

6/30/15

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact: N/A

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	__NA__	__NA__	__NA__	__NA__	__NA__
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

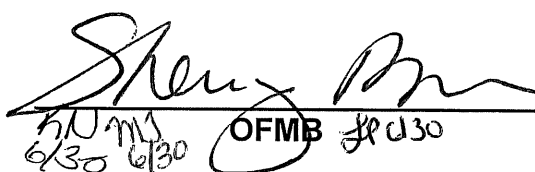
Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Department _____ Unit _____
Object _____ Reporting Category _____

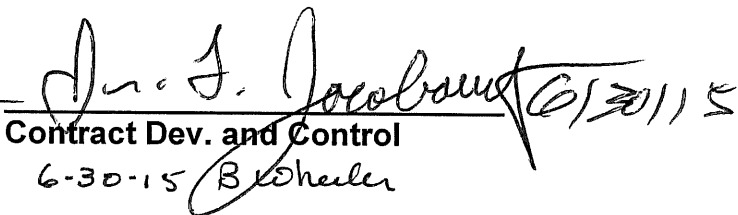
B. Recommended Sources of Funds/Summary of Fiscal Impact: N/A

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:


OFMB 6/30/15
6-30-15


Contract Dev. and Control 6/30/15
6-30-15 B. Wheeler

B. Legal Sufficiency:


7/1/15
Assistant County Attorney

C. Other Department Review:

Department Director

PALM BEACH COUNTY 2015 LEGISLATIVE SESSION FINAL REPORT

July 7, 2015



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**Robert Weisman, County Administrator
Todd J. Bonlarron, Legislative Affairs Director**

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1. BUDGET ISSUES

1.1. 2015 GENERAL APPROPRIATIONS ACT

SB 2500A by Sen. Tom Lee

While focusing on investing new state revenues in the most efficient manner, the Republican-led Legislature agreed upon a \$78.7 billion budget with more than \$400 million in tax relief measures. Compared to the FY 2014-15 Budget, this represents a \$1.6 billion (2.11%) increase. The Legislature also placed an additional \$3.1 billion dollars in reserve.

SB 2500A provides:

- General Revenue: \$29.04 billion
- Trust Funds: \$49.65 billion

1.2. HEALTH AND HUMAN SERVICES

Health Appropriations totaled \$32.9 billion, which represents a 3.2% increase in total spending over the Fiscal Year 2014-15 Appropriation.

1.3. CRIMINAL JUSTICE AND CORRECTIONS

Criminal and Civil Justice Appropriations totaled \$4.2 billion. There is an \$82.9 million (2%) increase in total spending compared to FY 2014-15 Appropriation.

1.4. TRANSPORTATION & ECONOMIC DEVELOPMENT

Transportation and Economic Development Appropriations totaled \$12.3 billion.

Transportation, Tourism and Economic Development Appropriations are provided for the following in the Conference Report:

Department of Transportation - \$10.4 billion

- Transportation Work program - \$9.3 billion

Department of Economic Opportunity - \$1.13 billion

- FL Housing Finance Corporation \$175 million
 - SAIL \$48 million
 - SHIP \$105 million
- Community Development Block Grant Program - \$36.5 million
- Weatherization Grant Program - \$2 million
- Low Income Energy Assistance Grant Program - \$16 million
- Community Services and Energy Assistance - \$84 million
- Regional Planning Councils - \$2.5 million
- Quick Response Training - \$12.1 million
- Fund Regional Workforce Boards - \$283.3 million
- Economic Development Incentives - \$74 million
- Visit Florida - \$74 million
- Florida Forever - \$17.4 million
- Springs Protection - \$47.5 million

- Everglades Restoration - \$49.8 million
- Beach Restoration - \$28 million
- Local Water Projects - \$73.3 million
- Wastewater Revolving Loan Program - \$216.8 million
- Drinking Water Construction Loan Programs - \$98.4 million
- Underground Storage Tanks Cleanup - \$125 million
- Dry Cleaning Solvent Cleanup - \$6.5 million

Department of Agriculture and Consumer Services

- Northern Everglades - \$4.5 million
- Agricultural Non-point Source Control BMP's - \$5.4 million
- BMP's in Springs Watershed Areas - \$5.2 million
- Florida Agriculture promotion campaign - \$3.6 million
- Farm Share and Food Banks - \$2.7 million

Fish & Wildlife Conservation Commission

- Lake Restoration - \$8 million
- Artificial reef Construction - \$600K
- Land management – \$12.6 million



1.5. EDUCATION

The overall Education budget totals \$30.8 billion, which includes 19.3 billion in state funds and \$11.5 billion in local required effort through property taxes.

Per student funding increased to approximately \$7096.96. A \$206 increase over the revised per pupil amount which is a 3% over last year. This represents a total amount of \$1.378 billion to Palm Beach County, an increase of approximately \$64.3 million (3.22% per student increase).

2. BUDGET ITEMS OF INTEREST

2.1. EDUCATION

Florida Atlantic University

Florida Atlantic University – Education and General Activities	\$238,341,065
Florida Atlantic University – Grants & Aid	\$19,994,203
Florida Atlantic University – Medical School	\$22,609,751
Florida Atlantic University – STEM Life Sciences Initiative	\$3,531,815
Florida Atlantic University – Max Planck Scientific Fellowship Program	\$1,250,000
Florida Atlantic University - Autism Program	\$1,011,807

Palm Beach State College

Palm Beach State College - Lottery Funds	\$12,297,220
Palm Beach State College - Program Funds	\$43,931,556

Voluntary PreKindergarten Program	\$27,327,286
School Readiness Program	\$33,858,992
Glades Career Readiness Roundtable/WestTech Construction Academy	\$500,000

Public Schools Workforce Education	\$17,014,911
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Palm Beach County Schools K-12

\$1,377,785,069

K-12 – Operating (including local effort)

2.2. HEALTH & HUMAN SERVICES**Health & Human Services**

Jerome Golden Center for Behavioral Health Services	\$575,000
Community Based Providers of Child Welfare Services (Risk Pool)	\$13,000,000
Florida Prescription Drug Monitoring Program	\$500,000
Alzheimer's Community Care – Palm Beach, Martin	\$500,000
Recovery Residence Certification Funding	\$200,000
Palm Beach Habilitation Center for Mentally Disabled	\$649,111
PACE (Morse) Expansion for Elderly	\$3,024,139
	\$2,160,745,638
LIP, DSH, and Rate Enhancement Funding	(Statewide)
Bethesda Memorial	\$5,339,024
Columbia Hospital	\$1,651,213
Delray Medical	\$1,743,792
Lakeside Hospital	\$3,875,956
Good Samaritan Medical	\$622,363
JFK Medical	\$7,566,372
Jupiter Medical	\$190,897
Palm Beach Gardens Medical	\$304,203
Palms West Hospital	\$4,592,717
St. Mary's Hospital	\$31,263,270
West Boca Medical	\$876,664
Wellington Regional	\$2,261,815

2.3. CRIMINAL & CIVIL JUSTICE**Criminal & Civil Justice**

PILT – South Bay Correctional	\$275,560
PILT – Sago Palms South Bay	\$142,900
South Bay Correctional Facility	\$2,908,779
Sago Palm Work Camp	\$1,473,375
4 th DCA Courthouse Construction	\$12,008,689
State Attorney – Office Furniture	\$76,006
15 th Circuit Prosecution of PIP Fraud	\$272,075
15 th Circuit Workers Comp Fraud	\$276,558

