

# **2024 Legislative Summary Local Government Finance**



**Florida Government Finance  
Officers Association**

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## **I. PASSED BILLS**

### **i. Affordable Housing**

Ch. 2024-188, L.O.F., (CS/CS/SB 328 (Calatayud)) amends various provisions of the Live Local Act (Act) passed during the 2023 Regular Session. The bill:

- Adjusts the floor area ratio and height allowances, as well as parking requirements of developments authorized under this subsection. More specifically, the bill preempts a county or municipality from restricting the floor area ratio of a proposed development below 150% of the highest currently allowed floor area ratio on any land where development is allowed. The height of a proposed development, for which two or more sides are adjacent to certain parcels zoned for single-family residential use, is limited to 150% of the tallest building on any adjacent property, the highest currently allowed height for the property provided in the country's land development regulations, or three stories, whichever is highest.
- Mandates reducing a county or municipality's parking requirements by at least 20% for a proposed development located within one-half mile of a major transportation hub or having parking available for use by residents of the proposed development within 600 feet.
- Eliminates county or municipality parking requirements for proposed mixed-use residential developments within an area recognized as a transit-oriented development or area.
- Prohibits qualifying developments within one-quarter mile of a military installation from utilizing the Act's administrative approval process and exempts certain airport-impacted areas from the Act's provisions. The bill requires a county or municipality to maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection.
- Appropriates \$100 million in nonrecurring funds to the State Housing Trust Fund for the implementation of the Florida Hometown Hero Program.

Effective date: Upon becoming law.

### **ii. Alternate Mobility Funding Systems**

Ch. 2024-266, L.O.F., (CS/HB 479 (Robinson)) revises and provides additional guidance concerning the use of mobility plans and the collection of mobility fees. The bill:

- Provides definitions for "mobility fee" and "mobility plan" for use within the Community Planning Act.
- Requires that the agreement for the applicant to pay for or construct its proportionate share of the required improvement must provide that the applicant's project shall be considered to have mitigated its transportation impacts and be allowed to proceed if the applicant has paid or constructed its proportionate share of the required improvement. The applicant has satisfied all other local government development requirements for the project.

- Provides that, in scenarios where both a county and a municipality charge an overlapping transportation-related impact fee or mobility fee, only those counties and municipalities would be required to execute an interlocal agreement to address the extra-jurisdictional impacts of new development by October 2025, or face a reduction in fees and additional administrative requirements.
- Provides requirements for the interlocal agreements.

Concerning impact fees, the bill provides that local governments adopting and collecting impact fees by ordinance or resolution must use localized data available within four years of the current impact fee update and that the new study must be adopted within 12 months of the initiation of the impact fee study if the local government increases the impact fees. The bill also:

- Prohibits local governments from charging for transportation impacts if they are not the local government that is issuing a building permit, requires that local governments collect for extra-jurisdictional impacts if they are issuing building permits, and prohibits local governments from assessing multiple charges for the same transportation impact.
- Provides that the holder of any transportation or road impact fee credits granted under ss. 163.3180 or 380.06, F.S., or otherwise that existed before adopting an alternative transportation system is entitled to the full benefit of the credit balance if a local government establishes an alternative transportation system.

Effective date: October 1, 2024.

### iii. **Annual Inflation Adjustment to Homestead Exemption**

Ch. 2024-261, L.O.F., (CS/HJR 7017 and CS/HB 7019 (Buchanan)) proposes an amendment to the constitution to authorize the Legislature to require an annual adjustment to the value of the second \$25,000 homestead exemption (the amount above \$50,000 of assessed value). The constitutional amendment must be approved by at least 60% of electors at the November 2024 general election and take effect on January 1, 2025. The annual inflation adjustment to the \$25,000 exemption on assessed value for all levies, other than school district levies, and any future similar exemptions added to the constitution must be adjusted only when the inflation growth is positive. Fiscally constrained counties (29 of them), and municipalities in those counties can apply with the Department of Revenue for reimbursement of lost revenue due to this law. The fiscal impact on local governments will be reduced ad valorem revenues by the amount of CPI on homestead properties.

Effective date: The date of the amendment to the State Constitution proposed by HJR 7017 or a similar joint resolution having substantially the same specific intent and purpose if such amendment is approved at the next general election or at an earlier special election specifically authorized by law for that purpose.

#### iv. **Building Regulations**

Ch. 2024-191, L.O.F., (CS/CS/CS/HB 267 (Esposito)) makes several changes that impact the Florida Building Commission or local governments. Changes impacting local governments include:

