



CAPITOL UPDATE

FAC PRIORITY: OPIOID EPIDEMIC



91
AMERICANS

die every day from
an **opioid overdose**
(that includes prescription
opioids and heroin).

The opioid epidemic received a lot of attention this legislative session and many of the FAC objectives regarding this health crisis were accomplished. The Governor declared the opioid epidemic an emergency health crisis; sober homes bill passed; penalties for trafficking in fentanyl passed and reporting by first responders passed.

[SB 788](#) (Sen. Clemens) / [HB 807](#) (Rep. Hager)—related to marketing practices for substance abuse services (SoberHomes) was voted on by both chambers and passed. The bill will now head to the Governor for his final signature. The bill seeks to implement recommendations of the 15th Judicial Circuit

Grand Jury Report and Sober Home Task Force prohibiting recovery residences from engaging in deceptive, fraudulent marketing practices; marketers or referral agencies must license with DBPR and have an office in Florida; and prohibits commissions or kickbacks for placing patients.

[HB 249](#) passed both the House and Senate and has been sent to the Governor for consideration. The bill encourages first responders to report certain overdose incident data to the Department of Health within 120 hours of the incident through the existing state Emergency Medical Service Tracking and Reporting System (or other appropriate method) and requires the Department to make the information available to local government agencies no later than 120 hours after receipt.

[SB 150](#) / [HB 477](#) creates crimes of trafficking in fentanyl and synthetic drugs and increases penalties for some drug related offenses. The bill was voted on by both chambers and passed. The bill will now head to the Governor for his final signature.

Naltrexone Injectable Medication Funding in the Budget - In addition to the policy bills that passed, the following appropriations were included in the budget to fund the provision of Naltrexone extended-release injectable

medication to treat alcohol or opioid addicted individuals:

- State Courts Administrator = \$5 million recurring and \$2.5 million non-recurring
- Department of Children and Families = \$1.5 million recurring and \$1.021 million non-recurring
- Department of Corrections = \$500,000 recurring



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Questions/More information:

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NEWS ARTICLES ON OPIOID EPIDEMIC

FAC PRIORITY: MEDICAL MARIJUANA

Early in the process, FAC successfully protected home rule in regards to medical marijuana dispensaries with language in both House and Senate bills.

[SB 406](#) (Sen. Bradley) / [HB 1397](#) (Rep. Rodrigues) - Relating to the Medical Use of Marijuana failed to pass both chambers. Ultimately negotiations between the House and Senate broke down due to an inability to agree on the number of dispensaries allowed per licensee. Now, the Department of Health will be responsible for implementation of the constitutional amendment via the rulemaking process. A draft version of the rule 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.

FAC PRIORITY: TAX REFORM

Additional Homestead Exemption: [HJR 7105](#) (Rep. LaRosa) which provides an additional \$25,000 homestead exemption on property value from \$100 - \$125K passed both the House and Senate late in Session when it became tied to the budget negotiations. The proposed constitutional amendment will now be placed on the 2018 ballot for consideration by the voters of Florida. The bill is projected to have a \$650 million impact to local government revenues in the first year if it is passed on the 2018 ballot. To learn the

possible impacts to your county [click here](#). To see how many properties in your county would be impacted, [click here](#). FAC will work with its membership during the policy decision making process to determine what if any future actions are taken.

10% Assessment Limit on Non-Homestead Property - [HB 21](#) (Rep. Burton)/ [SB 76](#) (Sen. Lee) -Relating to Limitations on Property Tax Assessments was voted on by both chambers and passed. The proposed constitutional amendment will now be placed on the 2018 ballot for consideration by the voters of Florida. The amendment, if approved by voters, will extend and make permanent the current cap on the increased assessments on all non-homestead property.

Renewable Energy - [HB 1351](#) (Rep. Rodrigues) / [SB 90](#) (Sen. Brandes) - Relating to Renewable Energy Source Devices was voted on by both chambers and passed. The bill will now head to the Governor for his final signature. The bill will implement the recently passed constitutional amendment exempting renewable energy devices, including, solar equipment, from 80% of property tax assessments and 80% of any tangible personal property tax payments due. FAC secured language in the bill excluding several counties from the application of this exemption due to previously negotiated local economic development incentive deals.

Tax Cut Package - [HB 7109](#) - The 2017 tax cut package was voted on by both chambers and passed. The bill will now head to the Governor for his final signature. Based on [FAC's analysis](#) of the proposed tax cut concepts, counties will experience an estimated \$33 million negative recurring impacts statewide.