2.4. TRANSPORTATION & ECONOMIC DEVELOPMENT**Transportation Economic Development**

Inland Port Road Infrastructure – South Bay Park of Commerce (Inland Logistics Center)	\$470,900
City of Belle Glade Gateway Redevelopment Roadway Improvement	\$506,000
Glades Area Street Resurfacing/Reconstruction Phase 2 – Belle Glade	\$1,000,000
Lake Worth Park of Commerce	\$3,500,000
Village of Tequesta Transportation Alternatives	\$200,000

Broadway Corridor/15th Street Infrastructure/Beautification—Riviera Beach	\$500,000
Small County Transportation Fund [Rural Area of Opportunity]	\$9,000,000
Pahokee Marina Enhancements	\$1,000,000
Pahokee Marina—FEMA	\$107,321

Transportation Disadvantaged	\$52,783,704
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Aviation Development Grants

Belle Glade State Airport Runway Rehab	\$1,567,000
Palm Beach County Glades Airport Runway/Taxiway Rehab	\$1,200,000
Palm Beach Int'l Airport Arff Facility Improvements	\$1,000,000
Palm Beach Int'l Airport Taxiway and Drainage	\$1,367,450

Bridge Construction

SR 80/Southern Blvd Bridges	\$78,567,025
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Road Construction Inspections

SR 7 from SR 704/Okeechobee Blvd to 60th Street	\$2,654,548
SR 710/Beeline Hwy from West of Australian to Old Dixie Highway	\$2,502,379
SR 80 /Southern Blvd Bridges	\$10,476,102

County Transportation Program

Congress Ave Ext. from Northlake to Alt A1A	\$1,365,909
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Highway Maintenance

I-95 Asset Management Palm Beach County	\$3,415,000
Palm Beach County ITS Management	\$1,400,000
Palm Beach County JPA's for Maintenance Lighting	\$2,178,396
SR25/US 27 Asset Management and Belle Glade Area	\$1,549,778

Highway Safety Grants

SR882/Forest Hill Blvd at Kirk Road	\$1,325,173
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Intrastate Highway Construction

Glades Rd Intersection Improvements	\$2,633,454
Glades Rd Nb Ramp Improvements	\$5,589,222
PGA Blvd/TPK Interchange Improvements	\$1,090,941
SR 7 from 704/Okeechobee Blvd to 60th street	\$15,711,401
SR 710/Beeline Hwy from West of Australian Ave to old Dixie Hwy	\$22,388,082
SR 9/I-95 @ SR 706/ Indiantown Road	\$2,263,409

Preliminary Engineering Roads

Resurface TPK Mainline	\$1,204,534
SR5/US1 Federal Highway from A1A to Beach Road	\$2,000,000
SR7 from 60th Street to Northlake Blvd	\$8,000,000
SR 9/I-95 @ PGA Blvd/Central Blvd.	\$2,500,000
SR9/I-95 from S of 45th Street to N of 45th Street	\$1,500,000
SR 9/I-95 from S of Linton to Palm Beach/Martin Co. Line	\$1,650,000
Widen TPK from Atlantic to Boynton Beach	\$8,000,000
Widen TPK from Glades to Atlantic	\$8,000,000
Widen TPK from Lake Worth Road to SR 710	\$9,650,000
Widen TPK from PB County Line to Glades Road	\$6,500,000

Public Transit Development

Palm Beach County Block Grant Operating Assistance	\$5,027,484
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Rail Development

Northwood Connection from CSX to FEC	\$2,275,456
Quiet/Safety Improvements FEC Crossings – Countywide	\$5,399,543
SFECC Corridor Transit Alt, from West Palm Beach to Jupiter	\$1,350,000
<u>Resurfacing</u>	
SR5/US1 /Quadrille Blvd from Clematis to Dixie	\$1,308,500
SR 715/SW-NW 16th Street/Canal St. to SR 15	\$9,609,817
SR 882/Forest Hill from E. of Olive Tree Blvd. to River Bridge Center	\$1,013,633
<u>Right of Way Land Acquisition</u>	
SR 80 W of Lion Country Safari Rd to Forest Hill	\$2,193,000
<u>Traffic Engineering</u>	
Palm Beach County Signal Maintenance	\$1,562,256
<u>Transportation Planning Grants</u>	
Palm Beach FY14/15 and FY 15/16	\$1,077,086
Affordable Housing Programs	\$70,000,000
State Housing Initiatives Partnership Program (SHIP)	\$101,000,000
State Apartment Incentive Loan Program (SAIL)	\$48,000,000
Homeless Challenge Grants – recurring	\$4,000,000
Palm Beach County SHIP Total Allocation	\$6,521,710
(County Breakdown Below)	
Palm Beach County	\$4,961,065
Boca Raton	\$415,433
Boynton Beach	\$343,042
Delray Beach	\$300,651
West Palm Beach	\$501,519
<u>Economic Development</u>	
Florida Atlantic University Tech Runway	\$1,000,000
Scripps Florida	\$1,500,000

2.5. ENVIRONMENT & NATURAL RESOURCES

<u>Water Projects</u>	\$73,343,000
Belle Glade SW 3rd Street Storm Water Improvements	\$400,000
Boynton Beachfront Park Sewer Treatment Plant Replacement	\$300,000
Lake Region Water Infrastructure Improvement	\$500,000
Lake Worth Stormwater and Wastewater	\$500,000
Lantana Sea Pines Drainage	\$100,000
Palm Beach Gardens Stormwater System Reconstruction	\$250,000
Seminole Improvement District Drainage Alternative Water Supply & Quality Project	\$2,000,000
<u>Beach Restoration</u>	
Central Boca Raton Beach Nourishment	\$1,700,000
Jupiter Carlin Monitoring	\$1,000,000
North Boca Raton Monitoring	\$127,500
Ocean Ridge Monitoring	\$51,300
Petroleum Tanks Cleanup	\$125,000,000

2.6. PARKS & RECREATION

<u>FRDAP</u>	\$5,491,500
Pelican Lake Park (Juno Beach)	\$50,000
Bill Moss Hillcrest Paseo Rec. Improvements (West Palm Beach)	\$50,000
Constitution Park (Tequesta)	\$50,000
Torrey Island Marina – Observation Tower (Belle Glade)	\$50,000
<u>Historic Preservation Grants – Special Category</u>	\$8,281,323
Boynton Woman's Club – Window and Door Repair and Restoration	\$140,000
Loxahatchee River Historical Society – Jupiter Inlet Lighthouse Keepers Exhibit	\$70,000

