



2022 Legislative Session Week 4

We are nearing the halfway point of the Legislative Session and the Legislature is moving bills at a breakneck speed- including reviving bills that have laid dormant since filed. The House and Senate released their initial budgets and conforming bills, which they will be taking up in Week 5 to set the Chambers up for budget conference.

House and Senate Proposed Budget

The House released a [\\$105.3 Billion initial budget](#) proposal and [implementing bill](#). The Senate released a [\\$108.6 B initial budget](#) proposal and [implementing bill](#).

Senate budget summary can be found [here](#). House budget highlights can be found [here](#). The Senate notably provides \$100 million to raise state workers to \$15 minimum wage- a big priority of the Senate. They also provide \$100 million for raises and to address inequities in salaries above minimum wage as well as increase pay for correctional officers.

Redistricting

Legislature Approves State House and State Senate Map Proposals

The House voted 77-39 to approve the [State House map proposal](#) and the State Senate Proposal, with the Senate approving both maps 37-0. Following the Governor's inquiry regarding the congressional seat which extends from Jacksonville to Tallahassee, the House did not act on the congressional plan.

The State Senate district map proposal can be found here [Redistricting Plan S027S8058](#) and the Senate's Congressional district map proposal can be found here ([Redistricting Plan S000C8040](#)).

All submitted plans can be viewed at: <https://www.floridaredistricting.gov/>

Intergovernmental Relations

Business Claims against Local Governments

House Local Administration & Veterans Affairs voted 11-6 to pass HB 569 after aligning with the amendments made to the Senate version, which among other things, provided for prevailing party attorneys fees, additional opportunities for local governments to cure ordinances, and expanded ordinances exempted.

Ultimately, the Senate President priority would create a Bert Harris-style cause of action that would allow businesses to claim damages when a charter amendment or ordinance leads to at least a 15% loss of profit. The business must have conducted business in the state for at least 3



years prior to the ordinance. The business must provide records that substantiate a good-faith settlement offer that local governments then have 120 days to accept, reject, or counteroffer. Should the local government feel that more information is required, the business and local government could agree on a schedule for gathering it. The counteroffer can include a waiver of the ordinance for that business, which would cure liability for the local government. They are also able to cure liability by repealing or amending the ordinance (or posting an intent to repeal/amend within 30 days.) Should a settlement not be reached, the business may file suit within one year of the ordinance's enactment date to recover damages, attorneys fees, and costs. A significant portion of the bill is dedicated to assessing attorneys fees paid to the prevailing party under the different scenarios of reaching a settlement or undergoing litigation. Business damages may not exceed the amount of lost profit for the lesser of 7 years or the number of years the business has been in operation.

It applies to ordinances enacted or amended after July 1, 2022. Amendments to charter or ordinance provisions enacted prior to this date only apply if the specific amendment directly leads to the business impacts. It would exempt emergency ordinances; temporary emergency ordinances; ordinances necessary to implement: Part II of chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, and development permits; the fire code; the building code; contractual agreements, including grants and other financial assistance; issuance or refinancing of debt; budgets and budget amendments, including revenue sources; procurement; or ordinances that "promote, enable, or facilitate economic competition."

Opponents argued that SB 620 should be a simpler, less expensive reform of the business claims process and meant for only egregiously capricious and arbitrary ordinances. They warned that it would tie the hands of local governments and prevent them from making the decisions the public expects of them. Supporters argued the 15% in direct damages is a difficult threshold to prove as local governments can easily make the case that a loss of profits is due to other factors. They also argue that the bill grants local governments ample opportunity to avoid paying damages.

Remaining Committees:

- [HB 569](#) - Judiciary
- [SB 620](#) – Passed Senate (22 Yeas / 14 Nays)

Sovereign Immunity

Senate Judiciary Committee voted unanimously to advance SB 974 after adopting an amendment that lowered the proposed cap raise to \$300,000/\$400,000, allowing a per-incident cap, and adjusting for CPI every ten years. Multiple committee members expressed disappointment that the caps were lowered and expressed hope that the sponsor would raise them higher. The committee hearing focused largely on the legislative claims process, which many feel is broken and inadequate. The Safety Net Hospital Association (SNHA) pointed out that the bill doesn't reform the claims process but only raises the caps.



Meanwhile House Appropriations voted 23-1 to approve HB 985 without amending the proposed caps. The House bill increases the cap on the collectability of damages against the state and its agencies and subdivisions for torts to \$1,000,000 per person. The bill prohibits an insurance policy from conditioning the payment of benefits, in whole or in part, on the enactment of a claim bill. Further, beginning on July 1, 2023, the bill requires the Department of Financial Services (DFS) to annually adjust the \$1,000,000 cap to reflect changes in the Consumer Price Index. The bill eliminates any statute of limitations on sexual battery actions involving a victim who was younger than 16 years old at the time of the incident. As such, a claimant that meets these specifications may present his or her claim in writing at any time, and that action may commence at any time. The bill also reduces from six months to three months the general pre-suit statutory time period for a government entity to review and dispose of a claim.

