



# Palm Beach County State Legislative Update

## Department of Legislative Affairs

### Legislative Session Week 5

February 5-9, 2024

Wednesday, February 7 marked the official mid-point of Florida's sixty-day legislative session. At this time, subcommittees in the Florida House have stopped meeting as have most substantive committees in the Senate. This dramatically reduces the likelihood that the hundreds of bills held up in these committees will make it across the finish line this session. Over the next few weeks, legislators will spend most of their time on the floor of their chambers debating policy and preparing to come together in conference to iron out the differences between the House and Senate budget proposals.

#### **State Budget Update**

As the Legislature reached the mid-session mark this week, the House and Senate passed their respective budget bills. The \$115.5 billion House FY 24-25 budget (HB 5001) and the \$115.9 billion Senate FY 24-25 budget (SB 2500) are below this fiscal year's \$117 billion total. The Governor's proposal totaled \$114.4 billion. The two chambers currently differ in how they wish to approach health care programs, transportation, prison funding, and education. These differences, among others, must be reconciled during the conference process before a final budget is passed for the new fiscal year beginning July 1, 2024. With this year's legislative session due to end on March 8, the House and Senate must reach an agreement on the budget by March 5 to allow for the 72-hour cooling-off period before lawmakers can vote on the budget after publishing.

**To access a chart highlighting the funding status of key top line items in the House and Senate budgets that are of importance to Palm Beach County, [CLICK HERE](#).**

**To access the live spreadsheet which contains the most up to date funding status of every appropriation request filed by a member of the Palm Beach County Legislative Delegation, [CLICK HERE](#).**

Included on the next page is a chart detailing the current funding status of Palm Beach County's appropriation requests.

## STATUS OF PALM BEACH COUNTY REQUESTED APPROPRIATIONS

Project Name	Request Amount	Funded in House	Funded in Senate
Balanced Community Justice Project	\$367,420	\$0	\$0
Central PBC Historic Infrastructure Improvements	\$1,000,000	\$500,000	\$0
CR 880 Road Reconstruction	\$25,000,000	\$0	\$0
Palm Beach County Fire Rescue Water Vessels	\$385,000	\$0	\$385,000
PBC Fresh Food Boxes and "Early Bird" Elder Meals Pilot Program	\$1,000,000	\$0	\$0
Green Cay Phase II	\$3,000,000	\$0	\$500,000
Lake Worth Lagoon Initiative	\$906,000	\$453,000	\$0
Loxahatchee River Preservation Initiative	\$774,543	\$90,000	\$0
Palm Beach Lakes Blvd Bridge Reconstruction	\$2,000,000	\$0	\$0
Peanut Island Historic Restoration	\$2,000,000	\$0	\$350,000
RESTORE Re-entry Program	\$500,000	\$0	\$400,000
Senior Art, Education, & Recreation Programs	\$500,000	\$0	\$0
PBC Discounted Bus Passes Program	\$2,000,000	\$0	\$0
W. Delray Regional Park All Abilities Playground	\$1,500,000	\$0	\$1,000,000
Westgate CRA Enhanced Street Lighting & Safety	\$750,000	\$0	\$750,000

### On the Floor This Week

#### SENATE

The Florida Senate unanimously voted to approve **CS/CS/SB 328**, which amends several provisions of the Live Local Act passed during the 2023 Regular Session. The bill preempts a local government's "floor area ratio" for qualifying developments, modifies the height preemption provisions to address situations where a qualifying development is adjacent to single-family parcels, prohibits qualifying developments within ¼ mile of a military installation from utilizing the administrative approval process, and exempts airport impacted areas. The bill also clarifies that a local government's "currently allowed" density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations. There are several other changes regarding the ad valorem tax exemptions for newly constructed multifamily developments and the legislation appropriates \$100 million for the Florida Hometown Hero Program. This bill was sent to the House in Messages and now awaits consideration on the House Floor before heading to the Governor.

Another bill, **CS/CS/SB 770** cleared the Senate this week by a vote of 38-2. This legislation substantially amends a program authorized in current law, commonly known as the "Property Assessed Clean Energy" or "PACE" program, which allows property owners to make qualifying improvements to real property and finance the cost through annual non-ad valorem tax assessments. The bill enhances certain protections for consumers entering into PACE contracts, and oversight for contractors that install improvements. It also expands the universe of improvements this financing may be utilized to install and clarifies a city and county's right to require additional consumer protections of PACE agreements in their jurisdiction.