2.7. CULTURE & FINE ARTS

<u>Cultural Facilities Grants (Statewide)</u>	\$18,839,581
South Florida Science Center and Aquarium - Renovation	\$425,000
Center for Creative Education - Renovation	\$500,000
Cultural Council of PBC - Renovation	\$500,000
Living Arts Foundation – Renovation	\$141,000
Els for Autism Foundation – New Construction	\$500,000
Village of Royal Palm Beach – Renovation	\$300,000
Indian Trail Improvement District – New Construction	\$200,000
Norton Museum of Art	\$1,000,000
Boynton Woman's Club	\$140,000
<u>Cultural and Museum Grants (Statewide)</u>	\$12,764,187
Adolph & Rose Levis Jewish Community Center	\$10,604
Aequalis	\$10,924
Ballet Palm Beach	\$13,598
Boca Ballet Theatre Company	\$42,962
Boca Raton Museum of Art	\$71,132
Boca Raton Philharmonic Symphonia	\$18,882
Creative City Collaborative	\$11,929
Cultural Council of Palm Beach County	\$73,010
Delray Beach Center for the Arts	\$52,245
Expanding and Preserving Our Cultural Heritage	\$9,989
Florida Atlantic University – University Galleries	\$13,937
Lighthouse ArtCenter	\$43,948
Loxahatchee River Historical Society	\$39,936
Lynn University	\$20,837
Maltz Jupiter Theatre	\$72,900
Norton Museum of Art	\$73,581
Palm Beach Dramaworks	\$71,574
Palm Beach Opera	\$75,458
Palm Beach State College Professional Guest Artist Season	\$70,746
Raymond F. Kravis Center for the Performing Arts	\$73,194
School of the Arts Foundation	\$71,795
Sol Children Theatre	\$2,576
South Florida Science Center and Aquarium	\$65,333
Sunfest of Palm Beach County	\$69,844
The Armory Art Center	\$67,576
The Boca Raton Historical Society	\$36,438
The Children's Museum	\$12,528
The Henry Morrison Flagler Museum	\$71,905

The Jerusalem Group Theatre	\$11,469
The Lake Worth Playhouse	\$36,184
The Zoological Society of the Palm Beaches	\$68,426
Young Singers of the Palm Beaches	\$32,960

<u>Cultural Endowment Grants</u>	\$1,680,000
Morikami Museum and Japanese Gardens	\$240,000

Culture Builds Florida

Inspirit, Inc./Belle Glade Performance Program	\$5,000
St. Andrew's Episcopal Church Arts	\$12,000
Street Beat, Inc./Reclaiming the City through Arts for Underserved Teens	\$25,000
The Children's Coalition/Believe & Achieve/The Veterans History Project	\$1,125

**strikethrough indicates item was vetoed.*

2.8. TAX CUT

The governor signed a tax cut package worth **\$429 million** next year and \$254 million in 2016-17. The lower amount in 2016-17 is because some of the tax breaks are for next year only.

The House had proposed a package that cut taxes \$299 million next year and \$436 million in 2016-17. In contrast, the Governor sought \$700 million in tax cuts and the House proposed \$690 million during the regular session.

The bill includes the following:

- It cuts the communications services tax by 1.73 percent instead of the House's plan to phase in two 0.9 percent cuts over two years. This will cut cell phone and cable TV taxes by **\$226 million**, or a little less than \$20 per year per customer.
- It extends the Back to School Sales Tax Holiday to 10 days instead of three days as proposed by the House. Impact: **\$67 million**.
- It provides a full year of no sales taxes on college textbooks instead of only doing the holiday for one day prior to each college semester as the House proposed. Impact: **\$43 million**.
- The gun club membership fee tax break is the same as in the House proposal. Impact: **\$1.2 million**.
- New and expanded sales tax exemptions for agricultural items, including feed for aquatic organisms, irrigation equipment, costs of maintenance and repairs of irrigation and power farm equipment, stakes, and certain trailers, is the same as in the House proposal. Impact: **\$13.4 million**.
- The tax break on school concessions sold at sporting events and other school events is the same as in the House proposal. Impact: **\$1.7 million**.
- The tax break on cars purchased by military veterans who were deployed overseas is same as the House bill. Impact: **\$800,000**.
- The brownfields credit is expanded to **\$21 million** for one year to help get rid of the backlog of cleanup sites. That's an additional impact of **\$16.6 million** beyond existing credits.
- The tax break on research and development is increased to **\$23 million** for one year. That an additional impact of **\$14 million**.
- The insurance premium tax credit will no longer have to be recertified for businesses by the legislature every year so long as the Department of Economic Opportunity certifies that a business has increased its workforce by 600 employees to qualify for the credit. Impact: **\$4.6 million**.
- The Senate adds a two-year extension of the community contribution tax credit by including housing projects for people with "special needs" in addition to projects for low-income citizens. Impact: **\$49.8 million**.
- Enterprise Zone credits, which are set to expire in December, will be extended for three years for companies that have an economic development contract with the Department of Economic Opportunity. Impact: **\$1.4 million**. There are at least 34 businesses in the state eligible for these

credits according to an estimate by the Office of Economic and Demographic Research, but not all of the eligible companies out there may have applied or been identified.

- Sales taxes on boat repairs will be limited to \$60,000, thus repairs of \$1 million or more will not be taxed beyond that amount. Impact: **\$5.5 million.**
- An exemption from the aviation fuel tax for fuel used by Florida colleges that teach aeronautics. Impact: **\$200,000.**

The initial House proposed tax package included the following provisions which were removed from the final bill:

- Reducing the tax on commercial building leases from 6 percent to 5.5 percent in 2016-17 for a cut of **\$106 million.**
- A tax exemption for machinery and equipment used for metal recycling for **\$900,000.**
- A one day “Local Business Saturday” tax free shopping day on the Saturday after Thanksgiving for items priced at \$1,000 or less (**\$40.3 million**).
- Equalization of the tax rate applied to apple and pear cider, which is now taxed as wine (**\$300,000**).

3. LEGISLATION SUPPORTED BY THE COUNTY THAT PASSED

3.1. TRANSPORTATION & GROWTH MANAGEMENT

Hazardous Walking Conditions

HB 41 by Rep. Metz, known as “Gabby’s Law for Student Safety,” revises the way hazardous walking conditions for school children are identified and addressed by enhancing cooperation between the school district and local government. It will allow local governments to use an alternative interlocal agreement process so long as the process does not go below the safety standards set in the bill. It does not include timeline provisions which would have imposed a fiscal impact on local governments for the repair of certain hazardous walking conditions on sidewalks near schools. **Rep. Slosberg** amended the bill to allow school boards to implement a safe driver toll-free telephone hotline for citizens to report improper driving or operation by a school bus driver to the school board for further investigation or disciplinary action. ***This bill was signed into law by the Governor on June 10, 2015.***

Growth Management

SB 1216 by Sen. Simpson affects various areas of the growth management process:

DRI and RPCs

This portion of the bill deals with the removal of regional planning councils and the DRI (developments of regional impact) process from the regional planning process. It would exempt all new developments from the DRI review process. Only those developments currently classified as DRIs and which are still undergoing DRI review would remain under the RPCs’ purview. Comprehensive plan amendments related to developments that qualify as DRIs would henceforth be reviewed under the State Coordinated Review Process.

The bill also temporarily removes the Governor’s power to make the boundaries of the RPCs and gives that power to the Legislature until 2016. In the meantime, the Governor would still have the power to make recommendations to the Legislature regarding their boundaries. Additionally, the bill designates 10 RPCs and their borders and deletes several unnecessary or duplicative statutory duties of the RPCs.

Sector Plans

This portion of the bill makes the following changes to the sector planning process:

- Clarify that the planning standards of the sector planning statutes supersede generally applicable planning standards elsewhere in Ch. 163.