LEGISLATIVE TAX CUT ANALYSIS

Local Business Taxes - [SB330](#) (Sen. Stuebe) / [HB 487](#) (Rep. Renner) failed to pass both chambers. The bill would have modified current law to provide exemptions for veterans and their spouses, as well as, low income business owners from paying local business taxes.

Questions / More Information:

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NEWS ARTICLES ON ADDITIONAL HOMESTEAD EXEMPTION

FAC PRIORITY: ECONOMIC DEVELOPMENT

The House and Senate budgets did not include any additional funding for Enterprise Florida and only included \$25 million in funding for Visit Florida, well shy of the \$100 million requested by the Governor. The Governor has declared his concern over the limited funding in the budget leading news outlets to speculate on the possibility of the Governor vetoing the entire budget to have more funding for these two priority issues.

[HB 7005](#) (Rep. Renner) - Relating to Economic Programs failed to pass both chambers. The bill served primarily as the House initiative to eliminate Enterprise Florida and nearly all the state's economic incentive programs. The bill was never considered by the Senate.

[HB 9](#) (Rep. Renner) - Relating to the Florida Tourism Marketing Agency failed to pass both chambers. The bill served primarily as the House initiative to re-organize "Visit Florida" under the auspices of the Department of Economic Opportunity and severely cut its funding from approximately \$90 million to approximately \$25 million. The bill also included several new accountability standards by which the program must adhere to in promoting tourism in

Florida. Although the bill did not pass, the substance of the bill, including the funding levels, was included in a budget conforming bill [HB 5501](#).

Legislation and FAC Contact

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

FAC PRIORITY: BEACH RENOURISHMENT

[SB 1590](#) (Sen. Latvala) / [HB 1213](#) (Rep. Peters) – Relating to Coastal Management failed to pass both chambers. The bill would have revised the criteria that DEP uses to allocate funding for beach management and erosion control projects, creating a scoring system that uses weighted tiers to determine annual project funding priorities. Additionally, the bill would have increased the program's focus on inlet management.

Although the major policy legislation did not pass this year, the following allocations were provided in the final budget:

- Beach Projects: \$50,000,400 (including \$29.4 million from the Land Acquisition Trust Fund (LATF), with remainder coming from non-recurring general revenue) is provided for statewide beach projects.
- Beach Recovery: \$13,333,333 from general revenue for beach and dune repair and reconstruction projects in areas damaged by Hurricanes Matthew and Hermine.

Questions / More Information

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email @ sharbin@fl-counties.com.

NEWS ARTICLES ON BEACH RENOURISHMENT

FAC PRIORITY: COMPREHENSIVE WATER REFORM

[SB 10](#), a priority for President Negrón, was delayed by the House until it was negotiated as a part of the budget deal. Once that occurred, SB 10 passed the House and was sent to the Governor for consideration. Among several provisions, the bill primarily establishes options for providing additional water storage south of Lake Okeechobee, including the:



- Everglades Agricultural Area (EAA) reservoir project with the goal of providing a minimum of 240,000 acre-feet of water storage; and
- C-51 reservoir project with the goal of providing approximately 60,000 acre-feet of water storage.
- Directs SFWMD to begin planning for a deep water reservoir south of Lake Okeechobee, with a goal of a minimum of 240,000 acre feet of water storage capacity, using state-owned land and land acquired by SFWMD through land purchases and swaps.
- The project costs, totaling \$1.6 billion, would be split between the state and federal government (subject to federal appropriation). The bill provides for a \$64 million appropriation from the LATF in the FY 17-18 budget. The state is authorized to bond up to \$800 million to cover the state's share.

- Establishes the Everglades Restoration Agricultural Community Employment Training Program within DEO.

[HB 285](#) (Rep. Fine) / [SB 1748](#) (Sen. Stewart)- Relating to Onsite Sewage Treatment and Disposal System Inspections failed to pass both chambers. The bill would have removed the prohibition on local governments requiring evaluations of septic systems at the point of sale in real estate transactions, and would instead require inspection of septic tanks at the point of sale.

[SB1018](#) (Sen. Grimsley) / [HB 753](#) (Rep. Stone)- Relating to Pollution was voted on and passed by both chambers. The bill will now head to the Governor for his final signature. The bill known as the “Public Notice of Pollution Act” defines terms and standards regarding the process for reporting pollution creating events.