Local governments, school districts, hospitals, and other special districts impacted by the bill are concerned that the changes would not only significantly raise the cost of insurance but also increase litigation.

Remaining Committees:

- [HB 985](#)- Judiciary
- [SB 974](#)- Community Affairs (On agenda 02/08/22); Appropriations

Vacation Rentals

Senate Community Affairs voted 6-3 to advance SB 512 after adopting an amendment.. Unlike the House, the Senate doubled down on fee caps by maintaining the \$50 cap on registration fees and putting in a \$100 cap for “collective registrations.” The amendment also added in language clarifying that DBPR may suspend a vacation rental license for no more than 30 days if found by the local code enforcement board to have committed at least two code violations within 90 days. As a reminder, HB 325 does not contain the \$50 cap on registration fees and, instead, grandfathers current fees for programs adopted prior to the bill’s enactment while prohibiting any new fees- in essence preventing new cities from setting up a registration process.

The bill establishes a local registration process that vacation rentals must first go through before applying for a state licensure and preempts regulation of advertising platforms to the state. However, it restricts what local governments may require in and charge for the registration process, imposes a 15 day timeline before automatic approval of an application, and has a fiscal impact to DBPR and the Hotel & Restaurant Trust Fund. Local governments may revoke or choose not to renew a registration only if the vacation rental fails to pay a lien or violates any local codes or laws (which apply uniformly and not just to vacation rentals.)

The Florida League of Cities has switched from neutral to opposed due to the language creating further disparities between cities that adopted ordinances and cities which have not yet. Local governments and the Florida Restaurant & Lodging Association (FRLA) share concerns including: DPBR suspending licenses for non-compliance; too low of fines; too long of a window to cure compliance; no audit provisions; too broad of liability protections to platforms that adhere



in good faith to own terms of use; a lack of public safety provisions that exist in many current local ordinances, including occupancy limits.

Remaining Committees:

- [HB 325](#) - Ways & Means (likely to be heard Feb 9); Commerce
- [SB 512](#) - Appropriations (Re-referenced from Rules)

Individual Freedom

House State Affairs voted 16-8 to advance HB 7. The bill is a House Speaker and Governor priority (which was also fast-tracked in the Senate) that would make employee training that “compels workers to believe concepts contradictory to the principles of individual freedom” unlawful discrimination under the Florida Civil Rights Act and would impose guidelines on school and employee training curriculums. Curriculums would not be allowed to violate certain value statements, such as: “No individual is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex”; “No race is inherently superior to another race”; “No individual should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability or sex.” According to the Speaker, the bill is in response to “concerns that students and workers are being pushed to adopt the personal or political viewpoints of employers, teachers or textbook authors.”

Remaining Committees:

- [HB 7](#)- Education & Employment (On agenda 02/08/22)
- [SB 148](#)- Rules

Civil Actions for Deprivation of Rights

House Civil Justice & Property Rights voted 11-5 to advance HB 829. The bill would provide a cause of action if a person, under the color of law, “promulgate or cause to be enforced any statute, ordinance, regulation, measure, directive, rule, enactment, order, or policy, whether written or unwritten” or otherwise cause deprivation of any rights, privileges, or immunities secured by article I, sections 3, 4, 5, or 8 of the State Constitution. These rights include religious freedom, freedom of speech and of the press, the right to assemble, and the right to bear arms. It would create a civil cause of action for such a deprivation of rights and waive sovereign immunity for such suits for the state and its agencies and political subdivisions.

Attorney fees and costs, which may include a contingency fee multiplier and expert witness fees, would go to the prevailing plaintiff. It specifies that a defendant is considered “prevailing” if they modify or repeal the offending statute, ordinance, regulation, measure, directive, rule, enactment, order, or policy. It would also prohibit granting of injunctive relief against a judicial officer for an act or omission taken in his or her judicial capacity unless a declaratory decree is violated or declaratory relief is unavailable.

Remaining Committees:



- [HB 829](#) - Public Integrity & Elections; Appropriations; Judiciary
- [SB 1342](#) - Judiciary; Community Affairs; Rule

Regulation of Smoking by Counties and Municipalities

Finally, a House committee granted a hearing to a bill that would give local control over smoking in public beaches and parks owned by local governments. House Environment, Agriculture & Flooding unanimously advanced HB 105. The bill changes the “Florida Clean Indoor Air Act” into the “Florida Clean Air Act” to account for the broader application of the act proposed in the bill. The House committee joked that the sponsor, Rep. Fine, who can sometimes be a local government adversary, will be getting a Home Rule Hero award.