- Amends s. 553.791, F.S., regarding the use of a private provider to provide building code inspection services, as follows:
  - o If the private provider is a person licensed as an engineer under ch. 471, F.S., or an architect under ch. 481, F.S., the local building official must issue a requested building permit or provide a written notice regarding plan deficiencies within ten business days after receipt of the permit application. If the local government fails to provide the written notice within ten business days, the permit application is to be “deemed” approved and the permit must be issued on the next business day.
  - o A local government may not audit the performance of building code inspection services unless it creates a manual for standard operating audit procedures for the local building code enforcement agency's internal inspection and review staff, which includes certain specified elements.
  - o The private provider audit procedures manual must be made available to the public in print and on the local government’s website.
  - o Private provider audits must comply with the procedures manual, and audit results must be made available to the public for the prior two quarters.
- Amends s. 553.792, F.S., regarding building permit applications, as follows:
  - o Requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within certain specified timeframes, depending on the nature of the permit.
  - o Prohibits a local government from requiring a waiver of the timeframes as a condition to review the application for a building permit.
  - o Reduces the timeframe within which a local government must notify an applicant that additional information is needed to 5 business days (previously was ten days) after receiving the application.
  - o Specifies circumstances under which a local government is not required to reduce building permit fees when the local government fails to meet a deadline specified in s. 553.792, F.S.
- Amends s. 553.80(7)(a)1., F.S., to allow local governments to use any excess permit fee funds, that it is prohibited from carrying forward to rebate and reduce fees, for technology hardware and software systems to enhance delivery.
- The expedited building permit process may result in increased costs for local government staff or contractors.

Effective date: January 1, 2025, except as otherwise expressly provided in the bill.

**v. Clerks of Court**

Ch. 2024-153, L.O.F., (CS/CS/HB 1077 (Botana)) amends several statutes related to the distribution of specified service charges and fees. Specifically, the bill:

- Amends s. 27.703, F.S., to require appointed capital collateral regional counsel or other appointed attorney to be paid from funds appropriated to the Justice Administrative Commission.
- Amends ss. 27.52, 27.54, 57.082, and 501.2101, F.S., to revise which trust funds certain moneys are deposited into.
- Amends s. 28.35, F.S., to allow clerks of court to utilize funding for improving court technology.
- Amends ss. 34.041 and 318.18, F.S., to reduce the amount of fees distributed to the General Revenue Fund.
- Amends s. 110.112, F.S., to eliminate state attorney and public defender reporting requirements regarding affirmative action programs.
- Amends s. 142.01, F.S., regarding the investment of moneys in the fine and forfeiture fund, requires that interest earned thereon be deposited into the Public Records Modernization Trust Fund and used exclusively for additional court-related operations and enhancements.
- Amends s. 186.003, F.S., to update the definition of “state agency” or “agency” in the state and regional planning chapter of the Florida Statutes.
- Creates s. 322.76, F.S., to authorize the establishment of the Miami-Dade County Clerk of Court Driver License Reinstatement Pilot Program.

Effective date: Upon becoming law.

**vi. Continuing Contracts**

Ch. 2024-204, L.O.F., (CS/CS/CS/HB 149 (Alvarez), CS/CS/SB 656 (DiCeglie)). A “continuing contract” is a contract for professional services entered into in accordance with the Consultants’ Competitive Negotiation Act between a government agency and a firm whereby the firm provides professional services to the agency for several projects. The bill increases the maximum limit for continuing contracts from an estimated per-project construction cost of \$4 million to \$7.5 million. It also directs the Department of Management Services to annually adjust the maximum allowed amount by using the change in the Consumer Price Index beginning July 1, 2025. These provisions do not apply to contracts procured by the Florida Department of Transportation subject to the federal Buy America requirements.

Effective date: July 1, 2024.

**vii. Cybersecurity**

Ch. 2024-99, L.O.F. (CS/CS/CS/HB 1555 (Giallombardo)) revises the Florida Center for Cybersecurity (FCFC) 's mission, goals, and responsibilities and provides that the FCFC may provide cybersecurity training, professional development, and education for state and local government employees.

Effective date: July 1, 2024.

**viii. Department of Commerce**

Ch. 2024-234, L.O.F., (CS/CS/SB 1420 (Burgess)) makes several changes that impact the Department of Commerce (DCM) or local governments. Changes impacting local governments include:

- Prohibits certain citizen-led county charter amendments not in effect by January 1, 2024, from preempting a development order, a land development regulation, a comprehensive plan, or a voluntary annexation.
- Provides that if the local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn unless extended by agreement with notice to the DCM and any affected person that provided comments on the amendment.
- Provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit them to the DCM within 10 working days after the final adoption hearing.
- Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years and authorizes the DCM to amend existing loans executed before February 1, 2024, to increase the loan term to a total of 10 years from the original date of execution.
- Creates a Supply Chain Innovation Grant Program within the DCM and requires the DCM, with the Florida Department of Transportation, to jointly select projects for grant awards to public or private entities for specified purposes and provides for the program to expire June 30, 2034.
- Revises the term "businesses" to include healthcare facilities and allied healthcare opportunities and revises the Workers Training Program funding priority regarding hospitals or healthcare facilities operated by nonprofit or local government entities.

Effective date: July 1, 2024, except as otherwise expressly provided in the bill.

