



Legislative Wrap - Up Session 2019

June 10, 2019
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2019 Summary

- Regular session March 5th – May 3rd
 - (extended to May 4th)
- Bills
 - 3,571 bills filed
 - Over 1,500 were filed appropriation projects
 - 196 passed
 - About 350 tracked for possible impact on local governments
 - 32 of those passed which had a direct or indirect impact

BUDGET

Health & Human Services

- ✓ Ardie R. Copas Veterans Nursing Home \$7,032,819
- ✓ New Horizons of the Treasure Coast \$1,393,482
 - ✓ New Horizons CAT Services \$750,000
- ✓ Mental Health & Substance Abuse Local Grants \$9,000,000
- ✓ Healthy Start \$41,172,757

Economic Development

- ✓ Florida Seaport Infrastructure \$122.7 million
- ✓ Florida Seaport Transportation and Economic Development (FSTED) \$25 million
 - ✓ \$200,000 Port Master Plan
 - ✓ \$626,354 Port rehab on South Dock
- ✓ Florida DOT Work Plan to SLC \$70.5 million
 - ✓ \$2.8 million TCIA Runway Microsurfacing
 - ✓ \$2 million TCIA Airfield Signage & Lighting
 - ✓ \$409,500 TCIA Runway Extension Environmental
 - ✓ \$467,257 City of Fort Pierce Traffic Signal on US 1
- ✓ Visit Florida \$50 million
- ✓ Florida Job Growth Grant \$40 million
- ✓ Enterprise Florida \$16 million

Economic Development

- ✓ Affordable Housing, Housing Finance Corp (HFC) \$39 million
- ✓ State Housing Initiative Partnership (SHIP) \$46.5 million
- ✓ Affordable Housing for Hurricane Michael Recovery \$105 million
- ✓ Indian River State College PECO \$4.1 million
- ✓ Economic Development Tools \$24.6 million

Agriculture & Natural Resources

- ✓ Taylor Creek Muck Removal
\$585,210
- ✓ Comprehensive Everglades Restoration Plan
\$195.5 million
- ✓ Beach Restoration & Inlet Management
\$50 million
 - ✓ \$1,685,000 Fort Pierce Shore Protection
 - ✓ \$3,399,719 South St. Lucie County Beach
 - ✓ \$74,146 Post Monitoring
- ✓ Northern Everglades & Estuary Protection
\$32 million

Agriculture & Natural Resources

- ✓ EAA Reservoir (Senate Bill 10) \$107 million
- ✓ Treasure Coast Food Bank \$700,000
- ✓ Blue Green Algae Task Force \$10.8 million
- ✓ \$25 million for Water Quality Improvements
 - Chief Science Office will be responsible in deciding what this is to be used for
- ✓ \$25 million for TMDL innovation projects
- ✓ Water Quality Improvements – Everglades Restoration
 - CERP projects which will achieve greatest reductions in discharges
- ✓ ORCA Kilroys \$250,000
- ✓ Indian River Lagoon National Estuary Program \$250,000
- ✓ UF/IFAS Invasive Plant Research \$540,000