Remaining Committees:

- [HB 105](#) - Health & Human Services
- [SB 224](#) - Environment & Natural Resources; Rules

Preemption of Local Government Wage Mandates

House Regulatory Reform voted 11-6 to pass HB 943 and Senate Community Affairs voted 5-3 to pass SB 1124 after allowing the clock to run-out the week before. The bill would prohibit political subdivisions from enacting or enforcing wage mandates in an amount greater than the state minimum wage rate or the federal minimum wage rate- including on contractors and subcontractors. Collective bargaining agreements are exempt. Only a handful of local governments in Florida have such mandates, all of which are in areas with a high cost of living, and only placed on contracted vendors to ensure an adequate and properly functioning workforce for public services.

Remaining Committees:

- [HB 943](#) - State Affairs
- [SB 1124](#) - Commerce & Tourism; Rules

Legal Notices

House Judiciary unanimously voted to file a committee bill that would allow political subdivisions to post legal notices on publicly accessible county websites. It removes the requirements for newspapers to be eligible to publish legal notices and removes requirements for the FPA to ensure equitable access to legal notices for minorities. However, a governmental agency publishing legal notices online would still be required to provide annual notice in a newspaper or another publication that residents and property owners may receive legal notices from the governmental agency by first-class mail or e-mail. The bill does not currently have a companion in the Senate.

Remaining Committees:

- [HB 7409](#) – State Affairs



Elections

House Public Integrity & Elections voted 12-6 to file a committee bill on elections reform- a Governor priority. Meanwhile, Senate Ethics & Elections voted 5-3 to advance SB 524. Among other things, the bill would establish the Office of Election Crimes & Security with at least one FDLE special officer for each operational district. It would enhance criminal penalties for certain elections crimes. It would block non-profit donations to elections offices to fund litigation costs. It would prohibit ranked-choice voting. It would require additional effort in validating voter rolls and encourage the use of identification numbers associated with individual voters. The bill was fast-tracked in the Senate with a committee reference removed. Democratic members questioned the need and expense of the bill.

Remaining Committees:

- [HB 7061](#) - Filed
- [SB 524](#) - Appropriations

Development

Alarm Systems

Senate Banking & Insurance unanimously approved SB 1140. The bill would streamline continuing education for fire alarm professionals and simplify the permitting process for certain fire alarm components. Specifically, the bill would prohibit local agencies from requiring alarm contractors from submitting plans for a permit. Local agencies would still be allowed to require completed permit applications and payments. The committee adopted an amendment that clearly defines “fire alarm system project”, addresses closed-circuit TVs, requires local building officials to require at least one inspection of fire alarm system projects, and requires fire alarm contractors to maintain plan records. The bill is supported by alarm companies.

Remaining Committee:

- [HB 669](#) - House Floor
- [SB 1140](#) - Rules

Building Permits

Senate Regulated Industries voted unanimously to advance SB 644. The bill contains similar provisions as HB 635 related to single-family buildings in a flood zone and similar provisions to HB 423 related to private providers. The bill would prevent local governments from restricting private property owners from demolishing single family homes in a flood zone; streamline the review process for demolition permits; and prevent additional building requirements on new homes constructed on the site of the demolished ones. Historic buildings are exempted. For private providers, it would require local governments to grant equal access to all permitting and inspection documents to private providers, contractors, and owners when a private provider is used. It further defines “reasonable administrative fees” local governments can charge for using a private provider to be only the cost of labor incurred. It would automatically grant certificates of occupancy and completion of a project if a local building official fails to respond to requests within the 2-day window that is already in statute. They must provide the automatically-granted



certificate of occupancy or completion within 10 days but may pull the certificate for non-compliance within 30 days. The owner would then have to re-apply.

HB 635 would also prohibit local governments from making substantive changes to plans after permits are issued- except for building code or fire code compliance. It would require building and fire officials to notify local governments of non-compliance with a detailed explanation of why it is not in compliance. Local governments must notify permit holders of the specific reasons for changes. HB 635 also does not contain the private provider provisions in the Senate bill.

Remaining Committees:

- [HB 635](#) - Local Administration & Veterans Affairs (On agenda 02/07/22); Commerce
- [HB 423](#) - Commerce
- [SB 644](#) - Rules

Building Safety (Surfside)

Senate Community Affairs unanimously passed SB 1702, which would increase mandatory inspections for multi-family residential buildings in the wake of the Surfside tragedy. Under the bill, buildings greater than 3 stories and larger than 3,500 sq ft must undergo “milestone inspections” at 30 years and every 10 years thereafter. Buildings located within 3 miles of coastline would undergo milestone inspections at 20 years and every 7 years thereafter. It would also revise the inspection to include two phases: a visual inspection and, if warranted, a structural distress inspection. A licensed engineer or architect must submit a copy of their inspection report to the building owner or board of a condominium or cooperative, and the building official in the jurisdiction of the building. Boards must then distribute the report to all unit owners. Further, the bill would require milestone inspection reports be provided for buyer review in condominium and cooperative unit resales. The bill would allow local enforcement agencies to prescribe timelines and penalties for compliance with milestone inspections. The bill would also direct the Florida Building Commission to develop model structural and life safety standards available for adoption by local governments at their discretion.

