



2022 Legislative Session Week 5

At the end of week 5, there are a number of key priorities of the Governor, the Senate President, and the House Speaker left to be negotiated before the end of the Legislative Session. Meanwhile, there are some signs of cracks beginning to form in the unusually strong alliance of the Governor and Presiding Officers on multiple issues - from redistricting to the gas tax cut to Lake Okeechobee. The House and Senate also advanced their initial budgets unveiled last week, which now includes \$250,000 for Lauderdale-by-the-Sea's Codrington Drive Drainage Improvements. They also continued to advance a drastically worse version of Sovereign Immunity.

House and Senate Proposed Budget

House Appropriations voted 20-9 to advance their [\\$105.3 Billion initial budget](#) proposal, and Senate Appropriations voted unanimously to advance its [\\$108.6 B initial budget](#) proposal after adopting over 100 amendments. The Senate budget summary can be found [here](#), and House budget highlights can be found [here](#). Each committee also advanced several budget conforming bills that varied significantly among the Chambers - including priority legislation (such as HB 3). Highlights are found below:

Risks & Inflation: The House proposed two budget conforming bills meant to help the state better manage certain risks. The Senate does not have any similar proposals.

[HB 5015- Evaluation of Significant State Risks](#): Would create a joint Legislative Office of Risk Assessment to be headed by a Chief Risk Officer. The Office would be tasked with developing a State Risk Registry that would document risks and cost-effective mitigation measures in 10-year and 30-year time frames. It would also create a Risk Estimating Conference.

[HB 5011- Budgeting for Inflation that Drives Elevated Needs Fund](#): Would create a \$2 billion pot of money for the Governor to use as needed to combat inflation on things such as major construction projects.

Education:

- **FEFP:** The Senate and House proposals include historic funding for Prek-12. The House increases per student funding to \$8,080.98 and the Senate increases per student funding to \$8,110.67 [Senate FEFP](#) [House FEFP](#)
- **House Punishment for Mask Mandates:** The House budget includes a \$200 million reduction to be taken from administrator salaries of the 13 school districts that adopted mask mandates in defiance of the Governor and Legislature. The "Putting Parents First Adjustment" would hit school district administrators in Palm Beach County by \$28 million, Broward County by \$32 million, and Miami-Dade by \$71 million. The money would go to the other areas which did not adopt mask mandates. The reduction does not harm classroom teachers, but targets staff making over \$100,000 that do not teach in classrooms. The Senate does not include the same language.



- **School Safety:** Both the Senate and the House proposed a Safe-School Allocation of \$210 million which is a \$30 million increase over the current Fiscal Year.
- **Mental Health Allocation:** The Senate proposed an increase in the Mental Health Allocation of \$20 million, bringing the proposed total to \$140 million, while the House level funded the allocation at \$120 million.
- **Raises:** The Senate increases teacher salaries by \$50 million to \$600 million and increases minimum wage for other staff to \$15/hour. The House increases teachers salaries by \$250 million, with half going to increasing the minimum salary to \$47,500 and half going to teachers making above minimum salary. It does not include the \$15/hr minimum wage.
- **Virtual/Digital Education:** House Appropriations voted 18-5 to advance [HB 5101](#). The House proposal eliminates the Digital Classroom Allocation. It would further eliminate local FLVS franchises used in 40 districts, which the Chair called less effective than the main program. Opponents of the proposal note that FLVS franchise schools provide wrap-around services that the main program does not. It would also stop allowing Charter Schools to enroll students in virtual programs outside of their location.

Environment:

- **Lake Okeechobee:** The Senate Appropriations voted 16-4 budget conforming bill ([SB 2508](#)) that would ensure state control over Lake Okeechobee water supply levels that prioritizes current users. The Governor came out aggressively against the bill as did SFWMD, saying that it would threaten the state's investments in projects south of Lake O. The Senate President pushed back and defended the proposal. It would direct SFWMD to protect current users when making recommendations to the Army Corps and would require them to follow state rules on water shortages that take effect on January 1st. Environmentalists oppose the language and accuse the bill of protecting the sugar industry, however the Chair stated it was imperative that the state is able to manage water supply levels especially for South Florida areas impacted by lower levels.
- **Beaches:** The House provides \$50 million for Beach Renourishment and the Senate provides \$58 million in Beach Management
- **FRDAP:** The Senate includes \$10.7 million for FRDAP. The House includes \$13 million in Federal dollars for local parks grants and \$8 million in state funding as additional discretionary grant funding administered by the division.
- **Resiliency:** Both the House and Senate provide \$20 million for local government planning grants. The House includes \$2.9 million for Coastal Resiliency to fund the SLIP study tool and Sea Level Rise and shore restoration modeling; and \$7 million for data collection and analysis. The Senate provides \$10 million for Florida Resilient Coastlines and \$100 million for Flooding and Sea Level Rise initiatives.
- **Water:** The House provides \$50 million and the Senate \$50 million for alternative water supply grants; Both provide \$10.8 million for water quality improvements. The House provides \$15 million and the Senate provides \$10 million for innovative technologies to combat Red Tide and Blue-Green Algae. The Senate also includes \$250,000 for the "Blue Economy."