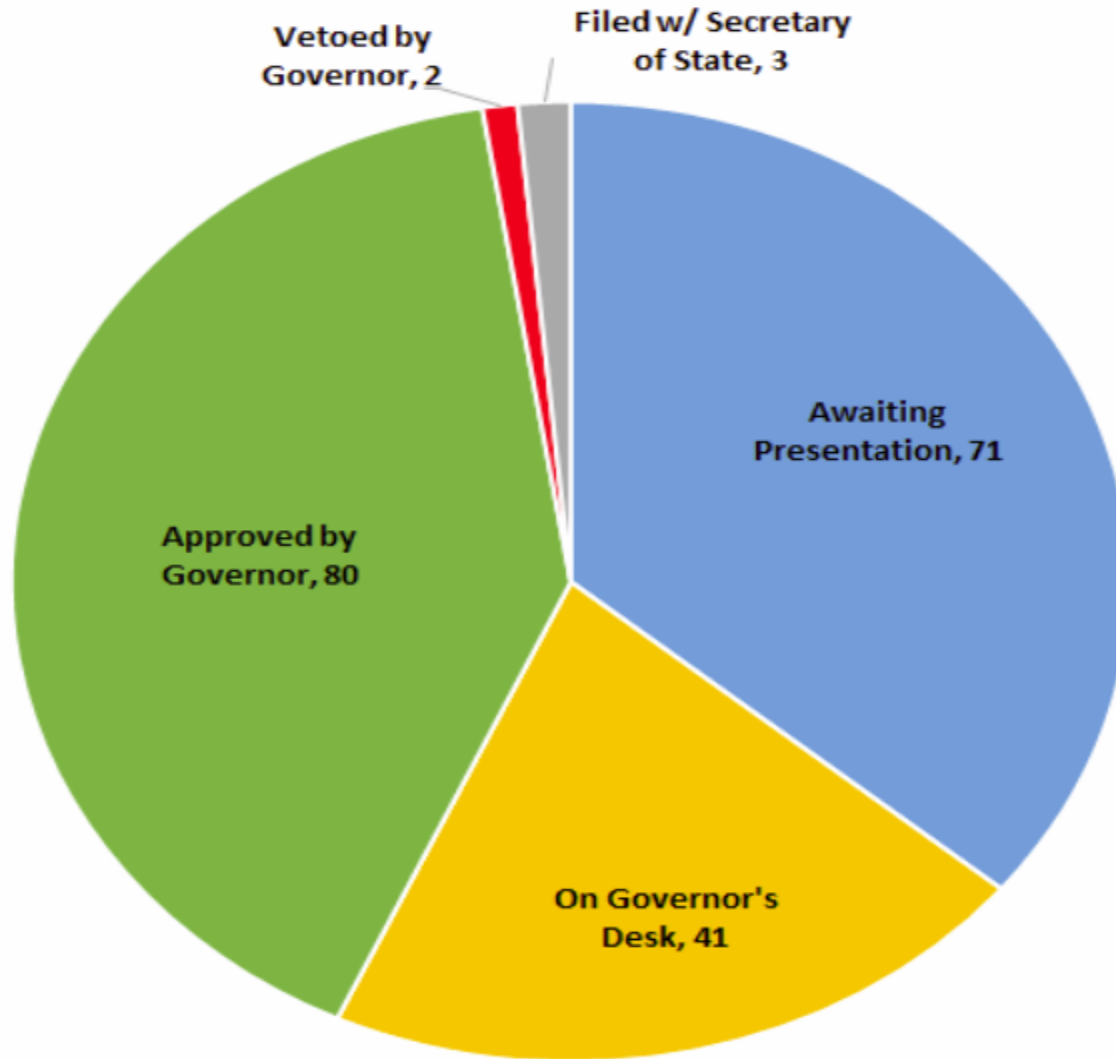
St. Lucie County Total

\$94,227,259

Directly and Indirectly to St. Lucie County

**Legislation to be
presented to or approved
by the Governor**

Status of 2019 Enrolled Bills



HB 7123 - Tax Reduction Plan

- Sales Tax Holiday:
 - 7 day Disaster Preparedness Holiday
 - May 31 – June 6
 - 5 day Back to School
 - August 2 – August 6
- Sales tax rate on the rental of commercial property from 5.7 percent to 5.5 percent.
- Regarding exemption from documentary stamps, removes the 1-year limitation of transfers of homestead property between spouses.
- Increases from 9 percent to 18 percent the reduction to a traffic fine.

HB 7123 - Tax Reduction Plan

- The bill excludes from the definition of a “pass-through provider,” a person who does not remit communications services tax, but who sells communications services to another person who does collect the tax.
 - The result is that these excluded entities are not subject to a county’s or municipality’s fees for the use of a right-of-way.
- Requires revenues from school district voted discretionary milleages to be shared with charter schools.
 - Only applies to referendums held after July 1, 2019.