Meanwhile, Senate Regulated Industries unanimously voted to file SB 7042, which includes the milestone inspection language from SB 1702 but adds in oversight of reserves and assessments.

Senate Rules voted 11-4 to advance SB 736, which would controversially reduce the period of time owners of certain properties could bring claims, after amending the bill to provide different applicable timeframes for single-family homes and multi-story buildings. The amendment also required the notice of claim to include an inspection report. The House has a dueling bill related to the construction defect claims process. HB 583 would allow property owners to file suit against developers for construction defect claims without going through a settlement negotiation and removes limitations on designer liability. Opponents of the Senate bill argue that defects often show up years down the road and that the bill is the wrong direction to head after the Surfside tragedy. Proponents, such as the Florida Home Builders Association, say that their members are being bankrupted by expensive litigation over what are often not defects but



failure to properly maintain the property. They note that the Surfside report found that maintenance was the main culprit.

Remaining Committees:

- [HB 1391](#) - Regulatory Reform; Pandemics & Public Emergencies; Commerce
- [SB 1702](#) - Rules
- [SB 7042](#)- Appropriations
- [HB 583](#)- Regulatory Reform; Judiciary
- [SB 736](#) - Placed on Second Reading

Real Property Rights

Senate Judiciary unanimously passed SB 1380. SB 1380 amends laws regarding restrictions on the use of real property. The bill limits how certain older real estate covenants or restrictions apply in a manner that protects real property rights and honors zoning requirements and conditions of a building or development permit. The bill would clarify that a property conveyance subject to existing encumbrances identified in a title does not restart MRTA's 30-year marketability period without an affirmative statement of the parties' intent to do so in a muniments of title or a specific reference in the property's legal description to the identified encumbrance's official records. It would expand the list of encumbrances extinguished by MRTA. Finally, it would allow a person with an interest in land which may be extinguished by the bill and has not been before July 1, 2022, to file a notice with the clerk of the court by July 1, 2023, to preserve such interest.

The bill also preempts local ordinances on private parking lots, which is mostly targeted towards the City of Miami. It prohibits local governments from passing a local ordinance governing the rules, rates, and fines established by the parking lot owners.

Remaining Committees:

- [HB 219](#) - Local Administration & Veterans Affairs (On agenda 02/07/22); Judiciary
- [SB 1380](#) - Community Affairs (On agenda 02/08/22); Rules

Residential Property Riparian Rights

House Civil Justice & Property Rights unanimously passed HB 841. The bill establishes a preferred method for establishing the boundaries of a residential property owner's riparian rights along a channel for purposes of the construction of docks, piers, marinas, moorings, pilings, and other private improvements. Specifically, the bill requires that, when establishing such boundaries after July 1, 2022, a land surveyor must give preference to the "prolongation-of-property-line" method unless doing so would result in inequitable apportionment of riparian rights among other land owners along the channel. Further, the bill provides that, in a civil action relating to a residential dock owner's riparian rights, when such rights are exercised with all appropriate environmental and regulatory approvals and permits and the defendant prevails, the court must award the defendant his or her reasonable attorney fees and costs.

Remaining Committees:

- [HB 841](#) - Local Administration & Veterans Affairs; Judiciary



- [SB 840](#) - Community Affairs; Rules

Finance & Tax

Homestead Property Tax Exemptions For Classroom Teachers, Law Enforcement Officers, Firefighters, Child Welfare Professionals, and Servicemembers

House Ways and Means passed both HB 1 and HB 1563 unanimously. The Speaker priority proposes an amendment to the Florida Constitution to authorize a new homestead tax exemption of up to \$50,000 on the property's value between \$100,000 and \$150,000 for K-12 classroom teachers, law enforcement officers, firefighters, child welfare professionals, and active duty United States Armed Forces and Florida National Guard servicemembers. Local governments and special districts are concerned with the eye-popping cost, particularly given that Florida has one of the largest active duty military populations. They argue the state is, once again, trying to reduce taxes in an election year on the backs of local budgets. Proponents argue the measure is a way to make housing affordable for critical workers. The revenue estimating conference only estimated the cost as "indeterminate" as it is difficult to pinpoint not only how many would be entitled to the exemption but also where those individuals actually reside.

As the Speaker has promised to pass this legislation, local governments and special taxing districts should be preparing for a public education campaign on the impacts of the bills similar to Amendment 1 from 2018.

Remaining Committees:

- [HB 1](#)- Local Administration & Veterans Affairs (On agenda 02/07/22); State Affairs
- [SB 1746](#)- Finance & Tax; Appropriations
- [HB 1563](#) - Local Administration & Veterans Affairs (On agenda 02/07/22); State Affairs
- [SB 1748](#) - Finance & Tax; Appropriations

Local Referenda Requirements

House Ways & Means and Senate Finance & Tax approved HB 777 and SB 1194, respectively. The bill would require local tax referenda elections to be held at a general election, including: tourist development taxes, children's services independent special district taxes, county temporary excess ad valorem millage, municipal temporary excess ad valorem millage, county transportation motor fuel tax, local option fuel taxes, and school district millages. The intent of the legislation is to ensure high voter participation in questions of tax referendums.

