



PBC 2022 Legislative Update

Department of Legislative Affairs

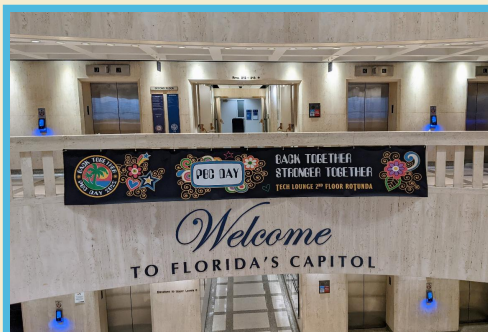
Palm Beach County Days



Last week lawmakers returned to the Capitol for the 2022 legislative session. And they were not the only ones – after last year’s virtual event, Palm Beach County (PBC) residents also returned to Tallahassee for Palm Beach County Days.

Although there are no current safety protocols or restrictions in place at the Capitol, the PBC team scheduled meetings by taking room size, number of individuals and preference or virtual meetings into consideration.

Tuesday and Wednesday were busy with more than forty meetings scheduled to brief legislators and leaders on county priorities and concerns! Each meeting was an amazing opportunity and we thank those who took the time out of their schedules for Palm Beach County, including:



- CFO Jimmy Patronis
- Florida Resilience Officer Wes Brooks
- DEP Division of State Lands Director Callie DeHaven
- Attorney General Ashley Moody
- Agriculture Commissioner Nikki Fried
- Senate Minority Leader Lauren Book
- Speaker Designate Paul Renner
- House Speaker Chris Sprowls
- House Minority Leader Evan Jenne
- Staff from the Dept. of Economic Opportunity and Div. of Emergency Mgt
- DOT Secretary Kevin Thibault
- Lt. Gov. Jeanette Nuñez

And the entire Palm Beach County Legislative Delegation!

A big thank you to all the Commissioners, County Staff, municipal partners and business leaders who joined us in Tallahassee. Together we presented our issues with a united front.

Week 1: Legislation

Some bills moving in week 1 included:

SB 760 – Human Trafficking: Passed its first of three committees, with Commissioner McKinlay testifying in support of the bill.

SB 512 – Vacation Rentals: Passed its first of three committees. This year's bill picks up where we left off last year; allowing local governments to conduct registrations with fee limits, but preempting platform regulation to the state.

SB 280/HB 403 – Local Ordinances: This bill would require a county commission to prepare a business impact estimate prior to the enactment of a proposed ordinance and provides for attorney fees limitations. FAC has been working with the Senate sponsor, and an amendment offered this week did address several concerns we had. But there is more work to do. The Senate bill passed its first of two committees on Wednesday. The House bill has two more committee stops.

HB 195 – Juvenile Diversion Expunction: Passed its first House committee on Wednesday and has two more committee stops.

HB 197 – Non-Judicial Arrest Record of a Minor: This public records exemption bill passed its first committee and has two more stops.

SB 494 - Fish and Wildlife Conservation Commission: This bill which contains helpful language to address derelict vessels passed its second committee on Wednesday and move on to the Appropriations Committee.

HB 569 – Business Damage Caused by Local Governments: This is the major preemption bill of the session, allowing for businesses to sue local governments for proven loss of profit due to effects of local ordinances. Commissioner McKinlay, FAC and county staff met with the House sponsor on Wednesday. The bill passed its first committee 12-5 with many questions from the minority members. The Senate bill was removed from the Rules Committee this week by leadership, so it only has a stop in the Appropriations Committee remaining. We are told this is a priority of the Senate President.