**ix. Disaster Relief and Property & Sales Tax Reimbursements for Hurricane Relief**

Ch. 2023-349, L.O.F., (HB 1C (Shoaf)) revises provisions related to disaster relief, including counties and municipalities impacted by specified disasters, loan programs, grant programs, appropriations, My Safe Florida Home Program, and tax relief. Among other things, the bill:



- Grants refunds of motor fuel tax or sales tax paid on certain goods or services procured due to damages related to Hurricane Idalia within certain specified counties.
- Funds applications for the My Safe Florida Home Program and directs the Department of Financial Services to stop taking applications when available funding is exhausted.
- Directs or authorizes certain State entities to provide grants or loans for hurricane repair and recovery projects within certain specified counties, funds to eligible local governments for the non-federal share of the Federal Emergency Management Agency reimbursement program, and grants to certain specified fiscally constrained counties impacted by Hurricane Idalia.
- Authorizes the Department of Commerce to extend loans made under the Local Government Emergency Revolving Bridge Loan Program from 24 months to 5 years.
- Extends the prohibition on burdensome or restrictive local building processes enacted in the 2023 session in response to Hurricanes Ian and Nicole to October 1, 2026, and specifies that such restrictions apply to certain counties and the municipalities therein.
- Creates the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program within the Department of Agriculture and Consumer Services (DACS) to provide low-interest or interest-free loans to agricultural producers that have experienced damage or destruction from a declared natural disaster.
- Authorizes the DACS to award cost-sharing grants to assist timber landowners with site preparation and tree replanting in counties impacted by Hurricane Idalia.

Effective date: Upon becoming law; however, certain provisions are retroactive to August 30, 2023.

**x. Expedited Approval of Residential Building Permits**

Ch. 2024-210, L.O.F., (CS/CS/CS/SB 812 (Ingoglia)) is a comprehensive bill dealing with the expedited approval of residential building permits. The bill:

- Creates a two-step application process that would include the adoption of a preliminary plat and a final plat to expedite the issuance of building permits.
- Applies to counties with a population of 75,000 residents or more and municipalities with a population of 10,000 or more and 25 acres or more of contiguous land for residential or agricultural purposes.
- Provides that by October 1, 2024, local governments must have a system in place for expedited approval of 50% or more of building permits upon applicant request.
- Provides that by December 31, 2027, local governments must have a system in place for expedited approval of 75% or more of building permits upon applicant request.
- Allow municipalities to work with the appropriate local government agencies to issue an address and a temporary parcel identification number for lot lines and lot sizes based on the metes and bounds of the plat contained in the application.
- Requires municipalities to establish a registry of three qualified contractors to assist with plan review and processing.

- Requires applicants to have a performance bond of up to 130%.
- Requires applicants to indemnify local governments that issue the permit.
- Defines the requirements for eligibility of the development for expedited approval.

Effective date: Upon becoming law.

**xi. Funding for Environmental Resource Management**

Ch2024-58 (SB1638(Hutson)) dedicates funding from the Seminole Gaming Compact for the financing of conservation lands, resiliency, and clean water infrastructure. The Department of Revenue shall deposit 96% of any revenue payment received under the compact into the Indian Gaming Revenue Clearing Trust Fund. The funds deposited into the trust fund shall be distributed in varying percentages to:

- Support the wildlife corridor, including the acquisition of lands or conservation easement within the defined corridor.
- Manage uplands and remove invasive species. From these funds, amounts shall be allocated to:
  - o The Department of Environmental Protection will support land management within the state park system and implement the Local Trail Management Grant Program.
  - o The Department of Agriculture and Consumer Services for land management activities.
  - o The Fish and Wildlife Conservation Commission is responsible for land management activities, including management activities for gopher tortoises and Florida panthers.
  - o The Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan.
  - o The Department of Environmental Protection for the Water Quality Improvement Grant Program.

The bill also defines the Local Trail Management Grant Program, which will assist local governments with costs associated with the operation and maintenance of trails within the Florida Greenways and Trails System.

Finally, the bill details certain appropriations for various ongoing projects and studies in pursuit of Environmental Resource Management.

Effective date: Upon becoming law.

**xii. FRS Retirement Benefits**

Ch. 2024-92, L.O.F., (CS/HB 151 (Busatta Cabrera)) provides that a retiree may be reemployed by an employer that participates in a state-administered retirement system and receive retirement benefits and compensation from that employer but may not receive both a salary from the employer and retirement benefits for six calendar months after the date of retirement. The bill also upwardly adjusts the employer contribution rates. Additionally, the bill provides

that effective July 1, 2026, the Florida Retirement System Preservation of Benefits Plan is closed to new members.

Effective date: July 1, 2024, except as otherwise expressly provided in the bill.

**xiii. Human Trafficking Affidavit**

Ch. 2024-184, L.O.F. (HB 7063 (Overdorf)) requires that when a governmental entity (as defined by Section 287.138(1), Florida Statutes) contracts (including extending or renewing an existing contract) with a nongovernmental entity, the nongovernmental entity must sign an affidavit attesting that it does not use coercion for labor or services.

Effective date: July 1, 2024.

**xiv. Implementation of 2024-25 General Appropriations Act**

Ch. 2024-228, L.O.F., (HB 5003 (Leek)) proviso language (lines 2565 – 2574) states that beginning July 1, 2024, local governments may apply for program funds to implement large-scale sand placement projects located in certain designated counties (designated counties are noted on lines 2498 – 2500), and funding will be distributed on a first-come, first-served basis.

Effective date: Upon becoming law.