HB 7030 – School Safety

- Implements the recommendations from the Marjory Stoneman Douglas Commission
 - Sheriff must, at a minimum, provide access to a guardian program
 - Removes prohibition of full time teachers from becoming a guardian
 - Delineates the four safe-school officers options
 - School Resource Officer
 - School Safety Officer
 - School Guardian
 - School Security Guard

HB 7030 – School Safety

- Adds second degree felony for impersonating a school guardian or school security officer
- Mental Health Assistance Allocation
 - Created to train educators and other school personnel in detecting and responding to mental health issues
 - Connect children and families with appropriate services
- Specifies charter schools are not exempt from the requirements of this legislation

HB 325 – Coastal Management

- Revises and updates the criteria FDEP is to use for ranking beach and inlet projects

Beach Management Ranking Points ²⁷		
Statutory Criteria	Number of Component Criteria	Available Points
Significance	6	20
Local Sponsor Financial and Administrative Commitment	6	10
Previous State Commitment	4	10
Availability of Federal Funds	3	10
Recreational and Economic Benefit	1	10
Severity of Erosion	1	10
Mitigation of Inlet Effects	1	10
Threat to Upland Structures	1	10
Project Performance	2	10
Innovative Technologies	2	5
Regionalization	1	5
Enhance Refuges of Nesting Sea Turtles	1	5

HB 325 – Coastal Management

Proposed New Ranking

- Tier One 20%: tourism-related return on investment and the economic impact of the beach project.
- Tier Two 45%: Requires FDEP to weigh the following criteria equally:
 - Federal funding
 - Storm damage reduction:
 - Current condition of the project
 - Overall potential threat to existing upland development
 - Value of upland property benefiting from the protection
 - Cost effectiveness of the project

HB 325 – Coastal Management

Proposed New Ranking

- Tier Three 20%: Requires FDEP to weigh the following criteria equally:
 - Previous state commitment
 - Recreational benefit
 - Extent the project mitigates impacts of inlets on adjacent beach
 - Degree the project addresses most significant erosion problems
- Tier Four 15%: Requires FDEP to weigh the following criteria equally:
 - Prioritization on this projects not previously funded
 - Environmental habitat enhancement
 - Overall readiness of the project

HB 447 – Building Permits

- Establishes a number of processes and related procedures for property owners and local governments to close open and expired building permits.
- Prohibits carrying forward an amount greater than its average cost for enforcing the Florida Building Code for the previous four fiscal years;
- Requires a local government to use any excess code enforcement funds to rebate or reduce code enforcement fees; and
- Prohibits a local government from charging surcharges or similar fees not directly related to enforcing the Florida Building Code.

****Not yet approved by Governor****

HB 127 – Permit Fees

- Requires local government to post its building permit and inspection fee schedules on its website.
- Requires that by December 31, 2020, the governing body will post a newly required building permit and inspection utilization report.
 - The report will include costs incurred and revenues derived from the enforcement of the Florida Building Code.

****Not yet approved by Governor****

HB 7103 – Community Development

- Requires a local government to review an application for completeness and notify the applicant within 30 days.
- If deficiencies are identified, the applicant has 30 days to submit the required additional information.
- Within 120 days after an application is deemed complete, or 180 days for applications that require a quasi-judicial hearing or public hearing, a local government must approve, approve with conditions, or deny the application.

HB 7103 – Community Development

- Prohibits local governments from requiring the payment of impact fees prior to a building permit.
- Requires an impact fee to be proportional and have a reasonable connection, or rational nexus to the expenditure.
- Prohibits impact fees to be used to pay debt or previously approved projects, unless a reasonable connection, or rational nexus and requires the earmark of the fee.
- Clarifies that water and sewer connection fees are not governed as impact fees.

HB 7103 – Community Development

- Requiring a local government to credit against an impact fee any contributions related to public educational facilities.
- Providing that if a local government increases its impact fee rates, the holder of any impact fee credits in existence prior to the increase is entitled to the full benefit of the intensity or density, prospectively
- Authorizing a local government to waive impact fees for the development or construction of affordable housing.

Not yet approved by Governor

HB 861 – Financial Reporting

- Requires counties and municipalities to post their annual budgets to their respective websites for at least two years and tentative budgets to their websites for at least 45 days.
- Information to report to EDR includes:
 - government spending and debt per resident,
 - median income within the county or municipality,
 - average local government employee salary,
 - percentage of budget spent on employee salaries and benefits,
 - and the number of taxing districts within the local government's jurisdiction.
- Annual reporting of information must begin on October 15, 2019.