- **Everglades:** Both budgets include over \$250 million for Everglades Restoration.

Transportation & Infrastructure:

- **Work Program:** The House and Senate fully fund the FDOT Work Program at \$10.8 Billion.
- **Cybersecurity:** The House funds \$30 million in cybersecurity assistance grants to local governments administered by DMS and \$30 million in local government training through the University of South Florida. The Senate does not include these programs.
- **Job Growth Grant Fund:** The House included \$25 million, while the Senate did not include any funding for the Job Growth Grant Fund, the Governor's discretionary fund to support economic development. This typically gets resolved and possibly increased further into the budget process.

Affordable Housing: The Senate budget includes \$337.7 million, including \$209.5 million for SHIP and \$128.3 million for SAIL. This is not far from the Governor's recommendation of \$355 million in full funding. The House, however, includes \$268.1 million for affordable housing projects and appears to leave out SAIL entirely.

Redistricting

The Governor stated that he is prepared to veto a Congressional map by the Legislature if it has an "unconstitutionally gerrymandered" district in North Florida that extends from Jacksonville to Tallahassee- currently represented by Congressman Al Lawson. Earlier, the Supreme Court said that it did not have enough evidence to issue a fair opinion in response to the Governor's request for an advisory opinion on minority districts.

The Legislature says it is following the Fair District amendments to the Constitution by protecting minority-held seats. The Senate already unanimously voted on its Congressional map proposal that would make way for 16 Republican seats and 12 Democratic seats. The House held back after the Governor requested the advisory opinion- but released a new map late Friday that maintained the North Florida district and created 18 Republican seats and 10 Democratic seats. The Speaker stated that, without the Supreme Court guidance, the House was not in a position to take on "novel" legal questions.

T77-39 to approve the and the State Senate Proposal, with the Senate approving both maps 37-0. Following the Governor's inquiry regarding the congressional seat

[State House map proposal](#) [State Senate map proposal](#) (Passed Senate & House 37-0/ 77-39)
[House Congressional Map](#) [Senate Congressional Map](#) (Passed Senate 37-0)

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



Intergovernmental Relations

Sovereign Immunity

Senate Community Affairs voted 6-3 to advance an amended SB 974 in a significant step backward for agencies protected by sovereign immunity caps. The amendment erased all positive improvements adopted last week in Senate Judiciary. It raised the caps from \$300,000 per person/\$400,000 per incident to *\$1 million per person/ \$3 million per incident*, directs DFS to adjust the caps for CPI every 10 years beginning in January 2023, removed language that the caps applied prospectively, and barred insurance policies from conditioning the payment of benefits on enactment of a claims bill.

HB 985 is still in House Judiciary. It would increase the cap to \$1,000,000 per person with no per-incident cap. It would also prohibit insurance policies from conditioning the payment of benefits on enactment of a claims bill. It would direct DFS to annually adjust the caps for CPI. 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.

Both bills also eliminate the statute of limitations on sexual battery actions involving a victim who was younger than 16 years old at the time of the incident.

Remaining Committees:

- [HB 985](#)- Judiciary
- [SB 974](#)- Rules; Appropriations

Vacation Rentals

HB 325 might be officially dead for the year- although anything can still happen. The bill was expected to be heard in House Ways & Means on Wednesday. Our coalition met with committee members to express our concerns. The vote count was extremely close and appeared to be on our side. There was also disagreement between the House and Senate as to whether the local registration process triggers the Constitutional requirement for a separate fee bill (which they did not file in the Senate or the House.) This also explains the reason for the change in the House language. The Senate bill may continue to move forward despite the setback in the House. Should the bill not pass this year- we expect the issue to once again return under Senator Passidomo's Presidency.