**xv. Improvements to Real Property**

Ch. 2024-273, L.O.F., (CS/HB 770 (Martin)) amends a program commonly known as the “Property Assessed Clean Energy” or “PACE” program, which allows property owners to make qualifying improvements to real property and finance the cost through annual non-ad valorem tax assessments. Qualifying improvements are those that enhance energy efficiency, renewable energy, and wind resistance and are newly added by the bill wastewater treatment, flood and water damage mitigation, and sustainable building improvements.

The bill significantly restructures statutes related to the PACE program to enhance certain protections for consumers entering into PACE contracts, ensure oversight for contractors that install improvements, and expand the universe of improvements this financing may be utilized to install.

Specifically, the bill:

- Divides commercial and residential PACE programs into separate statutes to provide separate procedures and protections;
- Adds waste system, flood and water damage mitigation, and resiliency improvements to qualified improvements, depending on if the improvement is for a residential or commercial program;
- Provides that a program administrator may only offer a program for financing qualifying improvements to residential or commercial property within the jurisdiction of a county

or municipality that has authorized by ordinance or resolution the administration of the program;

- Creates for both residential and commercial financing a list of findings and disclosures, including the ability to pay and certain terms and conditions of the loan, which must precede a financing agreement;
- Sets requirements for program administrators to be able to participate in local programs;
- Requires contractor registration and provides for oversight of the behavior of contractors utilized by program administrators to enter and perform contracted services under PACE programs;
- Provides parameters for solicitation and advertising and unenforceable financing agreements; and
- Enacts reporting requirements for program administrators and operational audit requirements to be performed annually by the Auditor General.

The bill allows current contracts, agreements, or other authorization between a county or municipality and a program administrator to continue; however, the agreements must be amended to require compliance with the statutory amendments. The bill also requires the Auditor General to audit all program administrators, including third-party program administrators, at least once every three years.

Effective date: July 1, 2024.

**xvi. Leave of Absence to Officials and Employees**

Ch 2024-19 (SB818 (Avilia)) requires the State, counties, municipalities, and political subdivisions of the State, including district school boards and colleges, to grant leaves of absence to servicemembers in the National Guard or a reserve component of the Federal armed forces from respective offices and duties to perform active military service, with the first 30 days of any such leave to be with full pay for service that is equal to or greater than 90 consecutive days. The employing authority may supplement the service members' salary after the first 30 days in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned when they were called to duty. The employing authority shall continue to provide benefits to such officials.

Effective date: July 1, 2024

**xvii. License or Permit to Operate a Vehicle for Hire**

Ch. 2024-28 (HB 377/SB 648 (McClain, DiCeglie)) prohibits a local government from requiring a person to obtain an additional license or permit to operate a vehicle for hire in their jurisdiction if the person holds a valid, active license or permit issued by another local government and has not had that license or permit suspended or revoked within the past five years. A local government may not subject a vehicle for hire operator with a valid license or permit in another

jurisdiction to any additional fees for operating in their jurisdiction. Exemptions are included for airports, seaports, and non-emergency medical transport vehicles

Effective date: July 1, 2024

**xviii. Local Government Actions**

Ch. 2024-145, L.O.F., (SB 1628 (Collins)) provides that if a bond issue referendum is required and the bond is over \$500M, the referendum must be held at a general election. The bill also provides that local governments must complete a business impact statement prior to adopting and implementing a comprehensive plan amendment or land development regulation, other than those amendments initiated by a private party.

Effective date: October 1, 2024.

**xix. Property Rights Attorney Fees and Costs**

Ch. 2024-232, L.O.F., (SB 702 (Martin)) provides for the recovery of attorney fees and costs in a civil action regarding disputes over property rights. The bill defines the term "property rights" to include use rights, ingress and egress rights, and those rights incident to land bordering upon navigable waters. In a civil action brought against the owner of a parcel of real property to resolve a dispute concerning these property rights, the bill would require the award of prevailing party attorney fees if the prevailing defendant made improvements in substantial compliance with, or in reliance on, environmental or regulatory approvals or permits issued by a political subdivision or a state agency.

Effective date: Upon becoming law.

**xx. Public Works Projects**

Ch. 2024-208, L.O.F., (CS/HB 705 (Shoaf)) revises and expands the definition of "public works project" to include an activity that is paid using any local or state-appropriated funds. Under current law, this is defined as any state funds. Additionally, the bill clarifies that s. 255.0992(2)(a), F.S., which prohibits local governments that contract for a public works project from taking certain actions regarding a contractor, does not apply to a county or municipality that contracts for a public works project for which the county or municipality is the sole source of funding.

Effective Date: July 1, 2024.

**xxi. Special Districts**

Ch. 2024-136, L.O.F., (CS/CS/HB 7013 (Persons-Mulicka)) is a comprehensive bill dealing with special districts. Among other things, the bill establishes a maximum term limit of 12 years for terms beginning on or after November 5, 2024, provides that the boundaries of most independent special districts may only be changed by an act of the Legislature, prohibits the creation of new neighborhood improvement districts, and repeals a provision that allows a special district to convert into a municipality without legislative approval. The bill also:

- Reduces the maximum allowed millage rate for mosquito control districts from 10 mills to 1 mill but allows the board of commissioners to increase the special tax to no more than two mills if approved by a referendum.
- Requires special districts to adopt goals, objectives, performance measures and standards and file tentative work plans and work budgets at specified intervals.
- Requires independent special fire control districts to report on their volunteer firefighters' completion of required training and certifications to the Division of State Fire Marshal on an annual basis.
- Defines additional criteria for declaring a special district inactive, requires notice of a proposed declaration of inactive status to be provided under certain circumstances, and authorizes inactive districts to expend funds as necessary to service outstanding debt and comply with existing bond covenants and contractual obligations.

