



**Regular Session: County Lobbyist Call
Monday, April 10, 2017**

Welcome & Opening Remarks

Davin Suggs, FAC's Director of Public Policy, made the following announcement:

- Budgets will be voted on this week in both chambers. Wednesday and Thursday.
- The Constitutional Revision Commission will hold its next meeting this week in Tallahassee, Florida at FAMU (April 12th)
- Please refer to previous editions of County Lobbyists notes and FAC Legislative Bulletins for information on bills not discussed this week.
- **LEGISLATIVE ALERTS** for this week have been included.
- **Red** - means an upcoming event, bill hearing, etc...
- **Green** - refers to last action on a bill from the previous week.

LEGISLATIVE PREEMPTION ALERT #1

**We can have technology without preemption: Vote no on HB 596
Cell phone tower preemption up Wednesday!
Wednesday, April 12th, 2017 - Senate Rules Committee - 5:00 p.m.**

Preempting local community control over local taxpayer facilities from private wireless companies
[HB 596](#) (Sen. Hutson) will, among other technical provisions, severely limit the ability of local communities to regulate the collocation of small wireless facilities in public rights-of-way. The bill limits the fees (\$15 maximum) counties can charge communication facility companies to locate on taxpayer funded infrastructure.

- **Taxpayers shouldn't foot the bill:** Both SB 596/HB 687 limit the fees counties can charge the for-profit wireless companies, like AT&T and Verizon, to just \$15 per item on county infrastructure. Wireless companies made billions in profit last year and pay private property owners and even other government entities outside Florida much, much more than just \$15. By limiting what counties can charge these companies for their use of taxpayer-funded and maintained utilities poles amounts to a taxpayer subsidy to private for-profit companies.
- **Let's work together:** Counties want to bring new and faster technology to their communities but it shouldn't be on the back of taxpayers. These private for-profit companies need to pay their fair share and defer to public safety experts on where these facilities should go.
- **The Communications Services Tax red herring:** Proponents of this legislation argue that attachment fees should be capped because local governments receive the communications

services tax (CST). However, there is no relationship between the CST and the use of county poles. And more importantly the CST is paid by us – the consumers – NOT wireless companies.

- **Protect public safety and community standards:** Local right-of-way regulations are needed to protect the health, safety, and welfare of the public, while maintaining community design standards. Under these bills, counties would be unable to apply basic safety and aesthetic standards to the collocation of small cells.
- **Stop the Preemption:** Both bills limit local communities from *prohibiting, regulating, or charging* for the collocation of these wireless facilities on taxpayer funded infrastructure like traffic signals and light posts.

HOW CAN I HELP “STOP” THIS LEGISLATION?

- CALL MEMBERS of the [Senate Rules Committee](#) and share your local perspective.
- E-MAIL MEMBERS of the [Senate Rules Committee](#) and share your local perspective.

FAC Contact

To learn more about this issue and related legislative information contact Eric Poole via email @ epoole@fl-counties.com .

LEGISLATIVE PREEMPTION ALERT #2

A tax shift is not a tax cut:

Vote No on Senate Resolution to Increase the Homestead Exemption

Potentially, Thursday, April 13th, 2017 - Senate Appropriations Subcommittee on Finance and Tax Committee - 1:00 p.m.

Increasing the Homestead Property Tax Exemption

[SJR 1774](#) by Senator Tom Lee proposes a constitutional amendment that would increase the homestead exemption by \$25,000, creating a super-exemption of \$75,000 for the first \$100,000 of the value of homestead property. While homestead property owners may appreciate the exemption, it shifts the tax burden to our local business and non-homesteaded property owners.

- **This is a tax SHIFT not a tax CUT.** The tax burden will be placed on local business owners and non-homestead property owners who must choose between more taxes or fewer services.
- **Small counties hit the hardest:** Florida’s 29 fiscally constrained counties that are at or near the 10 mill cap will have no choice but to cut the limited services they are barely able to provide today.
- **Citizens will get less with less:** The additional exemption means that counties that choose to maintain their current millage rates must make tough choices about the services provided to their citizens.

HOW DO I DETERMINE “MY LOCAL IMPACT?”

Immediately consult with your Property Appraiser and County Administrator/Manager, as well as, finance staff to ascertain the fiscal impact this proposal will cause. Consider likely policy choices that this impact will create: which services are most likely to be cut or eliminated; what would the consequences of any rate increase be?

HOW CAN I HELP “STOP” THIS LEGISLATION?