Remaining Committees:

- [HB 325](#) - Ways & Means; Commerce
- [SB 512](#) - Appropriations (Re-referenced from Rules)

Individual Freedom

House Education & Employment voted 14-7 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](#)- House Floor
- [SB 148](#)- Rules

Regulation of Smoking by Counties and Municipalities

Senate Environment & Natural Resources unanimously advanced SB 224 after adopting an amendment exempting cigars and tobacco pipes. The bill would allow counties and municipalities to prohibit smoking in public parks and beaches that they own. 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.

Remaining Committees:

- [HB 105](#) - Health & Human Services
- [SB 224](#) - Rules

Financial Disclosures for Elected Local Officers

Senate Rules voted 11-5 approved SB 510 - which would require municipal elected officials, city/town managers, and county administrators to file a full and public disclosure of financial interests (Form 6). Currently, city commissioners must file a Form 1 financial disclosure. It would also require financial disclosures to be electronically filed and would go into effect on January 1, 2023. The bill is being pushed by the Florida Commission on Ethics. The bill sponsors argue that cities handle millions of dollars and hand out procurement contracts and point to recent accusations of corruption in the panhandle and with the City of Tamarac. They also note that state legislators, county commissioners, school board members, and others fill out Form 6. The Florida Commission on Ethics testified that they have supported this change for a number of years. In a push-back to questions on the complexity of a Form 6, the Ethics Commission previously testified that they have a 99% compliance rate from all Form 6 filers and the office provides for an amendatory process and resource for questions and concerns. The Senate sponsor has also argued that the Form 6 is actually more simple than a Form 1- since it removes the ability to perform certain calculations and instead requires all assets above a certain amount.

Remaining Committees:

- [HB 301](#) - State Affairs
- [SB 510](#) - 2nd Reading



Development

Alarm Systems

Senate Rules 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](#) - Placed on Calendar, on 2nd reading
- [SB 1140](#) - 2nd Reading (On Special Order 2/17/22)

Building Permits

House Local Administration & Veterans Affairs unanimously advanced HB 635 while SB 644 passed Senate Rules 16-1. 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. 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.

Remaining Committees:

- [HB 635](#) - Commerce
- [HB 423](#) - Commerce
- [SB 644](#) - Placed on 2nd Reading

Real Property Rights

Senate Community Affairs and House Local Administration & Veterans Affairs unanimously advanced SB 1380 and HB 219. 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](#) - Judiciary
- [SB 1380](#) - Rules

Residential Property Riparian Rights

House Environment, Agriculture & Flooding unanimously advanced HB 841. The bill would give a preference to the prolongation-of-property-line method of establishing the boundaries of a residential property owner's riparian rights unless doing so would result in an inequitable apportionment of the riparian rights at issue and would allow for reasonable attorney fees and costs being awarded to the defendant if the defendant is the prevailing party in a civil action.

Remaining Committees:

- [HB 841](#) - Judiciary
- [SB 840](#) - Community Affairs; Rules

Tree Trimming

House Local Administration & Veterans Affairs and Senate Governmental Oversight & Accountability unanimously approved HB 1555 and SB 518. The bill would make surgical changes to the 2019 tree trimming and removal preemption passed by the Legislature. The bill is supported by the Florida League of Cities, who have been working with arborists on the changes. The changes include: applying the bill to single-family detached residential buildings on existing lots; requiring documentation be an onsite tree assessment conducted in accordance with Best Management Practices: Tree Risk Assessment, Second Edition (2017) and signed by a licensed Florida landscape architect or ISA certified arborist; documentation must show that the tree shows an "unacceptable risk" and removal is the only means of mitigation.

Remaining Committees:

- [HB 1555](#) - Judiciary
- [SB 518](#) - Rules

Local Government Land Development Actions

House Local Administration & Veterans Affairs voted unanimously to advance HB 739 after adopting an amendment exempting local governments with less than \$10 million in revenue. The bill requires local governments to adopt residential infill development (RID) standards in its local land use regulations by January 1, 2023. The standards must include a list of guidelines for determining if the development qualifies as a RID and requires applicants to consider certain



factors. A local government may not approve an application for a RID if it contains any deficiencies, but must approve any request for a RID that shows compliance with the general intent and development standards of this provision. Denials of an application for a RID are appealed to the local government planning commission. The bill requires each local government to amend its development regulations to include residential infill development as a zoning classification and incorporate the classification as an appropriate land use classification under the local government's comprehensive plan. It would also prohibit local governments that have noted a deficiency in an application for a development order, development permit, or building permit, from requesting additional information from the applicant beyond information on the noted deficiency or new issues raised by the applicant.