Effective date: July 1, 2024.

## **xxii. Taxation**

Ch. 2024-158, L.O.F., (CS/HB 7073 (McClain)) is the House comprehensive tax package and addresses several different areas of taxation. The bill contains various provisions concerning sales taxes and exemptions, the state corporate income taxes, ad valorem taxes, and various other tax provisions affecting county, municipal, and state revenues. The following are some of the more significant tax provisions:

- **Tangible Personal Property:** The bill clarifies tangible personal property taxes are not assessed for infrastructure constructed or installed by an electric utility until the infrastructure is deemed substantially complete. The bill provides that construction work in progress shall be deemed substantially completed upon the earlier of when all permits or approvals required for commercial operation have been received or approved or one year after the construction work in progress has been connected with the preexisting, taxable, operational system or facility. First applies to the 2024 property tax roll.
- **Renewable Energy Source Device Assessments:** The bill adds biogas to the list of renewable energy sources. The description of renewable energy source devices is revised to include the infrastructure associated with biogas energy operations and to exclude the infrastructure distribution grid or transmission lines for a natural gas pipeline or distribution system. First applies to the 2025 property tax roll.
- **Home Equity Conversions Mortgage Tax:** The bill clarifies that only the principal limit amount available to the borrower is subject to the taxes. The amendment is intended to be retroactive but does not create a right to a refund.
- **Discretionary Sales Surtax:** The bill creates new s. 212.054(9), F.S., which addresses a situation where there is a final adjudication that discretionary sales surtax enacted pursuant to ss. 212.054 and 212.055, F.S. was enacted, levied, collected, or otherwise found to be contrary to the Constitution of the United States or the State Constitution.

- Indigent Care and Trauma Center Surtax: The tax may be levied by counties with a population of at least 800,000. The bill removes the ability to approve the tax by an extraordinary vote of the county governing body. The tax may only be levied by the approval of the majority vote in a referendum.
- Tax Returns: The bill provides an automatic 10-day extension for filing tax returns pursuant to s. 212.11, F.S., following a Governor's declaration of a state of emergency under certain circumstances.
- Individual with Unique Abilities Tax Credit Program: The bill increases the amount of tax credits for businesses that employ persons with disabilities. The combined total of tax credits that may be granted under this section is \$5 million in each of the state fiscal years 2024-25, 2025-26, and 2026-27.
- Strong Families Tax Credits: The bill extends the program for 2024-25, increases the tax credit cap to \$40 million (increased from \$20 million), adjusts the application period to January 1 at 9 a.m. of each year (unless that day is a Saturday, Sunday, or legal holiday), except for the additional \$20 million in additional credit, which will be available on July 1 at 9 a.m.
- Agricultural Promotional Campaign Trust Fund: The bill repeals Section 41 of ch. 2023-157, L.O.F. That section provided that the amendments were made to s. 571.26, F.S. allowed moneys held in the Florida Agricultural Promotional Campaign Trust Fund to be distributed as provided in s. 571.265, F.S., expires on July 30, 2025.
- Residential Homestead Property Insurance Premium Deduction: The bill requires an insurer to deduct an amount equal to 1.75% of the premium for a policy covering a residential property with a homestead exemption.
- Disaster Preparedness Sales Tax Holiday: The bill authorizes the holiday this year from June 1 – 14 and August 24 through September 6 and describes the types of items to which the sales tax exemption applies.
- Freedom Month Sales Tax Holiday: The bill authorizes the holiday this year from July 1 – 31 and describes the types of items to which the sales tax exemption applies.
- School Supplies Sales Tax Holiday: The bill authorizes the holiday this year from July 29 through August 11 and describes the types of items to which the sales tax exemption applies.
- Tool Time Sales Tax Holiday: The bill authorizes the holiday from September 1 to 7 this year and describes the types of tools and construction-related items to which the sales tax exemption applies.
- Affordable Housing in Areas of Critical State Concern: The bill changes laws addressing affordable housing property tax exemptions.

Effective date: July 1, 2024, except as otherwise expressly provided in the bill.

**xxiii. Towing and Storage**

Ch. 2024-27, L.O.F., (CS/CS/HB 179 (Bell)) makes numerous changes related to wrecker operator systems and towing-storage operator practices. Among other things, the bill:

- Requires counties, municipalities, and the Florida Highway Patrol to set maximum rates for towing and related fees.
- Requires a county or municipality with established maximum towing and storage rates to post them on its website and develop a process for investigating and resolving complaints regarding fees charged for more than maximum rates.
- Modifies or establishes timeframes related to a towing-storage operator sending a lien notice, a lienor selling an unclaimed vehicle or vessel, and a towing-storage operator sending a notice regarding the sale of an unclaimed vehicle.
- Established certain requirements for towing-storage operators.

Effective date: July 1, 2024.