HB 829 – Attorney Fees and Costs

- Authorizes an award of attorney fees and costs in challenges on preemption cases.
 - Only the prevailing party is entitled
 - Only for those challenges on or after July 1, 2019
- Section 2 allows for local governments to continue to enforce or extend their ordinances (adopted before February 1, 2019) relating to the land application of Class B biosolids until it is repealed or FDEP establishes their rules.

****Not yet approved by Governor****

HB 5 – Ballot Measures

- Creates additional requirements and procedures relating to the constitutional amendment initiative process and paid petition signature gatherers.
- Mandates that all referenda to adopt or amend a local discretionary sales surtax be held at a general election.
- Establishes additional requirements and time frames with respect to the statutorily-required performance audit for proposed discretionary sales surtaxes.
 - Disqualifies referenda results for failure to comply with some of the new requirements.

SB 1000 – Communication Services

- Prohibiting a municipality or county from imposing permit fees for the use of public rights-of-way by communications services providers if it had not levied permit fees as of January 1, 2019
 - While allowing a municipality or county that was imposing permit fees as of that date to continue to do so or to elect to no longer impose permit fees.
- Prohibiting a local government from, “either expressly or de facto, a moratorium or other mechanism that would prohibit or delay” permits for collocation
- Deleting the authority for a local government to require performance bonds and security funds

SB 1000 – Communication Services

- Prohibiting a local government from requiring a permit applicant to provide inventories, maps, or locations of communication facilities in the rights-of-way, unless it is necessary to avoid interference with existing facilities
- Allowing a local government to require, annually, a notarized statement from a pass-through provider identifying information on the provider's pass-through facilities

****Not yet approved by Governor****

SB 82 – Vegetable Gardens

- Prohibits a local governments from regulating vegetable gardens on residential properties.
- Any local ordinance or regulation regarding vegetable gardens on residential properties is void.
- Provides an exception for local ordinances or regulations of a general nature, such as water use during drought conditions, fertilizer use, or control of invasive species.
- Defines the term “vegetable garden” as a plot of ground where herbs, fruits, flowers, or vegetables are cultivated for human consumption.

HB 107 – Texting While Driving

- Changes current enforcement of the ban on texting while driving from a secondary offense to a primary offense
- Creates a new section of statute titled “school and work zones; prohibition on the use of a wireless communications device in a handheld manner.”
 - Ban on the use of a wireless communications device in a handheld manner while in a designated school crossing, school zone, or active work zone area as a primary offense punishable as a moving violation.

HB 7021 – Ethics and Elections

- The bill requires electronic submission of CE Form 6 beginning January 1, 2022, and CE Form 1 beginning January 1, 2023.

****Not yet approved by Governor****

HB 9 – CRA's

- Requiring the commissioners of a CRA to undergo four hours of ethics training annually;
- Requiring a CRA to use the same procurement and purchasing processes as the county or municipality that created it;
- Expanding the annual reporting requirements for CRAs to include audit information and performance data
- Providing that beginning October 1, 2019, moneys in the CRA redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners for the CRA
 - Requiring a CRA created by a municipality to provide its proposed budget, and any amendments to the budget, to the board of county commissioners for the county in which the CRA is located 10 days after the adoption of such budget

Not yet approved by Governor

HB 9 – CRA's

- Requiring a county or municipality that created a CRA to include the CRA's audit report with its submission of the county or municipality's annual financial report to the Department of Financial Services.
- The bill provides for the termination of existing CRAs at the earlier of the expiration date stated in the agency's charter or on September 30, 2039.
 - However, the governing board of a creating local government entity may prevent the termination of a CRA by a majority vote.
 - The bill does not provide a deadline by which such vote must occur.

Not yet approved by Governor

SB 7068 - Transportation

- President Galvano's priority, creates a new major transportation corridor on the west coast of Florida.
- Provided \$10 million more dollars to the Transportation Disadvantaged trust fund
 - To award competitive grants to CTC's and TNC's (Uber or Lyft) to provide on-demand services to those individuals who qualify for TD funds.

Watchdog List

2020 Session

- Fees to Taxes
- Requirement for legislative approval and referendum for increase of millage or any tax.
- Preemption of local business regulation and occupations
- Local Government Fiscal Transparency
- Single Subject Requirements for Amendments
- Comprehensive Water Quality



3 months till next Session!

Questions?