- CALL MEMBERS of the [Senate Finance and Tax Subcommittee](#) and share your local perspective.
- E-MAIL MEMBERS of the [Senate Finance and Tax Subcommittee](#) and share your local perspective.

FAC Contact

To learn more about this issue and related legislative information contact Laura Youmans, Esq. via email @ lyoumans@fl-counties.com

2017 PRIORITIES UPDATE

OPIOID ABUSE – LISA HURLEY, ESQ.

[SB 788 \(Sen. Clemons\)](#) – related to marketing practices for substance abuse services unanimously passed the Senate Appropriations committee on 4/5/2017 and now is headed to its last committee of reference, the Senate Rules Committee.

[SB 150](#) (Rep. Steube) / [HB 477](#) (Rep. Boyd) creates crimes of trafficking in fentanyl and synthetic drugs and increases penalties for some drug related offenses. This is the priority legislation for the Florida Sheriffs Association. [SB 150](#) was passed unanimously by the Senate Criminal Justice committee on Monday, 4/3/17 and is now headed to the Senate Appropriations committee, it’s last committee of reference. [HB 477](#) was passed unanimously by the House Justice Appropriations subcommittee on Monday, 4/3/17 and is now headed to the house floor.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Lisa M. Hurley, Esq. via email @ lhurley@smithbryanandmyers.com or visit the **OPIOID EPIDEMIC** Legislative page [here](#).

MEDICAL MARIJUANA –SUSAN HARBIN, ESQ.

[SB 406](#) (Sen. Bradley) was passed unanimously by the Senate Health Policy committee on Monday 4/3/17. The bill was amended substantially to among other things:

- Require independent testing of marijuana
- Creates a new medical marijuana research group at the Moffitt Cancer Center in Tampa
- Allows nonresidents to get medical marijuana if they are approved in their home state
- Bars minors from buying medical marijuana, the marijuana must be purchased by a guardian
- The limit for a patient’s supply is expanded from 45 to 90 days; and
- Allows for more dispensaries by adding 5 more by October 3, 2017, and another 4 for every 75,000 approved patients.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **MEDICAL MARIJUANA** Legislative page [here](#).

TAX REFORM / LOCAL REVENUE ENHANCEMENT – LAURA YOUMANS, ESQ.

House Proposed Tax Cut Package - [HB 7109](#) - The proposed 2017 House tax cut package was passed unanimously by the Ways and means Committee on 4/5/2017 and is intended to provide for a wide range of tax reductions and modifications designed to directly impact both households and businesses, and to improve tax administration. The proposed concepts contain several provisions related to **sales tax** including a reduction of the sales tax on commercial leases from 6% to 4.5% for the first two years and then permanently by 0.5%. For **property tax** purposes, the proposed concepts provide property tax relief for certain property used to provide affordable housing and amends the definition of inventory to include certain construction and agricultural equipment. Based on [FAC's analysis](#) of the proposed tax cut concepts, Counties will experience an estimated \$33 million recurring impact statewide.

10% Assessment Limit on Non-Homestead Property - [SB 76](#) (Sen. Lee) was unanimously passed on Thursday, 4/6/17 by the Senate Appropriations committee meeting. The bill is scheduled to be heard on Wednesday, 4/12/17 by the Senate Rules Committee before it heads to the Senate Floor.

Additional Homestead Exemption - [HB 7105](#) (Rep. LaRosa) The House companion to [SJR 1774](#) (Sen. Lee) – Increased Homestead Property Tax Exemption – was passed by a vote of 13-6 on Wednesday, 4/5/17 by the House Ways and Means committee. The related implementing bill [HB 7107](#) was also passed by the same committee. [SJR 1774](#) (Sen. Lee) could be potentially scheduled to be heard on Thursday, 4/13/2017 by the Senate Finance and Tax committee. Please refer to **LEGISLATIVE PREEMPTION ALERT #2**

Renewable Energy - [HB 1351](#) (Rep. Rodrigues) was passed unanimously on 4/5/2017 by the House Ways and Means committee. The bill was amended to include protection for solar projects currently under construction in several counties. These counties will now realize the full amount of speculated tax revenues if the bill continues towards successful adoption.

Sales Tax on Commercial Leases - [SB 484](#) (Sen. Hukill) which proposes to phase out the sales tax on commercial leases by beginning with a 1 cent reduction was passed by the Senate Community Affairs committee on 4/3/2017.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Laura Youmans, Esq. via email @ lyoumans@fl-counties.com or visit the **TAX REFORM** Legislative page [here](#)

ECONOMIC DEVELOPMENT – ERIC POOLE

No update

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Eric Poole via email @ epoole@fl-counties.com or visit the **ECONOMIC DEVELOPMENT** Legislative page [here](#) .