- Allow conservation easements to be based on digital ortho-photography by a licensed surveyor and mapper without the need for a traditional ground survey.
- Provide that an applicant may utilize recorded conservation easements as compensatory mitigation for permitting processes.
- Allow grantors to amend conservation in order to shift protected boundaries to other parcels of equal size and ecologic value.
- Require an applicant for a DSAP to transmit copies of the application to the reviewing agencies for comment. Any comments from such agencies would need to be submitted in writing to the local government with jurisdiction and to the state land-planning agency within 30 days after the applicant's transmittal of the application.
- Provide that applicants with an approved master development order may request and be issued a CUP from a WMD for the duration of the development order under certain conditions.
- Require amendments to adopted sector plans to be subject to the State Coordinated Review Process.

Water Facilities & Comprehensive Plans

This portion of the bill provides that a local government that does not own, operate, or maintain their own water supply facilities, but are instead served by a public water utility with a permitted allocation of more than 300 million gallons per day, would not be required to amend their comprehensive plan in response to an updated regional water supply plan or maintain a work plan if that government's water usage constitutes less than 1% of that utility's total permitted allocation. They would still be required to provide data to any utility provider that provides services within their jurisdiction and keep their own general sanitary sewer, solid waste, potable water, and groundwater aquifer recharge elements updated.

This bill was signed into law by the Governor on May 14, 2015.

3.2. ECONOMIC DEVELOPMENT

Glades Initiatives

The Glades area experienced some ups and downs in the budget process this year. \$1.5 million was included for roadway improvements and street resurfacing in the Glades area, with the inclusion of an additional \$9 million for the small city road fund for which the Glades region can compete for additional funds. However, the governor vetoed \$470,900 for the Inland Port Road infrastructure in South Bay which the legislature had allocated. The Glades Career Readiness Roundtable/West Tech Construction Academy saw its \$500,000 allocation vetoed as well. Additional vetoes include \$1,107,321 which had been allocated to enhance the Pahokee Marina, \$400,000 for SW 3rd Street storm water improvements in Belle Glade, and \$500,000 for Lake Region water infrastructure improvements.

Biomedical Research Funding

Funds which had been included in the budget for Scripps, \$1.5 million, were vetoed by the Governor. However, \$1.25 million for Max Planck was allocated through a partnership with FAU.

3.3. EDUCATION

Education Accountability

HB 7069 by Rep. O'Toole reduces student testing, enhances transparency, and increases district and school flexibility to measure student performance and evaluate personnel. It allows districts to set the school start date as early as August 10 each year. *This bill was signed into law by the Governor on April 14, 2015.*

3.4. CRIMINAL & JUVENILE JUSTICE ISSUES

Pain Management Clinics

The legislature passed **SB 450 by Sen. Benacquisto**, a bill that will extend regulations on pain-management clinics. Lawmakers in 2011 approved a wide-ranging law to try to crack down on "pill mills," which had helped lead to Florida becoming a magnet for prescription-drug abuse and trafficking. But the 2011 law included a Jan. 1, 2016, expiration date on clinic regulations. This year's bill eliminates the expiration date, keeping the regulations in place. *This bill was signed into law by the Governor on May 21, 2015.*

Grandparents' Rights

Current law provides that grandparents and great-grandparents may petition for visitation rights with their minor grandchildren and great-grandchildren; however, court decisions have declared much of this law unconstitutional.

HB 149 by Rep. Rouson and others and Sen. Abruzzo repeals the language found unconstitutional from the statutes and creates a new limited grandparent visitation statute. It allows a grandparent of a minor child whose parents are deceased, missing, or in a persistent vegetative state to petition the court for visitation. A grandparent may also petition for visitation if there are two parents, one of whom is deceased, missing, or in a persistent vegetative state and the other has been convicted of a felony or certain violent crimes. The bill requires the grandparent to make a preliminary showing of parental unfitness or significant harm to the child. *This bill was signed into law by the Governor on June 11, 2015.*



Domestic Violence/Sexting

HB 133 by Rep. Plasencia, known as the "43 Days Initiative Act," extends the statute of limitations for sexual battery offenses from four years to ten. The bill was amended to include a provision that makes it a third degree felony to violate an injunction against domestic violence more than twice. Additionally, the amendment corrects an error which the legislature made in 2011 that made sexting a crime under which no court has jurisdiction. The new language clarifies that circuit courts will have jurisdiction. *This bill was signed into law by the Governor on June 11, 2015.*

3.5. HEALTH & HUMAN SERVICES ISSUES

Sober Homes

The legislature passed **HB 21 by Reps. Hager and Harrell** which instructs DCF to approve a credentialing entity to develop and administer a voluntary certification program, including background checks, for recovery residence operators. The bill would require DCF to publish a list of certified residences on its website, and it threads the needle between oversight and ADA/FHA protection laws. The legislation is based upon a California model that has made it through a court challenge. It would also regulate advertisement of sober home facilities. *This bill was signed into law by the Governor on June 10, 2015.*

Closing the Gap Grant Program

SB 94 by Sen. Joyner expands the list of priority health areas under the "Closing the Gap" grant program to include sickle cell disease. The Closing the Gap grant program provides funding for activities designed to reduce racial and ethnic health disparities in priority health areas. *This bill was signed into law by the Governor on May 14, 2015.*

Affordable Housing

The documentary stamp tax paid on all real estate transaction funds the local housing trust fund which is the funding source for the State Housing Initiative Partnership (SHIP) program and the State Apartment Incentive

Loan (SAIL) program. The legislature approved \$101 million for SHIP and \$48 million for SAIL for FY 2015-2016.

For Palm Beach County, that translates into the following funding allocations:

Palm Beach County	\$4,961,065
Boca Raton	\$ 415,433
Boynton Beach	\$ 343,042
Delray Beach	\$ 300,651
West Palm Beach	\$ 501,519
Palm Beach County Total	\$6,521,710

3.6. ENVIRONMENT/NATURAL RESOURCES/AGRICULTURE ISSUES



Agricultural Gleaning

The legislature passed **SB 158** by **Sen. Greg Evers**. The bill reduces civil liability for farmers who gratuitously allow people onto their property to harvest excess food. However, it states that this exemption does not apply if injury or death directly results from failure of the farmer to warn of a dangerous condition of which the farmer has actual knowledge unless the dangerous condition would be obvious to a person entering upon the farmer's land. **Rep. Rader** sponsored the House version. ***This bill was signed into law by the Governor on May 21, 2015.***

Animal Care and Control

SB 420 by **Sen. Grimsley** provides a procedure for adopting or humanely disposing of impounded livestock (excluding cattle) as an alternative to sale or auction. This issue was extremely important to Palm Beach County Animal Care and Control Officers, particularly regarding abandoned horses. Notice of impounded livestock must be provided in specified methods by county sheriffs or animal control centers. The bill requires the sheriff or animal control center to establish fees and be responsible for damages caused while impounding the livestock. The bill grants municipalities with certified animal control officers the same powers as counties and societies or associations for investigating animal cruelty cases. Finally, the bill provides additional, supplemental, and alternative laws for enforcing county or municipal codes or ordinances, but clarifies that it does not prohibit a county or municipality from enforcing its own codes or ordinances by any other means. ***This bill was signed into law by the Governor on May 14, 2015.***

4. LEGISLATION SUPPORTED BY THE COUNTY THAT FAILED

4.1. FINANCE & TAX ISSUES

Film and TV Incentives

House leadership temporarily postponed **HB 451 (Miller)**, and the Senate did not take up **SB 1046 (Detert)** for consideration during the final week. The main difference between the two is that the Senate plan called for a quick-action closing fund, which would have allowed for funds to be quickly allocated to tax credits if Florida would need to move swiftly to secure a production. The House was more hesitant to incorporate the fund, but it was not ruled out.