Week 2: Bill Watch List

SB 690 Resilience-related Advisory Committees - Permits certain resilience-related advisory committees to conduct public meetings and workshops by means of communications media technology pursuant to the rules of the Administrative Procedures Act. This bill is on the committee agenda - Community Affairs: Tuesday, 01/18/22, 3:30 pm. Current PBC Position: Support

SB 1194 Local Tax Referenda Requirements - Requires referenda authorizing certain optional local taxes to be held at a general election: Tourist development tax, Areas of critical state concern tourist impact tax, Children's services independent special district tax, 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. Presently, the referenda approving the above local taxes are held at elections called by the applicable local governing body. This bill is on the committee agenda - Community Affairs: Tuesday, 01/18/22, 3:30 pm. Current PBC Position: Monitor

SB 838 Fire Investigators - expands the definition of "firefighter" related to cancer diagnoses for firefighters, making a fire investigator eligible for benefits under the statute. This bill is on the committee agenda - Community Affairs: Tuesday, 01/18/22, 3:30 pm. Current PBC Position: Monitor

SB 1150 Tax Exemption for Affordable Housing - Provides that a county or municipality may adopt an ordinance to grant an ad valorem tax exemption to any property owner whose property is used to provide affordable housing in a multifamily project with at least 50 dwelling units. This bill is on the committee agenda - Community Affairs: Tuesday, 01/18/22, 3:30 pm. Current PBC Position: Monitor

SB 1326 Comprehensive Review Study of the Central and Southern Florida Project - Requires the South Florida Water Management District (SFWMD) to prepare and submit a consolidated annual report regarding the status of the Comprehensive Review Study of the Central and Southern Florida Project (Restudy) to the Office of Economic and Demographic Research, the Department of Environmental Protection (DEP), the Governor, and the Legislature. This bill is on the committee agenda - Environmental and Natural Resources: Tuesday, 01/18/22, 9:00am. Current PBC Position: Support

Preemptions

HB 717 Agritourism - Prohibits the denial of an agricultural land classification solely due to the conduct of an agritourism activity. Qualifying lands under the agricultural land classification are allowed lower tax assessments. The Revenue Estimating Conference noted that the bill may have an insignificant negative fiscal impact on local governments. This bill is on the committee agenda - Environment, Agriculture & Flooding Subcommittee: Tuesday, 01/18/22, 4:30 pm. Current PBC Position: Oppose

SB 280 Local Ordinances - Adds to the process for local governments passing ordinances and gives certain additional rights to those challenging local ordinances, requiring cities and counties to produce a "business impact estimate" prior to passing an ordinance. Additionally, the bill imposes certain conditions on lawsuits brought to challenge local ordinances as preempted by the State Constitution or law, arbitrary or unreasonable. Article VII, section 18 (a) of the Florida Constitution provides in part that a county or municipality may not be bound by a general law requiring a county or municipality to spend funds or take an action that requires the expenditure of funds unless certain specified exemptions or exceptions are met - none of the exceptions appear to apply here. This bill is on the committee agenda - Rules: Thursday, 01/20/22, 9:30am. Current PBC Position: Oppose, but working with sponsor.

SB 620 Local Government - Creates a cause of action for an established business to recover loss of business damages from a county or municipality whose regulatory action has caused a significant impact on the business. This new cause of action is not tied to real property ownership. This bill is on the committee agenda - Appropriations: Thursday, 01/20/22, 11:30 am. Current PBC Position: Oppose.

SB 518 Residential Home Protection - Amends a provision in a law prohibiting a local government from requiring a notice to trim or remove a tree on a residential property if the property owner has documentation that the tree presents a danger to those on the property. This bill is on the committee agenda - Community Affairs: Tuesday, 01/18/22, 3:30 pm. Current PBC Position: Oppose

*There was huge movement on the county appropriations requests this week, as many were heard in the first committee of reference. The chart on the following page depicts appropriations requests included in Palm Beach County's State Legislative Agenda and are sorted by budget category. Green box marks the committee in which the bill is waiting to be heard.

