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RECORD BUDGET POISED TO PASS

The Legislature approved the General Appropriations Act, HB 5001, on Sunday once the 72-hour cooling off period ends. [HB 5001](#) appropriates \$88.7 billion for fiscal year 2018-19, which is the largest budget ever for the state of Florida. The budget represents \$32.4 billion from general revenue and \$56.3 billion from trust funds.

Affordable Housing

- \$109.6 million in housing appropriations from the Housing Trust Funds
- \$44.4 million State Housing Initiatives Partnership (SHIP) program
- \$30 million for the State Apartment Incentive Loan (SAIL) program

Homelessness Funding

- Challenge Grants \$4.1 million relating to homelessness. The grants will continue to be administered through the Department of Children and Families and be available to local homelessness continuums of care. In addition, there is \$3.6 million included for homeless housing assistance grants.

Transportation Funding

- Florida Department of Highway Safety and Motor Vehicles: \$480 million
- Florida Department of Transportation: \$10.9 billion (of which \$9.9 billion is earmarked to the Department's work plan to build and repair Florida's highway infrastructure)
- Small County Outreach Program (SCOP): \$72.8 million
- Small County Resurface Assistance Program (SCRAP): \$29.8 million

Economic Development Funding

- Florida Job Growth Grant Funding: \$85 million GR
- Visit Florida: \$76 Million TF and GR
- Economic Development Projects and Initiatives: \$12.9 Million
- Workforce Development Projects and Initiatives: \$5.8 Million

Environmental Funding

- Florida Forever: \$100.8 million, includes \$10 million for Florida Communities Trust and \$2 million for Florida Recreation Development Assistance Program (FRDAP) and additional FRDAP for “child friendly parks” \$4 million
- Everglades Restoration: \$143.1 million
- Northern Everglades Restoration: \$31 million
- EAA Reservoir: \$64 million
- Herbert Hoover Dike: \$50 million
- Beach Management Funding Assistance: \$50 million
- Hurricane Beach Recovery: \$11.2 million
- Springs Restoration: \$50 million
- Water Projects: \$30.9 million

School Safety Appropriations from CS/SB 7026 (The Marjory Stoneman Douglas Act)

- Safe Schools Allocation: additional \$97.5 million, including funds to increase the minimum level for each school district to \$250,000, to be used exclusively to hire additional school resource officers to make schools safer
- Mental Health Assistance Allocation: \$69.2 million to provide funds to school districts and charter schools to assist in establishing or expanding school-based mental health care in coordination with mental health providers to help address the mental health crisis affecting young people in Florida; address issues such as opioid addiction, youth suicide, and bullying; and makes schools safer
- Mental Health Awareness and Assistance Training: \$6.7 million
- School Hardening Grants Program: \$99 million

2018 LEGISLATIVE BILLS PASSED

Workers' Compensation Benefits for First Responders / Mental or Nervous Injury (PTSD)

The League commends our first responders for the sacrifices they make in the line of duty. At times, a first responder acting within the course of his or her employment may experience a horrific event that is responsible for a mental or nervous injury, including post-traumatic stress disorder (PTSD). Under bills considered during the 2018 legislative session, workers' compensation benefits were expanded to include wage benefits for first responders suffering from PTSD. Currently, first responders suffering from PTSD may only receive medical benefits under workers' compensation but not wage/indemnity benefits. The League opposed the bills as originally drafted. The League dropped its opposition to the bills when the legislation was amended in committee to significantly lower the fiscal impact to local governments.

[CS/CS/SB 376](#) (Book) details specific traumatic events that would qualify a first responder to be compensable under the workers' compensation law for lost wages, if a mental or nervous injury was shown to meet the criteria for PTSD as determined by a psychiatrist. The legislation requires a clear and convincing evidentiary standard be met by the first responder. The bills require a first responder to receive a diagnosis of PTSD within 30 days of the qualifying event or 30 days from the manifestation of the disorder, whichever is later, but cannot be more than a year after the qualifying event. Finally, the legislation requires an employing agency of a first responder to provide educational training related to mental health awareness, prevention, mitigation and treatment. ([Cruz](#)).

Developments of Regional Impact (DRI's)

[CS/CS/SB 1244](#) (Lee) and [CS/CS/HB 1151](#) (La Rosa) substantially revise and limit the statewide guidelines and standards for existing developments of regional impact (DRIs). The legislation addresses existing DRIs in Florida by largely removing most state oversight over them and instead requires local government oversight. The legislation preserves all entitlements, vested rights and

other protections for existing DRIs. ([Cruz](#))

Supermajority Vote for State Tax Increases

[HJR 7001](#) (House Ways and Means Committee) proposes an amendment to Florida's Constitution to require that a state tax or fee imposed, authorized, or raised by the Legislature, be approved by two-thirds of the membership of each house of the Legislature. The amendment proposed in HJR 7001 will take effect on January 8, 2019, if approved by sixty percent of the voters. ([Hughes](#))