Remaining Committees:

- [HB 777](#) - State Affairs
- [SB 1194](#) - Appropriations

School Concurrency



Senate Education unanimously approved an amended SB 706. The original bill would have required school concurrency be applied on a district-wide basis. Opponents raised concerns over the original bill in a workshop during committee weeks that this would lead to bussing students far away from the schools parents choose to locate near - often specifically for the reason of their children attending the school. The amended bill provides that school concurrency is satisfied if the developer in good faith offers to execute, rather than actually executes, a commitment to provide mitigation proportionate to the demand created by the development. The bill also provides that such mitigation paid by a developer, rather than being immediately directed toward a school capacity improvement, may be set aside and not spent until an appropriate improvement is identified. Developers argue their projects are getting caught in the middle of food fights between local governments and school districts over siting and other issues- leading to high costs and delays. They raised issues with Hillsborough County refusing to issue new permits.

Remaining Committees:

- [HB 851](#) - Education & Employment (On agenda 02/08/22); State Affairs
- [SB 706](#) - Rules

Affordable Housing

Mixed-Use Residential Properties for Affordable Housing

House State Affairs unanimously passed HB 981, while Senate Rules unanimously passed SB 962. The bill is intended to provide a tool for local governments to incentivize affordable housing development by authorizing local governments to approve mixed-use projects that include affordable housing regardless of zoning- allowing the approval process to be expedited.

Remaining Committees:

- [HB 981](#) - Placed on 2nd Reading
- [SB 962](#) - Placed on 2nd Reading

Hometown Hero Housing Program

Senate Transportation, Tourism, and Economic Development Appropriations unanimously approved SB 788. The bill would create a new downpayment assistance program under the Florida Housing Finance Corporation that would reduce downpayment and closing costs on the first mortgage of firefighters, police officers, teachers, 911 dispatchers, correctional officers, EMTs, health care practitioners, home health care aid, and physician/medical assistants.

Remaining Committees:

- [SB 788](#) - Appropriations

Public Safety



Law Enforcement Officer, Benefits, Recruitment and Training

House Appropriations voted unanimously to advance HB 3. The bill provides law enforcement agencies with additional tools to bolster the recruitment and retention of qualified officers by providing financial incentives, enhanced training, expanded educational opportunities, and recognition that honors law enforcement officers' service to the state of Florida. The bill: Creates the Florida Law Enforcement Recruitment Bonus Program to provide one-time bonus payments of up to \$5,000 to newly employed law enforcement officers in Florida; Creates the Florida Law Enforcement Academy Scholarship Program to cover tuition, fees, and up to \$1,000 of eligible education expenses for trainees enrolled in a law enforcement officer basic recruit training program; Creates a reimbursement program to pay for up to \$1,000 of equivalency training costs for certified law enforcement officers who relocate to Florida or members of the special operations forces who become full-time law enforcement officers; Provides law enforcement officers who adopt a child from within the state child welfare system with a \$25,000 benefit for adopting a child with special needs or a \$10,000 benefit for adopting a child without special needs; Makes dependent children of law enforcement officers eligible to receive a Family Empowerment Scholarship to attend a private school; Increases the base salary for each county sheriff by \$5,000; Exempts veterans and applicants with an associate degree or higher from taking the basic skills test as a prerequisite to entering a law enforcement officer basic recruit training program; Requires that law enforcement officers receive training in health and wellness principles as part of their initial certification training and continued employment training; Allows law enforcement officers or former law enforcement officers to receive postsecondary credit at Florida public postsecondary educational institutions for training and experience acquired while serving; Encourages each district school board to establish public safety telecommunication training programs and law enforcement explorer programs in public schools; and Designates May 1 of each year as "Law Enforcement Appreciation Day."

The House included funding for the measure in its budget proposal. The Senate, which does not have a companion bill, did not.

Remaining Committees:

[HB 3](#) - Judiciary (On agenda 02/08/22)

School Safety

House Secondary Education & Career Development unanimously approved HB 1421- the School Safety package. The bill would implement outstanding recommendations from the MSDHS Public Safety Commission not included in the final passage of previous packages. The bill focuses on state oversight and accountability of school districts. It would require the office of the Inspector General within the Department of Education to investigate credible allegations of school safety and security violations if a district cannot or does not. For safe-school officers, it would authorize school safety officers to make arrests on charter school property; require sworn law enforcement officers serving as school guardians to complete mental health crisis



intervention training; provide that only sheriffs may conduct school guardian training and requires that individuals satisfy screening requirements before participating in training. For planning, the bill would require SBE to establish emergency drill policies and procedures; require all members of a school threat assessment team participate; require law enforcement officers responsible who will respond to school emergencies to be directly involved in emergency drills on campus; and requires districts to adopt family reunification plans for use in the event of an emergency.