PBC State Appropriations Priority Requests

HB/Senate Tracking Number	FY 2022-2023 Appropriations	\$ Amount	Sponsor	Committees	
LFIR 1121 HB 2559	Everglades Workforce Training Program	\$1,700,000	Polsky Skidmore	(H) Infrastructure & Tourism Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1136 HB 3371	Peanut Island Restoration	\$1,500,000	Powell Caruso	(H) Infrastructure & Tourism Appropriations Subcommittee Y: 12 N: 0	(H) Appropriations Committee
LFIR 1200 HB 2361	Central PBC Infrastructure	\$1,000,000	Berman Silvers	(H) Infrastructure & Tourism Appropriations Subcommittee Y: 12 N: 0	(H) Appropriations Committee
LFIR 1199 HB 3313	Transportation Disadvantaged	\$2,000,000	Powell Casello	(H) Infrastructure & Tourism Appropriations Subcommittee Y: 12 N: 0	(H) Appropriations Committee
LFIR 1831 HB 3693	Briny Breezes Pocket Drainage Study	\$100,000	Berman Caruso	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR XXXX HB 3819	Chain of Lakes / Blueway Trail - C-51 Boat Lift	\$250,000	Powell Willhite	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1125 HB 2381	RESTORE: ReEntry	\$500,000	Berman Willhite	(H) Justice Appropriations Subcommittee	(H) Appropriations Committee
LFIR 2169 HB 3321	Urban Search and Rescue	\$ 1,100,000	Garcia Caruso	(H) State Administration & Technology Appropriations Subcommittee Y:13 N:1	(H) Appropriations Committee
LFIR 1352 HB 3611	PBC F/R Bunker Gear Contamination Project	\$821,000	Polsky Willhite	(H) State Administration & Technology Appropriations Subcommittee	(H) Appropriations Committee

LFIR 1959 HB 3609	PBC F/R Station 24 Rebuild	\$2,100,000	Powell Willhite	(H) State Administration & Technology Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1409 HB 3925	HRC 2	\$1,000,000	Berman Silvers	(H) Health Care Appropriations	(H) Appropriations Committee
LFIR 1391 HB 2079	LRPI 1 - Cypress Creek Floodplain Restoration Project	\$ 750,000	Harrell Snyder	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2077	LRPI 2 - Pennock Point Industrial Stormwater Improvements	\$ 150,000	Harrell Snyder	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 12 N: 0	(H) Appropriations Committee
HB 2047	LRPI 3 - Lox River Mile 6 Ga Closure and Oxbow Maintenance	\$ 377,500	Harrell Snyder	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2045	LRPI 4a - Environmental Education Facilities at the JLONA	\$ 350,000	Harrell Snyder	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2387	LRPI 4b - Sims Creek Preserve Hydrologic and Env. Restoration	\$ 100,000	Harrell Roth	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2287	LRPI 6 -Bush Road Stormwater Improvements	\$ 94,500	Harrell Roth	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee

HB 2281	LRPI 7a - Loxahatchee River Battlefield Park Culvert Replacement	\$ 125,000	Harrell Roth	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2279	LRPI 7b - Canal C Storage Project	\$312,500	Harrell Roth	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 3617	LRPI 9 - Unit 3 Water Control Structure	\$ 40,000	Harrell Oberdorf	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1042 HB 3563	LWL 1 - 18th Ave. North & Wellesley Drive Lagoon Enhancement	\$ 250,000	Berman Caruso	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 3339	LWL 2 - Bonefish Cove Environ. Enhancement	\$ 500,000	Berman Caruso	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
HB 3325	LWL 3 - Hypoluxo Septic to Sewer Conversion	\$ 359,375	Berman Caruso	(H) Agriculture & Natural Resources Appropriations Subcommittee Y: 14 N: 0	(H) Appropriations Committee
HB 2161	LWL 4a – Lake Clarke Shores West Water Quality Improvement Project	\$ 1,700,000	Berman Silvers	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
HB 3333	LWL 4b - Providencia Cay Habitat Restoration Project	\$ 1,000,000	Berman Caruso	(H) Agriculture & Natural Resources Appropriations	(H) Appropriations Committee

				Subcommittee Y: 14 N: 0	
HB 3337	LWL 6 - Singer Island Submerged Land Acquisition	\$250,000	Berman Caruso	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1076 HB 2565	Palm Beach County Glades Region Infrastructure Improvements	\$3,000,000	Polsky Skidmore	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1077 HB 2671	Palm Beach County Lake Okeechobee Shoreline Restoration	\$1,600,000	Polsky Skidmore	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee
LFIR 1410 HB 3131	Green Cay Phase 2	\$ 3,000,000	Berman Slosberg	(H) Agriculture & Natural Resources Appropriations Subcommittee	(H) Appropriations Committee