The Senate included the contents of SB 1046 into **SB 1214 (Latvala)**, the



Economic Development package, during an Appropriations Committee meeting, but that bill eventually died on the Senate Calendar.

Gaming



HB 1233 by Rep. Young would have decoupled greyhound racing at dog tracks, allowing the tracks to keep slots and poker rooms but end the racing, a possibility which has strong support from animal rights groups. The bill would have allowed slots in pari-mutuels in Palm Beach and Lee Counties whose voters have approved slot machines. It would have also allowed Broward and Miami-Dade Counties to hold non-binding referendums to gauge support for a destination casino. It would have eliminated tax credits for greyhound racing, but would have lowered the taxes on handles in order to make the bill revenue neutral.

SB 7088 would have extended the Seminole Gaming Compact for another year. It would have essentially decoupled all live racing and jai alai pari-mutuels and would allow slots in certain pari-mutuels in counties who voters have approved slot machines.

Both bills died in their respective Appropriations committees.

Enterprise Zones

HB 7067 by Rep. La Rosa died after the Senate did not take it up before adjourning sine die. The bill would have created a “local enterprise zone” to replace the current program due to sunset this year. The local enterprise zone would consist of a local government waiving local business taxes, impact fees, regulatory fees, building permit fees, sign ordinances, landscaping ordinances, all special assessments and civil code violations that do not affect public safety for new or expanding businesses for a minimum of 24 consecutive months.

The Senate included an Enterprise Zone proposal in **SB 1214** that would extend certain state tax benefits to businesses that entered into a contract with DEO. SB 1214 died on the Senate Calendar.

Even though Enterprise Zones were not reauthorized, included in the legislature’s tax cut package, Enterprise Zone credits, which are set to expire in December, will be extended for three years for companies that have an economic development contract with the Department of Economic Opportunity. Impact: **\$1.4 million**. There are at least 34 businesses in the state eligible for these credits according to an estimate by the Office of Economic and Demographic Research.

4.2. CRIMINAL JUSTICE ISSUES

Mental Health and Substance Abuse

SB 7068, a measure that merges the Marchman and Baker Acts, was unanimously passed by the Senate, went to the House, and was there amended and sent back to the Senate where it died in returning Messages.

SB 7070, which included Baker Act and Marchman Act reform, would have created the Jennifer Act to allow for individuals to get help prior to negative situations occurring, created the Nonviolent Offender Reentry Program, and created a Forensic Hospital Diversion Pilot Program. It died on the Senate Calendar.

The House also passed **HB 7113** with one dissenting vote that would have authorized the creation of treatment-based mental health court programs among other items and included companion language for the Forensic Hospital Diversion program. The billed in Senate Appropriations.

The House and Senate unanimously passed **HB 79** that requires the establishment of protocols for collecting and storing utilization data for crisis stabilization services.

5. BILLS OPPOSED BY THE COUNTY THAT PASSED

5.1. GROWTH MANAGEMENT ISSUES

Preemption of Local Preference in Construction Projects

HB 778 by Sen. Hays preempts local preference ordinances for construction projects that are funded 50% with state dollars. The bill does not prohibit local preference in a competitive solicitation for projects that are funded with less than 50% state funds. *This bill was signed into law by the Governor on May 21, 2015.*

6. BILLS OPPOSED BY THE COUNTY THAT FAILED

6.1. GENERAL GOVERNMENT

Constrained Agricultural Areas

HB 933 by Rep. La Rosa represented this year's growth management package. Earlier in Session, it was amended to remove a provision Palm Beach County objected to that would allow certain developers who own parcels of land that fit a specific definition of "constrained agricultural parcels" to subvert the local government process. The legislature ultimately passed a growth management bill, SB 1216, without this provision.

Location of Utilities

HB 391 by Rep. Ingram would have revised several provisions related to utilities by making certain statutory provisions applicable only to utility lines and facilities lawfully located within the right-of-way limits of a road, rather than those lines facilities located upon, under, over, or along any public road or highway, or publicly owned rail corridor. Cities and counties mounted considerable opposition to the legislation. The bill, which passed the House, died in the Senate Community Affairs Committee.

Public Works Construction Preemption

SB 934 by Sen. Brandes, which died in Senate Community Affairs, would have preempted local control—including wage ordinances—over construction contracts for public works projects. It would have prohibited a public entity from requiring contractors, subcontractors, or material suppliers submitting bids for public works projects to pay employees a certain wage, enter into labor agreements, provide certain benefits, hire employees from a designated source or participate in certain training programs. Public entities could also not require that the contractor, subcontractor, or material supplier responding to a public works construction, maintenance, or improvement bid be associated with any certain association, organization or union. It would also require all projects to improve or construct a public building that costs in excess of \$300,000 be competitively bid. Labor interests, including the Florida Electrical Workers Association, Florida Building Trades Council, CWA Council of Florida, Florida State Council of Machinists, and the AFL-CIO and others combined forces with local governments to oppose the bill.



Building Codes

The Building Code legislation was amended on the House floor in a manner that weakened 468 licensing requirements, added to the time it will take to adopt and implement future FBC editions, and did not address an impending gap in public swimming pool operational oversight. After **HB 915 (Eagle)** passed the House,

County lobbyists worked with the Senate bill sponsor to **SB 1232 (Simpson)** and eventually the legislation did not come up for a final vote in the Senate.

6.2. TRANSPORTATION AND NATURAL RESOURCES



Uber

HB 817 by Rep. Gaetz would have created regulatory requirements for transportation network companies such as Uber and Lyft by preempting local governments from regulating them. The bill would have let companies use a “surplus lines” insurance company which, were it to fail, is not backed by a state guaranty fund to pay claims. The bill died on the House Calendar.

SB 1298 by Sen. Simmons would have established insurance requirements for transportation network companies and short term rentals, such as AirBnB. It would have established coverage requirements for when a customer is in a vehicle and during an “on call” period, considered a coverage “gap,” between when a driver is notified about a customer to pick up and the time the passenger gets in the vehicle. An amendment to the bill would have required the driver—if he or she had had an agreement within the previous 6 months—to possess liability coverage of at least \$100,000 for death and bodily injury per person and \$200,000 per incident, and at least \$50,000 for property damage.

Red Light Cameras

HB 7071 would have added restrictions on local government red light camera programs. It would require notice of violations to be sent via certified mail and would require collection of crash data at intersections and require summaries of vendor contracts in annual reports submitted to DHSMV. It would have allowed DOT to inspect cameras for compliance and required all local government revenues to only go towards public safety. The bill died on the House Calendar.

Ultimately, no legislation passed that would alter the current red light camera program in Florida.



6.3. CRIMINAL JUSTICE ISSUES

Juvenile Detention Costs

Two DJJ funding bills before the legislature did not pass. **HB 5201 by Rep. Metz** passed its lone committee in March and remained temporarily postponed on Second Reading in the full House. **SB 1414 by Sen. Bradley** passed its first of three committees of references on April 8th but was not heard in its other two.