Remaining Committees:

- [HB 739](#) - Commerce; State Affairs
- [SB 1248](#) - Community Affairs; Environment and Natural Resources; Rules

Finance & Tax

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

House Local Administration & Veterans Affairs unanimously advanced HB 1 and HB 1563. Senate Finance & Tax also unanimously advanced SB 1746 and SB 1748.

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](#) - State Affairs
- [SB 1746](#) - Appropriations
- [HB 1563](#) - State Affairs
- [SB 1748](#) - Appropriations



Legislature Passes Emergency Preparedness and Response Fund

CS/SB 96 passed off the House Floor 95-22 and has been sent to the Governor for his signature or veto. The bill amends the financing provisions related to state expenditures made in response to a disaster. The bill requires funding for the resources to respond to a disaster to first come from funds specifically appropriated to state and local agencies for disaster relief or response. If those funds are insufficient, authorizes the Governor to make funds available by transferring and expending moneys in the Emergency Preparedness and Response Fund. The bill authorizes the Governor to request the Legislative Budget Commission to approve a request to transfer additional funds to the Emergency Preparedness and Response Fund. The bill directs the immediate transfer of \$1 billion from the General Revenue Fund to the Emergency Preparedness and Response Fund. It has a companion bill SB 98.

Remaining Committees:

- [HB 7023](#) - Passed (95 Yeas/ 22 Nays)
- [SB 96](#) - Passed (31 Yeas/ 4 Nays)

School Concurrency

House Education & Employment and Senate Rules unanimously advanced HB 851 and SB 706. 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](#) - State Affairs
- [SB 706](#) - Senate Floor

Affordable Housing

Senate Passes Mixed-Use Residential Properties for Affordable Housing

The Senate unanimously passed SB 962 of the floor, 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](#) - Passed (39 Yeas/ 0 Nays)



Education

Charter School Review Commission

House PreK-12 Appropriations approved HB 865 in a 10-2 vote. The bill would require OPPAGA to conduct an analysis of charter school capital outlay funding to report to the Governor and Legislature. It would also establish a Charter School Review Commission to serve as an alternative authorizer of charter schools, while placing oversight responsibilities with the school district where the charter school is located. The amended bill also: authorizes a charter school that receives a school grade lower than a "B", to be granted a 5-year renewal and requires schools with grades "A" or "B" be granted a 15-year renewal; exempts from ad valorem taxes any property utilized by a charter school; authorizes facilities or land owned by a state college, state university, similar public institutional facilities, and any facility recently used to house a school or child care facility to provide space to charter schools under the facility's existing zoning and land use designations; prohibits a charter school from being subject to land use regulations not required of a public school; authorizes a charter school to use a school district's interlocal agreement and provides interlocal agreements that impose a greater regulatory burden on a charter school is void and unenforceable; requires a proportionate share of educational impact fees to costs per student station of to go towards construction of charter school facilities created specifically to mitigate impact of new residential units. The Florida League of Cities successfully negotiated a change to siting provisions in the original bill.

Remaining Committees:

- [HB 865](#) - Education & Employment
- [SB 758](#) - Appropriations

Substitution of Work Experience for Post Secondary Educational Requirements

HB 317 and SB 514 passed the House State Affairs Committee and Senate Community Affairs unanimously. The bill allows an employing agency of the state or its political subdivisions to substitute verifiable, related work experience for postsecondary educational requirements for employment positions if the candidate is otherwise qualified for the position. Work experience may not be substituted for any required licensure, certification, or registration. If the employing agency elects to substitute related work experience for postsecondary educational requirements, the employing agency must include that in all advertisements for the position along with a description of the related work experience that may be substituted.

Remaining Committees:

- [HB 317](#) - Placed on 2nd Reading
- [SB 514](#) - Rules

Public Safety



Law Enforcement Officer, Benefits, Recruitment and Training

House Judiciary voted unanimously to advance HB 3 through its final committee. 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 still does not have a companion bill, did not.

Remaining Committees:

[HB 3](#) - Placed on Calendar, on 2nd reading

PTSD Benefits for First Responders

House Insurance & Banking unanimously approved HB 425. The bill requires employers to annually provide at least one hour of mental health training that includes peer support programs, training provided by a licensed mental health practitioner, and suicide prevention. The training would be provided to firefighters, paramedics, emergency medical technicians, law enforcement officers, correctional officers, and correctional probation officers.