Three amendments were adopted which removed language requiring withholding of superintendent salaries, required the Office of Safe Schools to maintain a directory of school-based diversion programs; and required schools to provide at least 24 hours notice to law enforcement to be present at active assailant drills.

Remaining Committees:

- [HB 1421](#) - Education & Employment
- [SB 802](#) - Appropriations Subcommittee on Education; Appropriations

Workers' Compensation Benefits for First Responders

Senate Banking & Insurance unanimously SB 1066. The bill provides that the time for notice of injury or death in the case of compensable PTSD is 90 days and is measured from the qualifying event that supports the claim or the diagnosis, rather than the manifestation, of the disorder, whichever is later. The bill further provides that the PTSD workers' compensation claim is barred if not properly noticed within one year of the qualifying event that supports the claim or the diagnosis of the disorder, whichever is later.

Remaining Committees:

- [HB 689](#) - Insurance & Banking; State Administration & Technology Appropriations; State Affairs
- [SB 1066](#) - Community Affairs; Rules

Environment & Water

Comprehensive Review Study of the Central and Southern Florida Project

House State Affairs unanimously approved HB 513. The Central and Southern Florida Project was authorized by Congress over 70 years ago to provide for flood control, water supply, Everglades protection and more in all or part of 18 counties in south and central Florida. Congress twice authorized a C&SF Project Comprehensive Review Study (restudy) in the 1990s to review the project and provide a framework for needed modifications. The sponsors shared that the Federal Government has been too slow and hasn't committed the resources necessary to bring the study to a resolution. Meanwhile, sea level rise and intense rainfall necessitate immediate upgrades to the system to protect millions of inland South Florida residents from flooding. For example, SFWD district identified 18 flood control structures within six inches of failure in 2009 and current projections anticipate sea level rising eight inches by 2030. The bill would require SFWMD to submit an annual report beginning in October 2023 on the status of the restudy, including: findings of SFWMD's sea level rise and resiliency plan;



structures expected to fall below service levels in the next five years; recommendations for replacement or refurbishment of those structures; and a summary of state and federal funds expended for the restudy.

Remaining Committees:

- [HB 513](#) - Placed on 2nd Reading
- [SB 1326](#) - Community Affairs (02/08/22); Rules

PFAS

Senate Agriculture, Environment & General Government Appropriations unanimously advanced SB 7012. House Environment, Agriculture & Flooding unanimously advanced HB 1475.

Originally, SB 7012 created a PFAS Task Force but was amended to match HB 1475. The bill:

- Requires DEP to adopt by rule statewide cleanup target levels (CTLs) for PFAS in soils and groundwater, which do not take effect until ratified by the Legislature;
- Until the rules are ratified, the bill limits liability from actions brought by local or state government entities for site rehabilitation, as well as fines or penalties, and tolls the statute of limitations;
- Requires the Office of Program Policy Analysis and Government Accountability to conduct an analysis of programs in other states for the assessment and cleanup of soils and groundwater contamination, and submit a report of its findings and recommendations to the Governor and Legislature by January 1, 2023

Remaining Committees:

- [HB 1475](#) - Agriculture & Natural Resources Appropriations; State Affairs
- [SB 7012](#) - Community Affairs; Rules

Flooding & Sea Level Rise Glitch Bill

Senate and House committees advanced a much-awaited glitch bill intended to clean up language from the Statewide Flooding & Sea Level Rise Resiliency package passed last Session. Among other things, the bill: directs FDOT to develop a resilience action plan for the State Highway System; adds saltwater intrusion vulnerability assessment grants to the Resilient Florida Grant Program; establishes the Office of Resiliency under the Governor and provides for the appointment of a statewide Resilience Officer; requires the Florida Flood Hub to provide tidal and storm surge flooding data to local governments.

Remaining Committees:

- [HB 7053](#)- Filed
- [SB 1940](#) - Agriculture, Environment, & General Government; Appropriations

Liquidated Damages for Waste & Recycling Haulers

House Local Administration & Veterans Affairs voted 15-2 to advance HB 1241. The bill would prevent local governments from seeking liquidated damages from waste and recycling companies that are late or fail to pick up. The bill was narrowed to only apply during states of



emergency. The issue stems out of Lake County which is currently seeking \$1 million from Waste Pro but would impact all local governments.