SB 1414 set the State and County Juvenile Justice cost share amount at counties (that are not fiscally constrained) paying 57% and the state paying 43%. The bill originally called for a 60%/40% split. Its House companion, HB 5201, also specified the 57/43 split. This legislation briefly appeared in special session budget discussions, but was eventually taken off the table.

7. OTHER BILLS OF INTEREST

7.1. CRIMINAL & JUVENILE JUSTICE ISSUES

Human Trafficking

HB 369 by Reps. Kerner and Spano will require establishments such as strip clubs and massage parlors, as well as government facilities such as rest stops and welcome centers, to post human trafficking awareness signs with the number of a national human trafficking hotline. The bill authorizes a county commission to adopt an ordinance to enforce the placement of human trafficking awareness signs, where a violation is a noncriminal violation punishable by a fine not to exceed \$500.

HB 465 by Reps. Spano and Kerner will battle the demand for sex trafficking by increasing penalties on those who solicit prostitutes. The first offense will now be a first degree misdemeanor, a second offense will be a third degree felony, and a third offense will be a second degree felony. The legislation also mandates at least 100 hours of community service along with a course on how prostitution and human trafficking are related. *This bill was signed into law by the Governor on June 11, 2015.*

Sentencing of Public Officials

HB 115 by Rep. Gaetz will require public officials found guilty of bribery or corruption to pay restitution to local governments that were wronged by their crimes. The Senate version was sponsored by **Sen. Abruzzo**. *This bill was signed into law by the Governor on June 11, 2015.*

Carrying a Concealed Firearm During Mandatory Evacuations

HB 290 by Sen. Brandes allows individuals to carry lawfully-owned firearms while in the act of evacuating during a mandatory evacuation order issued during a state of emergency declared by the Governor. The bill defines “in the act of evacuating” as “the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation is ordered.” *This bill was signed into law by the Governor on May 21, 2015.*

Traffic Enforcement Agencies and Traffic Citations

SB 264 by Sen. Bradley clarifies that any agency or governmental entity vested with the powers to enforce traffic laws of the state, including any county or municipal agency or entity, is a traffic enforcement agency and prohibits a traffic enforcement agency from establishing a traffic citation quota. *This bill was signed into law by the Governor on May 14, 2015.*

Public Records/Body Camera Recording Made by a Law Enforcement Officer

SB 248 by Sen. Smith creates a new, retroactive public record exemption that makes a body camera recording, or a portion thereof, confidential and exempt from public record disclosure, if the recording is taken:

- within the interior of a private residence;
- within the interior of a facility that offers health care, mental health care, or social services; or
- in a place that a reasonable person would expect to be private.

The bill provides specific circumstances in which a law enforcement agency may disclose a confidential and exempt body camera recording, and additional circumstances in which a law enforcement agency must disclose such a recording. *This bill was signed into law by the Governor on May 21, 2015.*

Strategic Lawsuits Against Public Participation

A “strategic lawsuit against public participation” or SLAPP suit is a civil claim or counterclaim ostensibly brought to redress a wrong, such as defamation, invasion of privacy, or a business tort, but is actually brought to discourage or penalize the exercise of constitutionally protected rights.

The Citizen Participation in Government Act (CPGA), enacted in 2000, prohibits a governmental entity from filing a meritless suit solely in response to the exercise of the right to peacefully assemble, the right to instruct representatives, or the right to petition for redress of grievances before the various governmental entities of the state. A person sued by a governmental entity in violation of the CPGA is entitled to an expeditious resolution of a claim that the suit is a SLAPP suit and the recovery of actual damages. **SB 1312 by Sen. Simmons** amends the CPGA to:

- include meritless suits filed by private entities within the anti-SLAPP provisions of the CPGA;
- include the exercise of the constitutional right of free speech in connection with a public issue,
- defined as certain written or oral statements made before a governmental entity or made within certain media, to the protection from SLAPP suits; and
- provide that a meritless suit is prohibited by the CPGA if the primary basis for such suit is the exercise of rights protected by the CPGA.

This bill was signed into law by the Governor on May 21, 2015.

No Contact Orders

SB 342 by Sen. Simmons amends s. 903.047, F.S., clarifying that an order of no contact is effective immediately and enforceable for the duration of the pretrial release or until modified by the court. The bill also provides that, unless otherwise specified by the court, the term “no contact” includes:

- communicating orally or in any written form, either in person, telephonically, electronically, or in any other manner, either directly or indirectly through a third person, with the victim or any other person named in the order;
- having physical or violent contact with the victim or other named person or his or her property;
- being within 500 feet of the victim’s or other named person’s residence, even if the defendant and the victim or other named person share the residence; and
- being within 500 feet of the victim’s or other named person’s vehicle, place of employment, or a specified place frequented regularly by such person.

The bill provides two limited exceptions to the prohibition against oral or written communication between the defendant and victim or other persons named in the no contact order. Additionally, the bill requires the defendant to receive a copy of the order of no contact specifying the applicable prohibited acts before being released from custody on pretrial release. *This bill was signed into law by the Governor on May 14, 2015.*

Juvenile Justice

Civil Citation Programs (CCPs), created under s. 985.12, F.S., give law enforcement officers (LEO) an alternative to arresting youth who have committed non-serious delinquent acts. Under a CCP, an LEO has discretion to issue a civil citation to a juvenile who admits to having committed a first-time misdemeanor, assess not more than 50 community service hours, and require participation in intervention services appropriate to any identified needs of the juvenile.

As of October 2014, CCPs were operational in 59 of Florida’s 67 counties.

SB 378 by Sens. Garcia and Gibson amends s. 985.12, F.S., to:

- authorize a law enforcement officer to issue a warning or inform the juvenile’s parent when a juvenile admits to having committed a misdemeanor;

- give the officer discretion to issue a civil citation or require participation in a similar diversion program if he or she decides not to issue a warning or notify the juvenile's parents;
- give the officer discretion to arrest the juvenile; if an arrest is made, an LEO must provide written documentation as to why an arrest was warranted; and
- allow a juvenile to participate in the civil citation program for a total of three separate misdemeanor offenses.

This bill was signed into law by the Governor on May 21, 2015.

Controlled Substances

Synthetic drugs, such as cannabinoids and cathinones, are industrial grade chemicals mixed to produce a “high” similar to what would be experienced when using illegal drugs such as marijuana or methamphetamine. Each year since 2011, the Florida Legislature has added synthetic cannabinoids, cathinones, and phenethylamines to Schedule I of Florida’s controlled substances schedules. Since the 2014 Legislative Session, new formulas of synthetic cannabinoids have been developed that are not covered by current law.