Remaining Committees:

- [HB 425](#) - State Affairs; Appropriations; Commerce
- [SB 664](#) - Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations



House Passes Firefighter Inquiries & Investigations

Senate Rules unanimously approved SB 264. The bill would expand the Firefighters' Bill of Rights to apply to questioning conducted under an informal inquiry. The bill revises the definition of the term "informal inquiry" to exclude certain routine work-related discussions such as safety sessions or normal operational fire debriefings.

Remaining Committees:

- [HB 31](#) - Passed (118 Yeas/ 0 Nays)
- [SB 264](#) - Placed on 2nd Reading

Environment & Water

Comprehensive Review Study of the Central and Southern Florida Project

Senate Community Affairs unanimously passed SB 1326. 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](#) - Rules

Inventories of Critical Wetlands

Senate Rules unanimously passed SB 882. The bill requires the five regional water management districts to work with local governments as part of DEP's annual Florida Water Plan to identify critical wetlands the state should acquire through the Land Acquisition Trust Fund. Criteria for critical wetlands include: ecological value, susceptibility to development, and the wetland's value to ecosystem restoration, flooding mitigation, and water quality.

Remaining Committees:

- [HB 761](#) - Placed on 2nd Reading
- [SB 882](#) - Placed on 2nd Reading



REEF Programs (PACE Programs)

House Ways & Means 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](#) - Commerce
- [SB 228](#) - Rules

Temporary Underground Power Panels

Senate Community Affairs unanimously approved SB 1332. The bill would block local governments from preventing electric utilities from installing temporary underground panels (TUGs) so long as they meet requirements of Article 590 of the National Electrical Code, 2020 edition. It also provides that a local government may not request a subsequent inspection of the power panel in order to obtain a certificate of occupancy. The sponsor testified that underground panels are cheaper than using a temporary power pole method and more streamlined as the temporary panel is then used as the permanent power for the residence upon occupancy.

Remaining Committees:

- [HB 481](#) - Placed on 2nd Reading
- [SB 1332](#) - Rules

Net Metering

Senate Community Affairs voted 6-3 to advance SB 1024. The bill would require the PSC to revise rules on net metering of customer renewable generation by January 1, 2023 to “ensure that customers owning or leasing renewable generation systems pay the full cost of electric service and are not subsidized by the general body of ratepayers.” Essentially, renewable energy customers would be compensated for the utility’s avoided costs rather than selling excess energy to utilities at retail rates. Utilities would also be able to charge net metering customers for fixed costs, grid access, base facilities charges, or minimum monthly costs to ensure net metering customers are paying their fair share for maintenance of the grid. Current customers that lease or own renewable energy generators would be grandfathered in at the existing rate structure for a period of ten years. The bill would also allow governing entities with a binding agreement affecting the alteration of residential dwellings or condominiums to prohibit the installation of solar collectors in locations outside of specifically designated parameters.

The sponsors argue that the current net metering program was established when rooftop solar generation was still a young industry, as an incentive to encourage growth and adoption. As the industry has continued to grow (including over 57% in 2020) general IOU ratepayers, many of whom are low-income, are increasingly subsidizing customers with renewable energy, many of whom are higher-income and who are avoiding contributing towards impacts to the grid. FP&L, for example, estimates the current net metering program could cost the utility over \$700 million from 2019 to 2025. The renewable energy industry opposes the bill- arguing that the industry in



Florida hasn't reached the level of market penetration to cause significant costs to the general body of ratepayers. They claim the bill could put the industry back to where they were over a decade ago, impacting thousands of jobs and impeding climate goals.

Remaining Committees:

- [HB 741](#) - State Administration & Technology Appropriations; Commerce
- [SB 1024](#) - Rules

Transportation & Infrastructure

Cybersecurity

Senate Military and Veterans Affairs, Space & Domestic Security voted 6-1 advanced SB 1670 after amending the bill down to only provide for local government employee training developed and provided by the Florida Digital Service. It also advanced SB 1694, which would protect cybersecurity information from public records laws.

The bill now significantly varies from 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. HB 7055 is summarized below:

Standards: Local governments must adopt standards that comply with NIST cybersecurity framework by January 1, 2024 and report standards to FDS. Local standards must “safeguard the local government’s data, IT, and IT resources to ensure availability, confidentiality, and integrity.” Training: Employees with access to the network must undergo training within 30 days of being hired and annually thereafter. 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. Ransoms: HB 7055 prohibits state agencies and political subdivisions from paying or otherwise complying with ransomware demands. Makes it a 1st degree felony for ransomware attack/ 3rd degree felony for an employee to knowingly give access to a ransomware attacker. Appropriation: 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.