BEACH RENOURISHMENT – SUSAN HARBIN, ESQ.

The House has proposed an appropriation of \$30,060,495 for statewide beach projects, with \$20 million appropriated from general revenue and the remainder coming from the LATF. The Senate has proposed \$50 million from the LATF for statewide beach projects, as well as \$50 million for beach recovery funds for nourishment, dune restoration, and dune repair projects in areas damaged by Hurricanes Matthew and Hermine. The complete [FAC analysis](#) of the Proposed SFY 2018 Senate and House budget can be found [here](#).

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **BEACH RENOURISHMENT** Legislative page [here](#).

COMPREHENSIVE WATER – SUSAN HARBIN, ESQ.

[HB 285](#) (Rep. Fine) - Relating to Onsite Sewage Treatment and Disposal System Inspections passed its final committee on 4/6/2017 and is heading to the floor. In its current form, [HB 285](#) would require DOH to create a database of existing septic systems including location and operational condition. The amended bill also requires a disclosure form at the point sale of indicating that a septic system exists on the property and recommending that the purchaser request the latest inspection report or request an inspection and assessment of the system a report is not available.

[SB 532](#) (Sen. Galvano) related to public notices of pollution was passed unanimously on 4/6/17 by the Senate Appropriations committee and has been placed on the Senate Special Order Calendar for 2nd reading on Thursday, 4/13/2017.

[SB 10](#) (Sen. Bradley) – Relating to Water Resources passed its final committee, Senate Appropriations, on 4/5/2017. A strike-all amendment, which significantly alters the bill's original proposal to purchase 60,000 acres of land from willing sellers for a storage reservoir, was adopted. As amended, the bill would use state-owned land to create a deep storage reservoir. The bill also clarifies that CERP projects will continue to receive funding, and establishes a job training program for displaced agricultural workers. A comprehensive summary of SB 10 amendments from Senate President's office: https://statics3.lobbytools.com/press/99396_dent_negron_discusses_plan_for_major_water_storage_expansion.pdf. [SB 10](#) has been placed on the Senate Special Order calendar for 2nd reading on Wednesday, 4/12/2017.

Legislation and FAC Contact

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com or visit the **COMPREHENSIVE WATER** Legislative page [here](#).

2017 EMERGING ISSUES UPDATE

Health & Human Services / Public Safety

- 1. Clerks of the Circuit Court** – Lisa Hurley (lhurley@fl-counties.com)
[SB 2506 \(Senate Appropriations\) / HB 7051](#) (Rep. Byrd) - Relating to Clerks of the Circuit Court

[SB 2506](#), which provides for additional funds for clerks and a mechanism to adjust for budget fluctuations during the year, was passed unanimously on 4/5/2017 by the Senate Appropriations committee and immediately placed on the Special Order calendar for 2nd reading on 4/12/2017.
- 2. Drones** - Eric Poole (epoole@fl-counties.com)
[SB 832 \(Sen. Young\) / HB 1027 \(Rep. Yarborough\)](#) - Relating to Drones

[HB 1027](#) was passed unanimously by the House Government Accountability Committee on 4/4/2017. It is now headed to the House Floor.

[SB 832](#) was passed unanimously by the Senate Transportation Committee on 4/4/2017. This bill has two more committee references.
- 3. Civil Citation Program for Juveniles** – Lisa Hurley (lhurley@fl-counties.com)
[SB 196](#) (Sen. Flores) / [HB 205](#) (Rep. Ahern) - Relating to Juvenile Civil Citation & Similar Diversion Programs:

[HB 205](#) was passed unanimously on Monday 4/3/17 by the House Justice Appropriations subcommittee.
- 4. Florida Criminal Justice Reform Task Force** – Lisa Hurley (lhurley@fl-counties.com)
[SB 458](#) (Sen. Brandes) / [HB 387](#) (Rep. Peters) - Relating to Florida Criminal Justice Reform Task Force.

[SB 458](#) (Sen. Brandes) was passed unanimously on 4/5/17 by the Senate Appropriations committee.