HB 897 by Rep. Ingram adds five new synthetic cannabinoids to Schedule I of Florida’s controlled substance schedules. As a result, the criminal penalties relating to the possession, sale, manufacture, and delivery of controlled substances will apply to these synthetic substances. *This bill was signed into law by the Governor on May 14, 2015.*

False Personation

SB 1010 by Sen. Braynon amends s. 843.08, F.S., to add “firefighter” and a “fire or arson investigator of the Department of Financial Services” to the list of officers that may not be falsely personated. *This bill was signed into law by the Governor on May 14, 2015.*

Relief/Estate of Manuel Antonio Matute/Palm Beach County Sheriff’s Office

HB 3533 by Rep. Santiago compensates the Estate of Manuel Antonio Matute for the death of Manuel as the result of negligence by the Palm Beach County Sheriff’s Office. Manuel’s vehicle was struck by a Palm Beach County Sheriff’s Office vehicle that veered over the median and into oncoming traffic. Based on a settlement agreement, the sheriff’s office agreed to pay \$371,850.98 in addition to the \$128,149.02 that has already been paid. Payment for attorney fees, lobbying fees and costs is limited to 25 percent of the award. *This bill was signed into law by the Governor on June 11, 2015.*

Relief/Javier Soria/Palm Beach County

HB 3547 by Rep. Raulerson compensates Javier Soria for injuries sustained as the result of negligence by Palm Beach County. Javier was struck by a Palm Beach County truck while riding his motorcycle. Based on a settlement agreement, the county agreed to pay \$108,000 in addition to the \$200,000 that has already been paid. Payment for attorney fees, lobbying fees and costs is limited to 25 percent of the award. *This bill was signed into law by the Governor on June 11, 2015.*

7.2. TRANSPORTATION & GROWTH MANAGEMENT ISSUES

Property Rights

The United States Supreme Court has held that a government cannot deny a land-use permit based on a landowner’s refusal to accede to the government’s demands to either turn over property or pay money to the

government unless there is an essential nexus and rough proportionality between the government's demand on the landowner and the effect of the proposed land use.

HB 383 by Reps. Edwards and Perry creates a cause of action to recover monetary damages, including injunctive relief, for landowners where local and state governmental entities impose conditions that rise to the level of unconstitutional exactions. A property owner would need to inform the governmental agency of his/her intent to file suit within 180 days of the exaction and at least 90 days before filing the suit. The governmental agency would in turn need to respond in writing to this complaint explaining why it believes the exacting is lawful and necessary (the bill clarifies that this response may not be used against it in court, except in the assessment of attorney fees or other costs). For each claim filed, the government would have the burden of proving that there is a nexus of public interest and that their actions are proportionate to the impacts from the proposed use that they are trying to avoid, minimize, or mitigate. The property owner in turn would have to prove damages were caused by the exaction. Attorney fees may be awarded to either side based on who prevails in the case. Impact fees and non-ad valorem assessments are exempt from these new provisions, as well as any exactions taken before October 1st, 2015.

The bill also amends the Bert J. Harris, Jr. Private Property Act to provide that only those property owners who real property is the subject of, and directly impacted by, the action of a governmental entity may bring suit under the Act. Additionally, the bill provides that the Act's safe harbor provisions for settlement agreements between a property owner and governmental entity apply regardless of when the settlement agreement was entered into. Flood Insurance Rate Maps issued by FEMA are now exempt from the Act, except in cases where the elevation of the property is incorrectly assessed and published (such an action may result in an unnecessary loss in property value). *This bill was signed into law by the Governor on June 11, 2015.*

Freight Logistics Zones

HB 257 by Rep. Ray creates s. 311.103, F.S., defining a freight logistics zone as a grouping of activities and infrastructure associated with freight transportation and related services around an intermodal logistics center. The bill allows a county, or two or more contiguous counties, to designate a geographic area or areas within its jurisdiction as a freight logistics zone. The designation must be accompanied by a strategic plan adopted by the county or counties. *This bill was signed into law by the Governor on June 10, 2015.*

Residential Master Building Permits

HB 1151 by Rep. Ingoglia allows builders to apply to local governments for a master permit when building several of the same type of unit. The local government would be required to develop the permit program only upon written request of the builder and within 6 months of the request. The governing board of the local government would be allowed to set the fees for the program. The program is designed to achieve standardization and reduce the time spent by local building departments during the site-specific building permit application process. *This bill was signed into law by the Governor on June 11, 2015.*

7.3. GENERAL GOVERNMENT ISSUES

Online Voter Registration

SB 228 by Sen. Clemens allows citizens to register to vote using a website designed by the Florida Division of Elections. Beginning October 1, 2017, the bill requires an online voter registration system to be available for purposes of registering first-time voters and updating existing voter registrations. It requires the Division of Elections of the Department of State to establish a secure Internet website that safeguards an applicant's information, complies with certain information technology security provisions, and uses a unique identifier for each applicant to prevent



unauthorized persons from altering a voter's registration information. The system must comply with certain federal laws to ensure equal access to voters with disabilities. In addition, the bill requires the division to conduct a comprehensive risk assessment of the system before making it publicly available and every two years thereafter.

The bill requires the division to submit a report to the President of the Senate and the Speaker of the House of Representatives regarding the implementation of online voter registration no later than January 1, 2016.

For the 2015-2016 fiscal year, the bill appropriates \$1.8 million in nonrecurring funds from the Federal Grants Trust Fund to DOS to implement online voter registration. ***This bill was signed into law by the Governor on May 15, 2015.***

Exemption from Legislative Lobbying Requirements

SB 984 by Braynon revises the definition of the term "expenditure" for purposes of the legislative expenditure ban to create an exception to the expenditure ban for a public-legislative use. It provides that a public-legislative use is the use of a public facility or property that is made available by a governmental entity to a legislator for a public purpose, regardless of whether the governmental entity is required to register a person as a lobbyist. ***This bill was signed into law by the Governor on May 14, 2015.***

Surveillance by a Drone

SB 766 by Sen. Hukill amends the Freedom from Unwarranted Surveillance Act to prohibit a person, state agency, or political subdivision from using a drone equipped with an imaging device to record an image of privately owned real property or the owner, tenant, occupant, invitee, or licensee of such property; with the intent to conduct surveillance on the individual or property in violation of such person's reasonable expectation of privacy; and without that individual's written consent. The bill creates a limited exception for a person or entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor of the state only if the drone is used to perform reasonable tasks within the scope of practice permitted under such license. Additional limited exemptions include an employee or contractor of a property appraiser; an electric, water, or natural gas utility; and aerial mapping. ***This bill was signed into law by the Governor on May 14, 2015.***

Designated Areas for Skateboarding, Inline Skating, Paintball, etc.

SB 408 by Sen. Simmons changes present law to now authorize local governments to allow skateboarding, inline skating, and freestyle bicycling in designated areas by children under 17 years of age without requiring written consent from a parent or legal guardian. The bill also changes present law to authorize local governments to allow children under 17 years of age to engage in paintball and mountain and off-road bicycling in designated areas with the written consent of only one parent or legal guardian. ***This bill was signed into law by the Governor on May 21, 2015.***

Peril of Flood

SB 1094 by Sen. Brandes makes changes to current law relating to the peril of flood and the offering of private flood insurance as an alternative to coverage provided through the National Flood Insurance Program (NFIP).

The bill requires surveyors and mappers to complete elevation certificates in accordance with procedures developed by the Division of Emergency Management and requires local governments to include certain coastal management elements for their comprehensive plans. In addition, the bill amends s. 627.715, F.S., to:

- create a new type of flood insurance, called "flexible flood insurance," which is defined as coverage for the peril of flood that may include water intrusion coverage, and includes or excludes specified provisions, including the authority to limit coverage to only the outstanding mortgage on the property and to allow dwelling loss to be adjusted only on the actual cash value of the property;
- clarify the definition of supplemental insurance to permit coverage in excess of any other insurance covering the peril of flood;

- allow an insurer to request a certification from OIR that acknowledges that a private flood policy equals or exceeds the coverage offered by NFIP, and, subject to the OIR's determination that such policy is NFIP-equivalent, these certifications may be used in advertising and communications with agents, lenders, insureds, and potential insureds.