## HOUSE

**CS/HB 151** was passed off the House Floor this week and was sent to the Florida Senate where the bill was put in the proper posture to be further debated during budget conference. The bill restores a 3 percent cost-of-living adjustment (COLA) for eligible FRS pension plan members initially enrolled before July 1, 2011, and limits the 3 percent COLA to the first \$150,000 of annual benefit. For any benefit above \$150,000, the COLA is limited to service credit earned before July 1, 2011. The legislation also increases member contribution rates to better align with the benefits earned by each employee class, increases allocations to the investment plan accounts for each membership class, and closes the FRS Preservation of Benefits Plan to new members beginning July 1, 2026. FRS retirees will be able to receive both compensation from an employer that participates in the FRS and retirement benefits provided the retiree isn't reemployed within the first six months following the retirement date and certain elected officers that have completed DROP will be authorized to remain in office and receive the accumulated DROP proceeds. Lastly, the bill adjusts the employer contribution rates for FRS based on the annual actuarial valuation and additional actuarial studies.

### **Bills of Interest in Committee**

#### **House Infrastructure & Tourism Appropriations Subcommittee**

CS/HB 981, Aviation: Specifies the approval process for a vertiport and requires the Florida Department of Transportation (FDOT) to conduct a physical site inspection of a vertiport as a part of the approval process. The bill directs FDOT to serve as a resource for local governments and developers and operators of vertiports and requires FDOT to designate an advanced air mobility subject matter expert. Relating to airport regulations more generally, the bill clarifies the definitions of "aircraft" and "airport" and requires airport land use compatibility zoning regulations address, rather than simply consider, a list of things already specified in statute. CS/HB 981 also generally prohibits residential construction and educational facilities within a specified buffer zone adjacent to an airport if the airport has not conducted a noise study and adds an exception to the buffer zone in certain circumstances. The bill awaits a hearing in its final committee while the Senate companion was also heard in committee this week and has one final reference remaining.

#### **Senate Committee on Ethics & Elections**

CS/CS/SB 734, Government Accountability: Prohibits certain state and local officials from accepting or soliciting anything of value from a foreign country of concern. The bill also establishes various requirements for lobbyist registration for individuals lobbying local governments. Lastly, the bill provides that certain senior local government employee contracts shall not be renewed, extended, or renegotiated within 8 months of a general election for members of the governing body. This legislation has one more committee of reference. The House companion bill, CS/HB 735, was temporarily postponed in its last committee this week.

#### **Senate Committee on Regulated Industries**

CS/SB 1040, Veterinary Practices: Creates a framework for the practice of veterinary telehealth and allows an animal control authority under the indirect supervision of a veterinarian to administer rabies vaccinations. The bill has two more committees of reference.

## **Senate Committee on Judiciary**

CS/SB 1530, Unauthorized Public Camping & Public Sleeping: Requires counties and municipalities to prohibit individuals from sleeping or camping on public property within their jurisdictions. Under the bill, counties and cities are authorized to designate public sleeping or camping on designated public property by issuing temporary permits to be used only in that designated area. The Department of Children and Families must be notified when a property is designated and is responsible for inspecting the property to ensure it meets specified minimum standards. The bill also permits a person who is a resident or the owner of a local business to bring a civil action against a county or municipality to enjoin practices of allowing unlawful sleeping or camping on private property. The House companion bill was also passed through committee this week. Both bills have one committee before the floor.

## **House Regulatory Reform & Economic Development Subcommittee**

HB 141, Regional Rural Development Grants Program: Eliminates match requirements related to the Regional Rural Development Grants Program to remove barriers for rural communities to access funds to promote economic development. This bill has two more committees of reference while the Senate companion has one more committee stop.

## **Senate Committee on Children, Families, & Elder Affairs**

CS/SB 1180, Substance Abuse Treatment: Amends the definition of certified recovery residence to include standards regarding levels of care and prohibits any recovery residence from denying an individual access to the residence solely on the basis that the individual has been prescribed medication that assists with treatment for substance use disorders. The bill also prohibits a local government from regulating the duration or frequency of a resident at a recovery residence and exempts these residences from transient rental taxes. The Senate bill has two more committees of reference, while the House bill has one more stop before the floor.

## **Senate Committee on Transportation**

CS/SB 1226, Department of Transportation: Makes several changes related to the Florida Department of Transportation. Most notably, the bill authorizes certain local governments, including those within the Everglades Agricultural Area, to compete for additional funding in the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes. Additionally, the legislation requires each public transit provider to annually certify that its budgeted and actual administrative costs are no greater than 20 percent above the state average administrative costs and requires they disclose employee compensation and benefits, as well as ridership and performance metrics. This bill has two more committees remaining.

CS/SB 1380, Transportation Services for Persons with Disabilities and the Transportation Disadvantaged: Makes several changes to the Commission for Transportation Disadvantaged. The bill requires paratransit drivers to attend training programs provided through the Agency for Persons with Disabilities (APD) and requires providers to provide training to each paratransit driver. Additionally, providers are required to install an interior video camera in each paratransit vehicle, offer pre-booking and on-demand service, and establish best practices. This bill also removes the exemption from competitive bidding requirements for local governments to enter into contracts with special transportation providers. The bill and its companion have two more committees of reference.