**xxiv. Traffic Enforcement**

Ch 2024-223 (HB1363(Cabrera, Lopez)) prohibits camera systems from being contracted on or after July 1, 2025, by another governmental entity outside of this state to procure contracts with manufacturers or vendors of school bus infraction detection systems, speed detection systems, traffic infraction detectors, or any other camera systems used for traffic enforcement. On or after July 1, 2025, a governmental entity may not knowingly enter into or renew a contract with a contracting vendor of a school bus infraction detection system, speed detection system, traffic infraction detector, or any other camera system used for traffic enforcement if the contracting vendor is owned by the government of a foreign country of concern; or the government of a foreign country of concern has a controlling interest in the contracting vendor.

The bill also requires a county or municipality to place a traffic infraction detecting device on or after July 1, 2025, where one did not exist before, to enact an ordinance in order to authorize the placement or installation of, or to authorize contracting with a vendor for the placement or installation of one or more traffic infraction detectors. The public hearing must support the installation with traffic data or other evidence to demonstrate that the location constitutes a heightened safety risk that warrants additional enforcement measures.

The bill additionally requires that a county or municipality that operates one or more traffic infraction detectors must annually report on all devices within the jurisdiction, and the item should appear on the agenda at a regular or special meeting of the county's or municipality's governing body. The report must include a written summary and be read aloud at the meeting and contain the number of violations issued, contested, upheld, dismissed, issued as uniform traffic citations, and the number that were paid and how collected funds were distributed and in what amounts. If a jurisdiction does not comply with the reporting requirements it will be suspended from operating the devices.



The bill further defines that the existing annual reporting include the number of violations issued, contested, upheld, dismissed, issued as uniform traffic citations, and right hand turn violations, and also a description of safety countermeasures taken before and after the placement of device.

Effective date: July 1, 2024

**xxv. Unauthorized Public Camping or Sleeping**

Ch. 2024-11, L.O.F., (CS/CS/HB 1365 (Garrison)) prohibits counties and municipalities from authorizing or otherwise allowing public camping or sleeping on public property, at public buildings, or on public rights-of-way within their respective jurisdictions without certification of the designated public property by the Department of Children and Families (DCF). The bill provides that a county, by a majority vote of the county's governing body, may designate property owned by the county or a municipality within the boundaries of a county for the purposes of camping or sleeping for a continuous period of one (1) year or less. If the property is within a municipality, a majority vote of the municipality's governing body is required as well.

The bill provides that, as part of its request to the DCF for certification of the aforementioned property designation, a county shall make certain certifications pertaining to the county's current homeless shelters occupancy, the location of the proposed designated property, the impact of the proposed designated property on property value, safety or security of other existing residential or commercial property in the county or municipality, and that the county has developed a plan to satisfy the minimum standards and procedures for a designated property. The county must establish minimum standards and procedures for the purpose of ensuring the safety and security of the designated property, maintaining sanitation, providing access to behavioral health services, prohibiting illegal substance use and alcohol use, and enforcing such prohibition. The county must publish the minimum standards and procedures on the county's and, if applicable, the municipality's website within 30 days after obtaining the DCF's certification.

The bill authorizes a person or business to bring a civil action against any county or municipality to enjoin a violation of the prohibitions and conditions and to recover their attorney fees and costs. The bill provide an exception for a state of emergency declared by the Governor.

Effective date: October 1, 2024, except as otherwise expressly provided in the bill.

**xxvi. United States-produced Iron and Steel in Public Works Projects**

Ch. 2024-267, (SB 674 (Boyd)) requires local governmental entities to include a requirement in contracts for projects using any State funds that certain iron or steel products be produced in the United States, authorizes the minimal use of foreign steel and iron materials in certain circumstances, and exempts specified products from the requirement. Exemptions: The use

of American iron or steel causes an increase in total project cost by 20%, materials are not readily available, or materials cannot be purchased in sufficient quantities.

Effective date: July 1, 2024.

**xxvii. Unsolicited Proposals for Public-Private Partnerships**

Ch. 2024-96, L.O.F., (CS/HB 781 (Clemons and Others)) allows a local government or political subdivision (governmental entity) to proceed with an unsolicited proposal for a public-private partnership (P3) without engaging in a public bidding process. The governmental entity may enter into the P3 by holding a public meeting at which the unsolicited proposal is presented for public comment and then holding a subsequent public meeting at which the governmental entity must announce its intent to proceed with the P3 and the basis for its determination. The governmental entity must publish its determination in the Florida Administrative Register for at least seven days thereafter.

The bill also allows a governmental entity to enter into a P3, for which the ownership of the project will not be conveyed to the governmental entity within ten years of the project's commencement if the governmental entity publishes its determination of the public benefits in the P3 apart from ownership.

Effective date: July 1, 2024.

**xxviii. Workplace Heat Exposure Requirements**

Ch. 2024-80, L.O.F., (CS/HB 433 (Esposito and others)) amends Section 218.077, Florida Statutes, prohibiting political subdivisions from maintaining a minimum wage other than a state or federal minimum wage; prohibiting political subdivisions from controlling, affecting, or awarding preferences based on the wages or employment benefits of entities doing business with the political subdivision. It also creates Section 448.106, F.S., "Workplace Heat Exposure Requirements," which defines the term of maintaining heat or sun exposure and the standards of control and monitoring, including implementing and maintaining heat exposure programs or training and providing protections for employees who report that they have experienced excessive heat exposure. The act prohibits a political subdivision from requiring employers to meet or provide heat exposure requirements beyond those required by law.