The bill provides that an insurer or agent who knowingly misrepresents that a flood policy, contract, or endorsement is certified commits an unfair and deceptive act. *This bill was signed into law by the Governor on May 21, 2015.*

7.4. FINANCE AND TAX ISSUES



Reduced Fees for County & Municipal Parks and Transportation Authorities

HB 1095 by Rep. Rooney, and its Senate version, **SB 1430 by Sen. Abruzzo**, both died. Rooney's bill had passed the House and was in Senate messages when Session came to a close. The bills would have required counties and municipalities to provide discounts on public park entrance fees to military members, veterans, spouses, and parents of certain deceased military members, law enforcement officers, firefighters, and emergency

workers.

Low Voltage Alarm Systems

SB 466 by Sen. Flores reduces the maximum amount a local government may charge for permit fees for low-voltage alarm systems from \$55 to \$40. It will also prohibit local governments from charging any additional fees for the installation of a new system or replacement of an old one. The legislation also clarifies that a wireless alarm system does not require a permit. *This bill was signed into law by the Governor on May 21, 2015.*

Emergency Fire Rescue Services and Facilities Surtax

HB 209 by Rep. Artiles revises the Emergency Fire Rescue Services and Facilities Surtax to distribute the revenue to all providers in a county that adopts the surtax, rather than only providers that enter into an interlocal agreement with the county. The bill provides local government providers with revenue from the surtax proportionate to their annual expenditures for fire control and emergency fire rescue services from the preceding five years. The Palm Beach County Firefighters support the legislation.

Property Appraisers

Current law requires property appraisers to submit a proposed budget for the operation of the appraiser's office to the Department of Revenue (DOR). DOR may amend the initial budget submission. After reviewing further information that may be submitted by the property appraiser and appropriate board of county commissioners (board), DOR issues a final budget determination.

HB 213 by Rep. Moraitis provides that boards must fund property appraisers according to the amount determined by DOR in its final budget determination, and must fund the department-approved budget during the pendency of an ongoing appeal to the Administration Commission. A board's obligation to fund the property appraiser's office at the level set by DOR is not affected merely by the filing of an appeal to the Administration Commission. Only if the commission chooses to amend the budget will the board's obligation change. *This bill was signed into law by the Governor on June 2, 2015.*

Military Housing Ad Valorem

Current Florida law provides an exemption from ad valorem taxation for property owned by the United States. This exemption specifically applies to leasehold interests in property owned by the United States government when the lessee serves or performs a governmental, municipal or public purpose or function. Federal law also recognizes the immunity of property of the United States from ad valorem taxation.

HB 361 by Reps. Trumbull and Smith (J) recognizes in statute that leaseholds and improvements constructed and used to provide housing pursuant to the federal Military Housing Privatization Initiative on land owned by the federal government are exempt from ad valorem taxation. The bill is expected to have a local government property tax revenue impact of either zero or negative. *This bill was signed into law by the Governor on May 21, 2015.*

Value Adjustment Board Proceedings

Current law gives property owners the opportunity to challenge the property appraiser's valuation of their property for ad valorem taxation purposes. One way to challenge is to petition the county value adjustment board (VAB). **HB 489 by Rep. Sullivan** makes the following revisions to the process for petitioning a VAB:

- The clerk of the VAB must have available and distribute petition forms (a function already performed by the property appraiser)
- An owner of multiple, similar items of tangible personal property may file a single, joint petition protesting the assessment of such property
- During the evidence exchange process, the property appraiser must include the petitioner's property record card regardless of whether the card was provided by the clerk
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The bill is expected to have a negative fiscal impact of approximately \$100,000 annually on VAB fee revenues in the aggregate, and may result in minimal additional expenditures by VAB clerks and property appraisers. *This bill was signed into law by the Governor on June 10, 2015.*

All-American Flag Act



HB 225 by Reps. Cortes (B) and Campbell requires any U.S. flag or state flag purchased after January 1, 2016, by the State or a local government for public use be made in the United States from materials grown, produced, and manufactured in the United States.

The bill is not anticipated to have a fiscal impact on state government. The bill may have an insignificant negative fiscal impact on local governments, depending on the extent to which local governments are currently purchasing flags that do not comply with the requirements of the bill and the cost difference between compliant and non-compliant flags. *This bill was*

signed into law by the Governor on June 11, 2015.

7.5. ENVIRONMENTAL/NATURAL RESOURCES/AGRICULTURAL ISSUES

Fracking

HB 1205 by Rep. Ray Rodriguez was a casualty of the House's abrupt sine die. The bill, which had passed the House, was being heard in the Senate when word reached the Senate that the House had adjourned sine die, leading to it being temporarily postponed. The bill was taken up again the following day, but the Senate sponsor, Sen. Garrett Richter, lacked the two-thirds vote he needed to waive rules and vote to send the bill to the Governor. The bill would have established a regulatory framework for hydraulic fracturing, including a permitting process through the Florida Department of Environmental Protection. A companion bill, **HB 1209 by Rep. Rodriguez**, which would have exempted fracking companies from divulging proprietary information in public records requests, failed to pass the House before it adjourned.

7.6. HEALTH AND HUMAN SERVICES

Crisis Stabilization Services

HB 79 by Rep. Cummings creates the Crisis Stabilization Services Utilization Database. The Department of Children and Families (DCF) must develop, implement, and maintain standards under which a behavioral health managing entity must collect utilization data from public receiving facilities located within its geographic service area.

The bill requires public receiving facilities to submit specified utilization data to managing entities in real time or at least daily. Managing entities must perform reconciliations monthly and annually to ensure data accuracy. *This bill was signed into law by the Governor on June 10, 2015.*

7.7. LOCAL BILLS

School District of Palm Beach County Business Partnership Program

HB 1253 by Rep. Pat Rooney establishes the School District of Palm Beach County Business Partnership Program. This bill removes the need for periodic renewal of the pilot program that was established by the Legislature in 2008. It would continue to allow schools in the unincorporated areas of Palm Beach County to recognize its business partners by displaying the names of the partners on school property. In return for having their names publicly displayed, the partners fund programs such as Project Graduation and extracurricular activities. *This bill was signed into law by the Governor on June 10, 2015.*

West Palm Beach Water Catchment Area

HB 1213 by Rep. Lori Berman reduces a boundary of the West Palm Beach Water Catchment Area. This bill helps move forward plans for a new two-team spring training facility on land that was a former landfill in the City of West Palm Beach. *This bill was signed into law by the Governor on June 10, 2015.*

West Palm Beach Firefighter Pension

HB 1167 by Rep. Dave Kerner amends the West Palm Beach Firefighter Pension Special Act. The changes made by this bill are the result of a collective bargaining agreement between the City of West Palm Beach and International Association of Firefighters Local 727. The bill defines “Fire Chief” as the executive officer for the City of West Palm Beach Fire Department. This legislation also provides that a portion of the Chapter 175 premium taxes must be used to reduce the employee contributions and the remainder must be allocated to the member share accounts. *This bill was signed into law by the Governor on June 10, 2015.*