Remaining Committees:

- [HB 1241](#) - Civil Justice & Property Rights; State Affairs Committee
- [SB 1944](#) - Environment & Natural Resources; Community Affairs; Rules

Water Quality Enhancement Areas

House Environment, Agriculture & Flooding voted 14-1 and Senate Environment & Natural Resources voted 4-1 to advance HB 965 and SB 1426. The bills would create water quality enhancement areas (WQEA) defined as “a natural system constructed, operated, managed, and maintained pursuant to a permit issued under this part for the purpose of providing offsite, compensatory, regional treatment within an identified enhancement service area, for which enhancement credits may be provided.” Construction, maintenance, and operation must be approved through the ERP process. A WQEA would allow for water quality enhancement credits to be given to governmental entities. A WQEA must be located within the geographic boundaries of a BMAP or RAP or planning unit. Local governments may use a WQEA for its own water quality needs but may not contract out with a third-party or regulate or require a permit for them. The bill would also allow DEP to take certain actions to expedite the ERP process and provides a \$20 million appropriation for the ERP process. The bill also includes language on private mitigation banks. Finally, the bill clarifies eligibility for graywater technology use incentives – that each residence forming part of a multifamily project must be serviced by its own residential graywater system or a master graywater collection and re-use system for the entire project. It also clarifies that it does not apply to multifamily buildings that are more than 5 stories.

Remaining Committees:

[HB 965](#)- Agriculture & Natural Resources Appropriations; State Affairs
[SB 1426](#) - Agriculture, Environment, & General Government Approps; Appropriations

REEF Programs (PACE Programs)

House Local Administration & Veterans Affairs unanimously approved HB 101. The bill would transform the Property Assessed Clean Energy (PACE) program into the Resiliency Energy Environment Florida (REEF) program and provides for comprehensive consumer protections and contractor oversight.

Remaining Committees:

- [HB 101](#) - Ways & Means; Commerce
- [SB 228](#) - Rules

Grease Waste Removal and Disposal

Senate Agriculture, Environment & General Government Appropriations unanimously



advanced SB 1110. The bill requires a hauler who removes grease waste from a grease interceptor or grease trap to dispose of the grease waste at the appropriate disposal facility in response to an issue in Pinellas County.

Remaining Committees:

- [HB 1177](#) - Agriculture & Natural Resources Appropriations; State Affairs
- [SB 1110](#) - Appropriations

Sanitary Sewer Lateral Inspection Programs

Senate Community Affairs unanimously passed SB 608. The bill would revise the minimum program requirements for the voluntary sanitary sewer lateral evaluation and rehabilitation program that counties and municipalities are encouraged to establish in state law. The new requirements specify inspection techniques and provide that the local government is responsible for repairing the lateral to at least pre-work levels. The bill also authorizes local governments to access any sanitary sewer lateral within its jurisdiction for inspection, cleaning, rehabilitation, replacement, etc. It also authorizes local and state environmental preservation funds to be used for the program.

Remaining Committees:

- [HB 303](#) - Placed on 2nd Reading
- [SB 608](#) - Community Affairs; Rules

Saltwater Intrusion Vulnerability Assessments

Senate Environment & Natural Resources unanimously passed SB 1238 after adopting a strike-all. The bill authorizes the Resilient Florida Grant Program under DEP to provide grants up to \$250,000 with 50% cost-share to coastal counties to fund the costs of saltwater intrusion vulnerability assessments. The assessments analyze the effects of saltwater intrusion on water supplies and preparedness to respond to such threats, including water utility infrastructure, wellfield protection, and freshwater supply management. DEP must update Comprehensive Statewide Flood Vulnerability & Sea Level Rise Data Set using the information in the assessments.

Remaining Committees:

- [HB 691](#) - Government Operations; Public Integrity & Elections; State Affairs
- [SB 1238](#) - Government Oversight and Accountability

Infrastructure & Commerce

Cybersecurity

House State Administration & Technology unanimously voted to file HB 7055- an omnibus cybersecurity package that, among other things, would prohibit all political subdivisions from making ransomware payments or otherwise complying with ransom demands. It also would require the adoption of cybersecurity standards, employee training, and incident reporting for ransomware attacks. Standards: Local governments must adopt standards that comply with



NIST cybersecurity framework by January 1, 2024 and report standards to FDS. In SB 1670, standards must include redundancy, including routine backups and 2FA. In HB 7055, local standards must “safeguard the local government’s data, IT, and IT resources to ensure availability, confidentiality, and integrity.” SB 1670 requires asset owners to conduct vulnerability assessment not less than every two years. Training: Employees with access to the network must undergo training within 30 days of being hired and annually thereafter. SB 1670 provides that employees with access to the network must be trained on phishing schemes and digital hygiene, while employees with access to highly sensitive information must undergo intensive cybersecurity training. The Florida Digital Service (FDS) /FL Cybersecurity Advisory Council (FCAC) will develop and provide training. Incident Reporting: Must report cyber or ransomware incidents within 12 hrs to the State Watch Office (SWO) that includes the date, information accessed, ransomware demand and more. Once concluded, SB 1670 requires that FCAC must also be provided a summary. It requires FLDS to establish guidelines and processes for submitting after action reports. The guidelines for local governments must be established by December 1, 2022 Ransoms: HB 7055 prohibits state agencies and political subdivisions from paying or otherwise complying with ransomware demands. SB 1670 provides that if the incident involves a ransom or extortion – the entity cannot pay ransom before communicating with the Florida Digital Service and law enforcement. FDS must develop a checklist that must be considered before paying a ransom. Makes it a 1st degree felony for ransomware attack/ 3rd degree felony for an employee to knowingly give access to a ransomware attacker. Appropriation: SB 1670 provides \$1 million to local governments for training (disbursed through FDS). HB 7055 provides: \$30 million to the University of South Florida to provide cybersecurity training to state and local government executive, managerial, technical, and general staff; \$30 million for DMS to administer a grants program that provides cybersecurity technical assistance to counties and municipalities.