Effective date: July 1, 2024, except as otherwise expressly provided in the bill.

## II. FAILED BILLS

### i. **Affordable Housing**

HB 1467 (Driskell, Keen) and SB 1504 (Davis) aimed to address affordable housing in Florida through community land bank programs, emphasizing collaboration between municipalities, organizations, and developers to benefit low-income and very low-income households. Both bills proposed authorizing municipalities to create land banks for acquiring, holding, and transferring vacant land for affordable housing developments requiring them to adopt a plan, follow certain rules, and report on their performance. The bills also introduced retail-to-residence tax credit programs and would have created the Affordable Housing Construction Loan Program.

### ii. **Cybersecurity Incident Liability**

HB 473 (Giallombardo, Steele) and SB 658 (DiCeglie) (Vetoed): would have exempted counties, municipalities, and political subdivisions of the State from liability in connection with a cybersecurity incident if the local entity has substantially complied with the current training and cybersecurity standards requirements under s. 282.3185, F.S. The bill states that the failure of a county, municipality, or other political subdivision of the state to substantially implement a cybersecurity program that is in compliance with this section is not evidence of negligence and does not constitute negligence per se. The bill also states that, in an action relating to a cybersecurity incident, the burden of the proof to establish compliance with s. 282.3185, F.S., resides with the county or municipality.

### iii. **Development Permits and Orders**

HB 791 (Esposito, Overdorf) and SB 1150 (Perry) focuses on revising the procedures and timeframes that counties and municipalities must follow for processing applications related to development permits and orders:

- **Application Requirements and Acknowledgment:**
  - o Counties and municipalities are required to provide a written specification of the necessary information for applications related to zoning approval, rezoning approval, subdivision approval, certification, special exceptions, or variances.
  - o They must acknowledge receipt of an application within five days.
- **Processing Timeframes:**
  - o The bill revises the statutory timeframes for counties and municipalities to process these applications.
  - o If there is a substantive change to the application, defined as a change of 15% or more in parcel's proposed density, intensity, or square footage, the statutory timeframes restart.
- **Refunds for Non-compliance:**
  - o Counties and municipalities are required to issue refunds of 10% to 100% of the application fee if they fail to meet the statutory timeframes for determining the completeness of an application or for taking final action on an application.

**iv. Government Accountability**

HB 735 (Andrade) and SB 734 (Ingoglia) would have:

- Prohibited local government public officials, candidates for office, and employees from accepting gifts from foreign countries of concern.
- Require anyone lobbying a county, municipality, or special district to register with the Commission on Ethics.
- Required a unanimous vote to renew or extend certain employment contracts in the eight months preceding a general election.

**v. Homestead Exemption Increase**

HJR 7015 (Buchanan) proposed a constitutional amendment increasing the total homestead exemption from \$50,000 to \$75,000 for all levies other than school district levies, exempting the first \$25,000 of a home's assessed value and the value between \$50,000 and \$100,000.

**vi. Impact Fees**

HB 1635 (Steele) and SB 1796 (Burgess) would have required local governments to provide compensation for a nonmonetary exaction equal to the fair market value of the exaction imposed. The bills required a local government adopting and collecting impact fees to ensure the impact fee is collected only if the relevant property receives the service for which the fee was assessed. The bills also would have required local governments to establish impact fee zones or districts to assist local governments in ensuring the fee is expended on additional capital facilities within the appropriate zone or district. HB 1635 placed the maximum amount an impact fee may charge depending on the type of development in state law and prohibited the imposition of both an impact fee and a mobility fee for master planned unit developments and planned home developments.

**vii. Local Business Taxes**

HB 609 (Botana) and SB 1144 (DiCeglie) would have revised the provisions related to local business taxes regarding levies, ordinance modifications, reclassifications of businesses, prohibitions on revenues over specified values, and the audit processes surrounding these areas. SB 1144 would have preempted local governments from levying any local business taxes whatsoever.

**viii. Millage Rates**

HB 1195 (Garrison) and SB 1322 (Ingoglia) would have required a two-thirds vote of the local legislative body of a city, county, or special district to pass any millage rate increase unless a higher vote threshold was already required under current law.

**ix. Municipal Utilities**

HB 1277 (Busatta, Cabrera) and SB 1510 (Brodeur) would have:

- Imposed restrictions on transfers or other expenditure of utilities moneys for general government functions.
- By November 1, 2024, and annually thereafter, requiring municipalities to report to the Florida Public Service Commission detailed information about utility services provided outside their boundaries, including customer numbers, revenue, and rate differentials.

- Revised provisions on permissible rates, fees, and charges for water and sewer services outside municipal boundaries and limited the surcharge to 25% above the rates within municipal boundaries, down from the previous limit of 50%.
- Requiring public hearings for setting or revising rates, except for pro-rata changes applied equally inside and outside the municipality.
- Prohibiting municipal utilities from charging consumers within the boundaries of a separate municipality more than what they charge within their own boundaries if the services are provided using treatment plants located in the separate municipality.