## **Senate Committee on Community Affairs**

CS/SB 438, Term Limits: Creates a term limit of 8 years for county commissioners. The bill is on the agenda of its final committee next week.

CS/SB 576, Law Enforcement & Correctional Officers: Preempts the receipt, processing, and investigation of complaints related to the misconduct of law enforcement or correctional officers to the state and prohibits civilian oversight of law enforcement misconduct. This bill is on the agenda of its final committee next week. Its companion bill is ready to be placed on the House Special Order Calendar.

CS/SB 684, Residential Building Permits: Requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within specified timeframes. The bill also requires local governments to create a process to expedite the issuance of building permits based on a preliminary plat and to issue the number of building permits requested by the applicant in certain circumstances. This bill has two more committees of reference while the House companion has one more stop.

CS/SB 862, Public Records/County Administrators & City Managers: Exempts the personal identification and location information of current county administrators and city managers from Florida public records requirements, as well as the information of their spouses and children. The Senate bill has one more reference but the House companion has not yet been considered in any committee.

CS/SB 1122, Protection of Historic Monuments & Memorials: Preempts local government actions that relocate, remove, damage, or destroy a monument or memorial and establishes civil fines for elected local government officials who attempt to regulate the removal, damage, or destruction of a historic monument/memorial. There is one more committee of reference left for the bill to pass through before it is ready for the floor.

SB 1174, Identification Documents: Prohibits a county or municipality from accepting as identification a card or document issued by an entity that knowingly issues the card or document to individuals who are not lawfully present in the United States. This bill and its House companion have one more committee of reference.

## **House State Affairs Committee**

CS/CS/HB 1195, Millage Rates: Provides that a two-thirds vote of the governing body of a county, municipality, or independent special district is required to pass any millage rate increase, except where a higher vote threshold is already required under current law. The bill is now ready to be placed on the House Special Order Calendar, while its Senate companion has one more committee reference remaining.

## **House Infrastructure Strategies Committee**

HB 455, Comprehensive Waste Reduction & Recycling Plan: Requires the Florida Department of Environmental Protection (DEP) to develop a comprehensive waste reduction and recycling plan for the state based upon the

recommendations from the 2020 report by July 1, 2025. The report must include an update on the status of the plan and any recommendations for statutory changes necessary to achieve the recycling goals or strategies identified in the plan. This bill is ready to be placed on the House Special Order Calendar.

### **House Commerce Committee**

*HB 377, License or Permit to Operate a Vehicle for Hire:* Prohibits a county or municipality from requiring a person to obtain an additional license from such county or municipality when that person holds a valid, active license or permit to operate a vehicle for hire in any other county or municipality. Public-use airports and non-emergency medical transport vehicles are exempted from the provisions of the bill. This legislation is now ready to be placed on the Special Order Calendar, as is the Senate companion.

*CS/HB 791, Development Permits & Orders:* The bill revises procedures for counties and municipalities to issue development permits and orders by requiring counties and municipalities specify in writing the minimum information that must be submitted in certain development applications, confirm receipt of an application within five business days, and issue a refund of application fees if certain deadlines are not met. There is one more committee left for this legislation, while the Senate bill has two remaining committee stops.

### **Bills of Interest Up Next Week**

***\*SB 334 & CS/HB 303, Rabies Vaccinations:*** Senate Special Order Calendar, 2/14

***\*SB 674, United States-produced Iron & Steel in Public Works Projects:*** Senate Special Order Calendar, 2/14

***\*CS/SB 712, Public Records/County & City Attorneys:*** Senate Special Order Calendar, 2/14

***CS/SB 656, Continuing Contracts:*** Senate Appropriations Committee on Agriculture, Environment & General Government, 2/13 at 8:30 AM

***CS/SB 1690, Human Trafficking:*** Senate Appropriations Committee on Criminal & Civil Justice, 2/13 at 8:30 AM

***CS/HB 1673, Transportation Services for Persons with Disabilities & the Transportation Disadvantaged:*** House Infrastructure & Tourism Subcommittee, 2/13 at 9 AM

***CS/1180, Substance Abuse Treatment:*** Senate Appropriations Committee on Health & Human Services, 2/13 at 1:30 PM

***CS/SB 438, Term Limits:*** Senate Committee on Rules, 2/14 at 9 AM

***CS/SB 576, Law Enforcement & Correctional Officers:*** Senate Committee on Rules, 2/14 at 9 AM

***CS/SB 658, Cybersecurity Incident Liability:*** Senate Committee on Rules, 2/14 at 9 AM

***CS/SB 812, Expedited Approval of Residential Building Permits:*** Senate Committee on Rules, 2/14 at 9 AM