The same House committee filed a committee bill to protect cybersecurity information from public records laws. Meanwhile, the Senate also advanced SB 828. The bill would require critical infrastructure asset owners to require all procurement and contracts to ensure compliance with ISA 62443 series of standards as referenced by the NIST CSF.

Remaining Committees:

- [HB 7055](#)- Filed
- [SB 1670](#)- Military & Veterans Affairs, Space, & Domestic Security (02/08/22); Appropriations Subcommittee on Agriculture, Environment, & General Government; Appropriations
- [HB 7057](#) (Public Records)- Filed
- [SB 1694](#) (Public Records)- Military & Veterans Affairs, Space, & Domestic Security (02/08/22); Appropriations Subcommittee on Agriculture, Environment, & General Government; Appropriations
- [HB 1147](#)- Government Operations; Civil Justice & Property Rights; State Administration & Technology Appropriations; State Affairs
- [SB 828](#) - Military & Veterans Affairs, Space, & Domestic Security; Rules

Boating Safety Act of 2022



House Environment, Agriculture & Flooding voted unanimously to advance HB 493, the “Boating Safety Act of 2022.” Among other things, the bill enhances and adds penalties for boating infractions and establishes an Illegal Boating Strike Team to aid law enforcement. It also establishes a no-cost livery permit that companies that rent out, lease, or charter boats to others without a captain or crew must obtain by January 1, 2023. The livery permit requires the company to follow specific safe practices. It provides a \$25 million appropriation to fund the additional law enforcement programs and livery permit program. The sponsor stated that local livery operations that are operating correctly are asking the state to take action on the ones that are not following needed guidelines. Miami-Dade County supports the bill.

Remaining Committees:

- [HB 493](#)- Criminal Justice & Public Safety; Agriculture & Natural Resources Appropriations; State Affairs
- [SB 606](#) - Appropriations (02/09/22)

Special Event Zones

Senate Transportation voted unanimously to advance SB 1945. The bill would authorize the sheriff or chief administrative officer of a county or municipality to designate an area as a special event zone in response to a special pop-up event, defined as an unpermitted activity or event organized or promoted via a social media platform which is attended by 50 or more persons and substantially increases or disrupts the normal flow of traffic on a roadway, street, or highway. In a special event zone, it would: double the statutory fine for any noncriminal traffic infraction that occurs; allow an LEO to impound a vehicle for up to 72 hrs for any criminal traffic violation or noncriminal traffic infraction that occurs; requires the sheriff or chief administrative officer to notify the State Fire Marshal or designee to enforce occupancy limits in a special event zone.; and provide for the recovery of costs associated with designating and enforcing a special event zone from the organizer or promoter of the special event. The bill authorizes a local authority to impose more stringent regulations than those provided in statute. The bill revises provisions relating to the operation of radios or other sound making devices in vehicles and authorizes a local authority to impose more stringent regulations than those provided in statute.

Remaining Committees:

- [HB 1435](#) - Tourism, Infrastructure & Energy(On agenda 02/08/22); Judiciary
- [SB 1954](#) - Community Affairs (On agenda 02/08/22); Rules

Week 5 Schedule:

[HB 1](#) - Additional Homestead Property Tax Exemption for Specified Critical Public Services Workforce

[HB 3](#) - Law Enforcement Officer, Benefits, Recruitment, and Training

[HB 13](#) - Property Tax Exemptions For Widows, Widowers, Blind Persons, or Persons Totally and Permanently Disabled

[SB 224](#) - Regulation of Smoking in Public Places

[HB 301](#) - Financial Disclosures

[SB 494](#) - Fish and Wildlife Conservation Commission



- [SB 606](#) - Boating Safety
- [HB 635](#) - Building Permits
- [HB 673](#) - Tourist Development Taxes
- [HB 689](#) - Workers' Compensation Benefits for First Responders
- [HB 739](#) - Local Government Land Development Actions
- [HB 841](#) - Residential Property Riparian Rights
- [SB 974](#) - Sovereign Immunity
- [SB 1066](#) - Workers' Compensation Benefits for First Responders
- [HB 1197](#) - Employee Organizations Representing Public Employees
- [HB 1435](#) - Code and Traffic Enforcement
- [HB 1555](#) - Private Property Rights to Prune, Trim, and Remove Trees
- [SB 1670](#) - Cybersecurity