Remaining Committees:

- [HB 7055](#)- Filed
- [SB 1670](#)- Appropriations Subcommittee on Agriculture, Environment, & General Government; Appropriations
- [HB 7057](#) (Public Records)- Filed



- [SB 1694](#) (Public Records)- 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

Special Event Zones

Senate Community Affairs voted unanimously to advance SB 1954 while House Tourism, Infrastructure & Energy voted 14-3 to advance HB 1435. 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](#) - Judiciary
- [SB 1954](#) - Rules

Boating Safety

House Environment, Agriculture, and Flooding unanimously approved HB 701 or “Ethan’s Law” after adopting a strike-all amendment. The bill would require the operator of a vessel used in instruction of a water sport or activity to use an engine cutoff switch with an operative link when participants are in the water. It also requires FWC to include several new items in its public safety campaign and education materials, including: the proper use and benefits of engine cutoff switches for personal watercraft, the danger of leaving the vessel running as passengers onboard and offboard, operating a vessel with people in the water, etc.

Remaining Committees:

- [HB 701](#) - Commerce
- [SB 1650](#) - Environment & Natural Resources; Appropriations Subcommittee on Agriculture, Environment & General Government; Appropriations

Florida Fish & Wildlife Conservation Commission

The Senate unanimously approved SB 494, an FWC package. Among other things, the bill provides that a vessel is declared a public nuisance if it is found at-risk of becoming derelict for



the same circumstance within an 18-month period. It directs grant programs for derelict vessels to also include public nuisance vessels, provides that public nuisance vessels are abandoned property, and prohibits DHSMV from providing a certificate of title for a public nuisance vessel. It also clarifies that local governments may not designate a public bathing or swimming area within or within 100 ft. of the marked channel of the Intracoastal Waterway. It also provides for a suspension of driving privileges for refusal to submit to a lawful breath, blood, or urine test.

Remaining Committees:

- [HB 323](#) - Agriculture & Natural Resources Appropriations; State Affairs
- [SB 494](#) - Passed (39 Yeas/ 0 Nays)

Aggressive Careless Driving

Senate Transportation unanimously advanced SB 476- the “Anthony Reznik Act.” It would provide penalties for “aggressive careless driving” or moving violations that result in damage to property, bodily injury, or death. It expands the definition to include texting while operating a motor vehicle.

Remaining Committees:

- [HB 297](#) - Criminal Justice & Public Safety; Justice Appropriations; Judiciary
- [SB 476](#) - Rules

Photographic Enforcement of School Speed Zones

Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development unanimously approved SB 410. The bill would authorize a local government to install an automated speed detection system within school zones. It provides for \$100 fines for violators and also provides that a county or municipality may enforce the school zone speed limit up to 1 hour before and 1 hour after regularly scheduled school sessions. The committee adopted an amendment that would first send revenue to local governments who would then distribute the revenue to school boards to fund student transportation. It also reduced the fines to \$100, placed added specifications on the cameras, and created a public education period where warnings rather than tickets would be issued for a period of time.

Remaining Committees:

- [HB 797](#) - Criminal Justice & Public Safety; Tourism, Infrastructure & Energy; Justice Appropriations; Judiciary
- [SB 410](#)- Appropriations

Week 6 Schedule:

[HB 323](#) - Fish and Wildlife Conservation Commission

[HB 421](#) - Long-term Cleanup of Water Bodies

[HB 493](#) - Boating Safety

[HB 1077](#) - Public Financing of Potentially At-risk Structures and Infrastructure

[HB 1475](#) - Cleanup of Perfluoroalkyl and Polyfluoroalkyl Substances

[HB 71](#) - Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by a Catastrophic Event



- [HB 619](#) - United States-produced Iron and Steel in Public Works Projects
- [HB 719](#) - Swim-up Bars
- [HB 1419](#) - Financial Assistance for Municipal Solid Waste-to-Energy Facilities
- [SB 224](#) - Regulation of Smoking in Public Places
- [SB 1066](#) - Workers' Compensation Benefits for First Responders
- [SB 802](#) - School Safety
- [SB 736](#) - Construction Defect Claims
- [SB 706](#) - School Concurrency
- [HB 31](#) - Firefighter Inquiries and Investigations
- [SB 1140](#) - Alarm Systems
- [SB 1240](#) - Mental Health of Students