Local Business Tax Exemption

[The Legislature passed, SB 100](#) (Stuebe) which creates new local business tax exemptions for low income seniors, veterans and spouses of certain service members. The bill also exempts businesses in which an exempt individual owns a majority interest and employs fewer than 100 people from the local business tax. ([Hughes](#))

2018 LEGISLATIVE BILLS DIED

Community Redevelopment Agencies / CRA's

[CS/HB 17](#) (Raburn) and [SB 432](#) (Lee) sought to increase the accountability and transparency of CRAs. Of specific concern to cities, CS/HB 17 required any new CRA be created by a special act of the Legislature. In addition, the HB 17 provided for the eventual phasing-out of all existing CRAs, unless reauthorized by a super majority vote of the body which created the CRA prior to 2038. SB 432 did not contain provisions requiring the phasing out of CRAs or additional requirements for the creation of new CRAs. However, SB 432 would have capped administrative CRA spending at 18 percent. In addition, SB 432 prohibited tax Increment expenditures on: festivals, street parties, grants to promote tourism, and grants to socially beneficial programs. Lastly, SB 432 would have changed CRA board composition by requiring the appointment of two non-elected members. CS/HB 17 passed the House but failed to pass the legislature when SB 432 stalled in the Senate.

In a second attempt for the House to pass CRA provisions, [CS/CS/HB 883](#) (Ingoglia), a bill related to the creation of community development districts (CDDs), was heavily amended in the House expanding the bill from 5-pages to 193-pages. In addition to the CDD language, the bill included the entirety of CS/HB 17 (Raburn) relating to Community Redevelopment Agencies (CRAs), and the entirety of CS/CS/HB 1151 (La Rosa) relating to Developments of Regional Impacts. Ultimately, the Senate stripped out the harmful CRA provisions and no CRA language passed the legislature. ([Cruz](#))

Election Dates for Municipal Officers

[CS/CS/SB 1262](#) (Hutson) and [HB 7037](#) (House Government Accountability Committee) would have prohibited municipalities from selecting the dates for their municipal elections and would have required municipalities to hold general elections on specified dates in either March or November. CS/CS/ SB 1262 died on the Senate calendar. HB 7037 passed the House but died in the Senate. ([O'Hara](#))

Interruption of Solid Waste and Telecommunications Services

[CS/CS/HB 971](#) (Fine) and [SB 1368](#) (Mayfield) would have required a municipality or private solid waste provider to issue refunds to customers if solid waste collection service is not provided within four calendar days of a regularly scheduled service – even if the missed service is attributable to a natural disaster or the customer. The Senate bill was never heard in any committee. The House bill was poised for a vote by the full House but was temporarily postponed by the bill sponsor and died on the House calendar. ([O'Hara](#))

Travel Expenses, Reporting and Financial Disclosure

[CS/CS/SB 1180](#) (Stuebe) and [CS/CS/CS/HB 815](#) (Avila) address reimbursement for travel expenses for elected municipal and county officials. The bills would have required elected officials to obtain approval of their governing body prior to undertaking out-of-state or foreign travel, and would

have required travel expense information to be posted on the local government's website. CS/CS/SB 1180 died in the Senate Rules Committee. CS/CS/CS/HB 815 passed the House but died in the Senate. ([O'Hara](#)).

Impact Fees

[CS/CS/SB 324](#) (Young) and [CS/CS/CS/HB 697](#) (Miller) would have prohibited local governments from collecting impact fees prior to the issuance a building permit for the property that is subject to the fee. In addition, the bills codified the dual rational nexus test (a legal standard impact fees must meet). The legislation prohibited the use of impact fee revenues to pay existing debt or for prior approved projects, unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction. Due to local government concerns, the legislation exempted water and sewer connection fees from the impact fee provisions of the bills. The bills failed when CS/CS/CS/SB 324 was not considered on the Senate floor. ([Cruz](#)).

Cancer Benefits for Firefighters

[CS/CS/SB 900](#) (Flores) and [HB 695](#) (Latvala) would have mandated a package of benefits for firefighters who are diagnosed with one of 21 different cancers. The benefits included treatment of cancer for ten years post-employment, a \$25,000 cash payout, disability retirement and death benefits. Both bills died in committee. ([Hughes](#))

Workers' Compensation

[HB 7009](#) (House Commerce Committee) would have allowed injured workers to receive up to 260 weeks of temporary total disability or temporary partial disability, and would have substantially revised the attorney fees provisions. HB 7009 would have mandated a specified notice regarding attorney fees be signed by the claimant that states the injured worker may be responsible for any remaining attorney fees, and would have removed a restriction for injured workers to enter into a fee agreement with an attorney. The bill passed the House but was not heard in the Senate. ([Cruz](#))

Local Government Ethics Reform

[HB 7003](#) (formerly PCB PIE 18-02) (House Public Integrity & Ethics Committee) and [SB 1534](#) (Mayfield) would have revised provisions in the state Ethics Code regarding financial disclosure, conflicting employment and contractual relationships, voting conflicts, and the regulation of persons who lobby before local governments. The bills would have required elected municipal mayors and governing board officers of municipalities with \$10 million or more in revenues to file the full public disclosure of financial interests (Form 6). The bills also would have preempted to the state local government lobbyist registration requirements. HB 7003 passed the House but died in the Senate. SB 1534 never received a hearing in the Senate. ([O'Hara](#))

