



Week 6 - Legislative Update

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

Currently, first responders suffering from PTSD may receive medical benefits under workers' compensation but not wage/indemnity benefits. Under bills being considered this session, workers' compensation benefits would be expanded to include wage benefits for first responders suffering from PTSD.

This week, [CS/CS/HB 227 \(Willhite\)](#) was significantly amended in the House Government Operations & Technology Appropriations Subcommittee to address specific concerns. As amended, the bill 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 amended version of CS/CS/HB 227 requires a clear and convincing evidentiary standard be met by the first responder. The bill was amended to 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, CS/CS/HB 227 requires an employing agency of a first responder to provide educational training related to mental health awareness, prevention, mitigation and treatment.

Public Records Declaratory Actions Dies in Senate

[SB 750 \(Perry\)](#) died in the Senate Judiciary Committee this week after cities and counties objected to the bill. Cities receive numerous public record requests and, in some cases, staff may not be sure if the record is exempt, confidential, or even a public record. Current law allows cities to ask the courts for clarification in these instances, but the bill would have prohibited this from happening in the future.

Travel Bill Tweaked, More Changes In Store

[CS/HB 815 \(Avila\)](#) and [CS/SB 1180 \(Steube\)](#) as originally filed would have imposed significant limitations, reporting requirements and prohibitions on local government officer and employee travel. CS/HB 815 was amended in its initial committee and was amended again this week to remove most of the restrictions in the original bill. As

amended, the remaining provisions: prohibit reimbursement for foreign travel by elected officials; require out-of-state travel by elected officials be approved in advance by the governing body at a regularly scheduled public meeting (allowing for ratification post-travel upon showing of good cause); require posting of travel by elected officials on government's webpage for specified timeframe rather than sending to Commission on Ethics; and require incumbent local government candidates to post campaign finance reports on qualifying officer's website instead of the local government's website. The amended bill removes provisions requiring Form 6 financial disclosure, provisions restricting travel reimbursement to 24-hour period before and after travel event, provisions imposing a \$120 cap on lodging; and provisions applying these new requirements to public employees. CS/SB 1180 passed the Senate Ethics and Elections Committee with a "strike-all" amendment that eliminates most of the restrictions of the original bill. Instead, the amended bill would require elected officials seeking reimbursement for any travel expenses (in-state, out-of-state or international) to first obtain approval for the travel from the governing body at a regularly scheduled meeting. Post-travel ratification by the governing body would be permitted for "good cause". In addition, the amended bill requires that travel approvals be accompanied by an itemized list of anticipated expenses, and requires the approvals to be posted on the government's website for a specified period. Even with this amendment, several Senators questioned the appropriateness of requiring public hearings for in-state travel and expressed a desire to see the requirement narrowed to foreign and out-of-state travel. CS/SB 1180 will be on the agenda of Senate Community Affairs Committee for Tuesday, Feb. 20th.

Cancer Benefits for Firefighters Moves in Senate

On Tuesday, the Senate Community Affairs Committee approved [CS/CS/SB 900 \(Flores\)](#) after much discussion regarding the bill. CS/CS/SB 900 mandates a package of benefits for firefighters who are diagnosed with cancer. The package of benefits include treatment for cancer for ten years post-employment, a \$25,000 cash payout, disability retirement and death benefits. The committee did limit the number of cancers covered to 21 different cancers. The bill has two more committee stops in the Senate. The House bill, [HB 695 \(Latvala\)](#) has three committee stops left.

Misuse of Public Funds By State and Local Governments Bill Moves Ahead

[HB 7073 \(Public Integrity & Ethics Committee\)](#) creates the position of Florida Accountability Officer to investigate complaints alleging waste, fraud, abuse, misconduct, or gross mismanagement in connection with the expenditure of public funds by state and local government. The bill also directs the Officer to conduct random audits and inspections of appropriations projects. The bill passed the House Appropriations Committee and heads to the House floor. While there is no Senate companion, the bill will likely become part of budget conference discussions in the final weeks of session.

\$405 Million House Tax Cut Package Passes Committee

The House Ways and Means Committee rolled out their version of the tax cut package for 2018. [PCB WMC 18-03 \(House Ways and Means Committee\)](#) is over \$405 million in tax cuts including property tax relief for homestead properties that were damaged by Hurricanes Hermine, Matthew or Irma and citrus processing equipment that is idle due to hurricanes or citrus greening. The bill includes two sales tax holidays- a ten-day "back-to-school holiday" and three seven-day "disaster preparedness holidays." The bill includes several new or expanded sales tax holidays including a slight rate reduction for sales tax on commercial leases.

House Expands Use of Bed Tax Dollars

The House passed [CS/HB 585](#) ([Fine](#)) which expands the allowable uses of tourist development tax (TDT) revenues to include building or improving certain public facilities if it is determined, by an objective analysis, to increase tourist-related business activities. The expenditure must be recommended by the tourist development council, approved by the county commission by a 2/3 vote and no more than 70 percent of the proposed public facilities can be paid with TDT revenues. This only applies to counties that collected more than \$10 million in TDT the previous fiscal year. The Senate companion bill, [SB 658](#) ([Brandes](#)) has one more committee stop.

Affordable Housing Impact and Mobility Fees Prohibition Removed

[CS/CS/HB 987](#) ([Cortes B.](#)) prohibited local governments from charging impact and mobility fees on affordable housing developments. The bill was amended in committee this week to remove this prohibition. The amended bill also creates the Rental Recovery Loan program for the purpose of providing funds for additional rental housing.

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