**x. Municipal Water and Sewer Utility Rates**

Numerous bills relating to municipal water and sewer utilities, including HB 47 (Robinson), SB 104 (Jones), HB 777 (Brackett), SB 1088 (Martin) would have limited rates and imposed other requirements, including:

- Requiring municipalities operating water or sewer utilities must charge the same rates, fees, and charges to consumers in other municipalities if the utility services are provided using a treatment plant located within the boundaries of the other municipality (47, 104).
- Eliminating entirely the ability to add surcharges on rates, fees, and charges for consumers outside their boundaries (777, 1088).
- Requiring period rate studies (777, 1088).

**xi. Property Tax Exemptions**

HJR 1251, HJR 1373, HB 1375 (Alvarez), SJR 1560, SB 1684, and SJR 1686 (Collins) related to property tax exemptions. HJR 1251 and SJR 1560 proposed eliminating multiple taxation of agricultural production. These bills aimed to allow the legislature to exempt certain tangible personal property on agricultural land from ad valorem taxation. The resolution would've allowed ad valorem tax exemptions for real properties dedicated for conservation purposes and military personnel deployed outside the continental United States. HJR 1373, HB 1375, SB 1684, and SJR 1686 proposed to grant property tax exemptions or discounts to certain veterans or their surviving spouses. HJR 1373 and HB 1375 would have expanded the eligibility for a homestead property tax discount to veterans with combat-related disabilities and Purple Heart medals. SB 1684 and SJR 1686 would have provided a property tax exemption of up to \$10,000 to veterans who received specific medals for their service and lived in their homestead property.

**xii. Reduction of Assessed Value**

HJR 1511, HB 1513 (McClain) and SJR 976, SB 978 (Perry), proposed allowing a county to provide ad valorem tax relief to portions of homestead property that are used as living quarters for parents or grandparents who are 62 years of age or older. The reduction would apply only to the portion of the property used for such living quarters and only if the construction or reconstruction is consistent with local regulations and occurs after the effective date of this bill. The reduction would be limited to 20 percent of the total assessed value of the property and would be revoked if the parents or grandparents no longer reside in the living quarters.

**xiii. Suits Against the Government**

HB 569 (McFarland, Overdorf) and SB 472 (Brodeur) would have facilitated suits against local governments through:

- Abolition of Home Venue Privilege, the common-law doctrine of home venue privilege concerning actions against the governmental entity.
- Increased statutory limits on liability for tort claims.
- Authorization to settle claims exceeding the statutory limit without further action by the Legislature (i.e., claims bills), regardless of insurance coverage limits.
- Specifying that the limitations in effect on the date the claim accrues apply to that claim.
- Specifying the period within which specific claims must be presented to certain entities and the exceptions related to instituting actions on tort claims against the state or its agencies or subdivisions.
- Revision of the statute of limitations for tort claims against the state or one of its agencies or subdivisions and exceptions thereto.

**xiv. Traffic Infraction Detectors**

HB 805 (Borrero) and SJR 1042 (Garcia) would have banned traffic infraction detectors. Note that SJR 1042 proposed a Constitutional amendment to ban the detectors.

**xv. Tourist Development**

HB 1081 (Porras) and SB 1072 (Avila) would have revised tourist development taxes (TDT), allowed usages and would have required some TDT to be distributed to municipalities within county borders.

**xvi. Vacation Rentals**

HB 1537 (Griffitts) and CS/SB 280 (DeCeglie) (Vetoed) revises the regulation of vacation rentals by the State and local governments. Among other things, the bill:

- Preempts the licensing of vacation rentals and regulation of advertising platforms to the State and imposes requirements on the Division of Hotels and Restaurants regarding the regulation of vacation rentals and facilitating compliance with Chapter 509, F.S.
- Provides that a local government may require vacation rentals to be registered and charge a reasonable fee for registration and specified inspections of a vacation rental.
- Provides that before implementing a vacation rental registration program, local governments must prepare a business impact estimate in accordance that includes identifying any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible and an estimate of the local regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
- Establishes several registration requirements for applicants.
- Authorizes local governments to impose a \$500 fine on a vacation rental operator for violations of the local registration requirements and to file and foreclose on a lien based on the fine if the property is not subject to homestead protections against foreclosure.

- Authorizes local governments to suspend a registration for certain specified time periods for violations that occur on and are directly related to the vacation rental property and requires the local government to provide notice of such suspensions.
- Authorizes local governments to revoke or refuse to renew a registration in certain situations.
- Permits “grandfathered” local laws, ordinances, or regulations adopted on or before June 1, 2011, to be amended to be less restrictive or to comply with local registration requirements. Additionally, a local government with such a “grandfathered” regulation in effect on June 1, 2011, is authorized by the bill to adopt a new, less restrictive ordinance.
- “Grandfathers” any county law, ordinance, or regulation initially adopted on or before January 1, 2016, that established county registration requirements for rental of vacation rentals, and any amendments thereto adopted before January 1, 2024. However, such county law, ordinance, or regulation may not be amended or altered except to be less restrictive or to adopt registration requirements as provided in the bill.