Finance, Tax & Administration

- 1. House and Senate Budget:** The Senate and House proposed budgets for State Fiscal Year (SFY) 2018 were heard and amended in each respective chamber's appropriations committee meetings. It is now anticipated that both chambers will conduct full floor votes on their respective budgets during the week of 4/10/2017. The complete [FAC analysis](#) of the Proposed SFY 2018 Senate and House budget can be found [here](#).
- 2. Public Records** – Laura Youmans (lyoumans@fl-counties.com)
[SB 80](#) (Sen. Stuebe) / [HB 163](#) (Rep. Burgess) - Relating to Public Records

[HB 163](#) (Rep. Burgess) passed by the House Government Accountability Committee on 4/6/2017 and is headed to the House Floor.

3. **Constitutional Officers** – Laura Youmans (lyoumans@fl-counties.com)
[SJR 134](#) (Sen. Artiles) / [HJR 721](#) (Rep. Fischer) - **Selection and Duties of County Officers/Sheriff**

[SJR 136](#) relating to Property Appraisers was passed by the Senate Judiciary committee on 4/4/2017 and is now headed to the Senate Rules committee.

[SJR 134](#) relating to Sheriffs was temporarily postponed by the Senate Judiciary committee on 4/4/17. [HJR 721](#) was also temporarily postponed on 4/6/2017 by the House Government Accountability committee.

4. **Worker's Compensation** – Laura Youmans (lyoumans@fl-counties.com)
[SB 1582](#) (Sen. Bradley) / [HB 7085](#) (Rep. Burgess) - **Worker's Compensation**

[SB 1582](#) (Sen. Bradley) was passed on Monday 4/3/17 in the Senate Banking and Insurance committee. [HB 7085](#) (Rep. Burgess), was passed by the House Commerce committee on 4/6/2017.

5. **Local Referenda** – Laura Youmans (lyoumans@fl-counties.com)
[HB 139](#) (Rep. Ingoglia) / [SB 278](#) (Sen. Stuebe) - **Relating to Local Tax Referenda:**

[HB 139](#) (Rep. Ingoglia) was amended and passed on, 4/5/2017 during a meeting of the House Ways and Means committee. The amendment added the ability for local governments to hold a referenda election to adopt local option sales taxes during a primary election as long as the voter passage threshold is increased to 60%. General elections still only require a 50% threshold.

Growth Management and Transportation

1. **UBER** - Eric Poole (epoole@fl-counties.com)
[SB 340](#) (Sen. Brandes) / [HB 221](#) (Rep. Sprowls) - **Relating to Transportation Network Companies**

[SB 340](#) was passed on 4/6/2017 in the Senate Rules Committee. [HB 221](#) was passed on third reading on the house floor on 4/5/2017.

2. **Utility Transmission Lines** - Eric Poole (epoole@fl-counties.com)
[SB 1048](#) (Sen. Lee) / [HB 1055](#) (Rep. Ingram) - **Relating to Linear Facilities**

Both bills have been fast-tracked, with [SB 1048](#) being passed on third reading on the Senate Floor on 4/6/2017.

3. **Community Redevelopment Agencies** - Susan Harbin (sharbin@fl-counties.com)
[SB 1770](#) (Sen. Lee) / [HB 13](#) (Rep. Raburn) - **Relating to Community Redevelopment Agencies**

[SB 1770](#) passed its first committee, Senate Community Affairs, by a 5-3 vote. Amendments were adopted to allow a city or county to continue a CRA's existence beyond the date set in the charter or September 30, 2037 by a supermajority vote of governing body that established the CRA. [HB 13](#) also passed its second committee, House Ways and Means, by a 14-5 vote, and was amended to allow an existing CRA to continue operating by a supermajority vote of the establishing body.

5. **Vacation Rentals** - Eric Poole (epoole@fl-counties.com)
[SB 188](#) (Sen. Stuebe) / [HB 425](#) (Rep. LaRosa) - Relating to Vacation Rentals

[SB 188](#) was temporarily postponed on Monday, 4/3/2017, during the Senate Community Affairs committee meeting.

Week Ahead Calendar

Monday

No Meetings

Tuesday

No Meetings

Wednesday

| S SESSION | | 12:00PM-4:00PM |
|-------------------------|-----------------|--------------------------------|
| SB 0010 | Water Resources | Bradley |
| SB 2500 | Appropriations | Appropriations |

| H SESSION | | 1:00PM-N/A |
|-------------------------|----------------------------|--|
| HB 5001 | General Appropriations Act | Appropriations Committee |

| S Rules | 110 S | 5:00PM-6:00PM |
|-------------------------|---|-------------------------|
| SB 0596 | Utilities | Hutson |
| SB 0076 | Limitations on Property Tax Assessments | Lee (T) |