No Communications Services Tax Changes

[HB 1245](#) (Brodeur) and [SB 1210](#) (Brandes) would have excluded internet video services, such as Netflix, Hulu and Sling TV, from the communication services tax. These services are taxable under current law. Both bills died in committee. ([Hughes](#))

Local Government Fiscal Transparency Fails to Pass

[CS/SB 1426](#) ([Lee](#)) and [HB 7](#) ([Burton](#)) would have amended multiple provisions related to local government financial transparency including requiring additional public notice, public meeting, analysis and reporting for new or increased taxes, long-term tax-supported debt and economic development. HB 7 passed the House early in session but died in messages. CS/SB 1426 died awaiting action by the full Senate. ([Hughes](#))

Government Accountability Fails Passage

[CS/CS/HB 354](#) ([Stargel](#)) and CS/HB 11 (Metz) and would have required cities to report budget information to the Office of Economic and Demographic Research and the county clerk of the court

and would have given the clerk of the court the authority to withhold the salary of the head of a local government entity if the city did not comply. The bill would have changed the deadline for Annual Financial Reports and annual audits from 9 to 6 months after the end of the fiscal year. Provisions of this bill were also in [CS/CS/HB 1019 \(House Government Accountability Committee\)](#). CS/HB 11 was passed by the full House but died in messages. CS/HB 354 died in committee. ([Hughes](#))

Financial Reporting

[CS/CS/HB 1019 \(La Rosa\)](#) would have changed multiple aspects of local government financial reporting. The bill would have required municipalities to submit information to the Office of Economic and Demographic Research and a copy of their budget and a certification of timely filing to the clerk of the court. If a local government failed to file required reports with the clerk of the court, the clerk would have been required to notify the appropriate fiscal officer to withhold salary payments from the head of the local government entity until the reports are filed. CS/CS/HB 1019 died in Senate messages. ([Hughes](#))

Expansion of Property Tax Portability

[SJR 452 \(Brandes\)](#) and [HJR 501 \(Ahern\)](#) proposed a constitutional amendment that would have extended, from 2 to 3 years, the “portability” period during which a Florida citizen has the ability to transfer up to \$500,000 of accumulated Save our Homes cap benefits from an existing or prior homestead property to a new homesteaded property. [CS/SB 454 \(Brandes\)](#) and [HB 503 \(Ahern\)](#) would have implemented this proposed constitutional amendment if approved by sixty percent of voters. These proposals were estimated to have a less than one-million-dollar recurring impact on municipal property taxes. Both bills died in committee. ([Hughes](#))

Sovereign Immunity

[HB 1131 \(Jenne\)](#) and [SB 1812 \(Rader\)](#) would have substantially amended the waiver of sovereign immunity for governments, including cities. The bill would have allowed a local government to purchase insurance or to self-insure up to \$5 million to pay a claim judgment by any one person or \$7.5 million to cover the total claims or judgments arising out of the same incident or occurrence. The bills poised a significant fiscal impact to cities since they increased a local governments liability without a claims bill. The bills were not considered in committee. ([Cruz](#))

Federal Immigration / Sanctuary Policies

[CS/HB 9 \(Metz\)](#) and [SB 308 \(Bean\)](#) prohibited the adoption of a sanctuary policy by a local government, and required cooperation with federal immigration authorities. The bills required a state or local government official to promptly report a known or probable violation of the law to the attorney general or the state attorney having jurisdiction over the local governmental entity. The bills imposed a civil penalty of at least \$1,000 but no more than \$5,000 for each day a policy that violates the Act was in effect. A Speaker priority, CS/HB 9 passed the House, but was never considered by the Senate in committee. ([Cruz](#))

Public Records Declaratory Actions Dies in Senate

[SB 750 \(Perry\)](#) would have prohibited cities from requesting clarification from the courts on certain public record requests. The bill was voted down in the Senate Judiciary Committee. ([Cook](#))

Storm-generated Debris and Solid Waste

[CS/HB 879 \(Toledo\)](#) and [SB 1326 \(Baxley\)](#) would have expanded the statutory definition of “recovered materials” to include wood, asphalt and concrete. The bills also included provisions that required local governments to suspend exclusive contracts for storm-generated debris under specified circumstances, and prohibit the use of exclusive contracts after a specified date. Both bills died in committee. ([O’Hara](#))

Red Light Cameras

[HB 6001](#) (Avila), [SB 176](#) (Hutson) and [SB 548](#) (Campbell) would have prohibited the use of red light cameras by local governments and the Department of Highway Safety and Motor Vehicles. HB 6001 was passed by the full house, both Senate bills died in committee. ([Branch](#))

Towing

[SB 1632](#) (Mayfield) and [HB 963](#) (Cortes) would have prohibited franchise agreements between tow truck companies and cities if the agreement requires any payment by the tow truck company to the city. HB 963 was passed by the full House and SB 1632 died in committee. ([Cook](#))



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