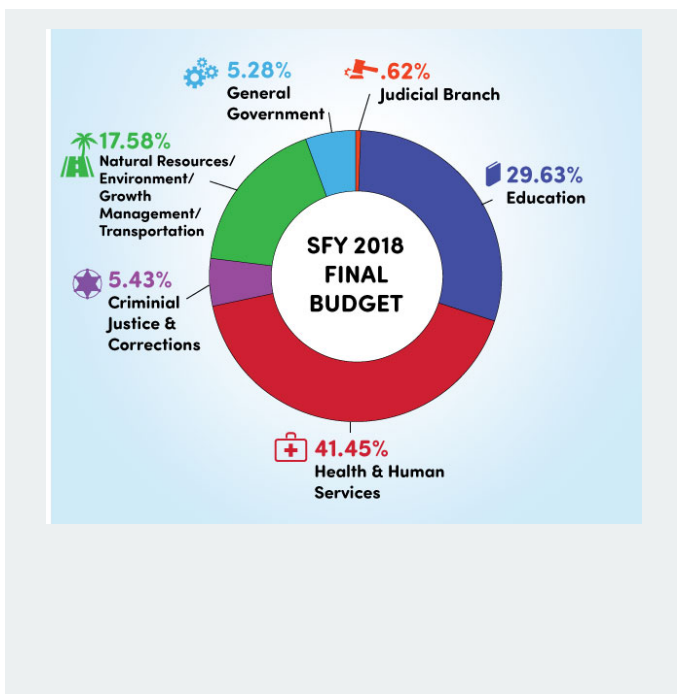
Questions / More information:

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2018 STATE BUDGET SUMMARY

The Florida Legislature passed the General Appropriations Act (GAA) for State Fiscal Year 2017-2018 on May 8th. The Legislature’s proposed budget for State Fiscal Year 2017-2018 totals approximately \$82.42 billion, and represents a \$260 million increase over the 2016-2017 State Budget. The chart below summarizes a comparison of the current year 2016-2017 State Budget and the proposed State Budget for 2017-2018 beginning July 1, 2017.

[-Read More-](#)



2018 FLORIDA STATE BUDGET ANALYSIS

OTHER IMPORTANT LEGISLATION

HEALTH & HUMAN SERVICES / PUBLIC SAFETY

[Lisa Hurley](#)

Clerks of the Circuit Court:

- [SB 2506](#), a budget conforming bill provides for additional funds for clerks and a mechanism to adjust for budget fluctuations during the year. The bill was voted on and passed by both chambers as a part of the budget process.

Drones:

- [SB 832](#) (Sen. Young) / [HB 1027](#) (Rep. Yarborough) - Relating to Drones was voted on and passed by both chambers. The bill will now head to the Governor for his final signature. The bill provides that the authority to regulate the ownership or operation of unmanned aircraft systems is vested in the state.

Sentencing:

- [SB 1068](#) / [HB 157](#) did not pass all of its committees of reference in either chamber. The bill would have authorized the court to sentence certain offenders to county jail for up to 24 months if county has a contract with DOC.

FINANCE, **TAX** & ADMINISTRATION

[Laura Youmans](#)

Super Preemption:

- [HB 17](#) (Rep. Fine) never received an official Senate companion and ultimately died in committee. The bill would have prohibited certain local governments from imposing or adopting certain regulations on businesses, professions and occupations.

Regulation of Commerce, Trade and Labor:

- [SB 1158](#) (Sen. Passidomo) died early in the process when it was referred to four committees and its first committee never calendared it for a hearing. The bill would have preempted local governments from regulating matters of commerce, trade, and labor.

NEWS ARTICLES ON HOME RULE PREEMPTION

Local Government Ethics Reform:

- [HB 7021](#) (Public Integrity & Ethics Committee) - Relating to Local Government Ethics failed to pass both chambers. The bill proposed language that would establish a statewide lobbyist registration system. Additionally, the proposed bill language provided further restrictions upon local public officials when conflicts of interest arose.

Public Records:

- [SB 80](#) (Sen. Stuebe) / [HB 163](#) (Rep. Burgess) - Relating to Public Records was voted on and passed by both chambers. The bill will now head to the Governor for his final signature. Among other provisions, the bill would allow judicial discretion when determining whether to award attorney's fees to a requestor in a public records lawsuit.

Worker's Compensation:

- [SB 1582](#) (Sen. Bradley) / [HB 7085](#) (Rep. Burgess) - Relating to Worker's Compensation Insurance failed to pass both chambers. One of the major points of contention between both chambers were attorney's fees. The Senate version would

cap attorneys' fees at \$250 and would require individual insurers to file their own rate requests rather than the requests being filed by the National Council on Compensation Insurance. Meanwhile, the House version of the workers' compensation reform would limit claimants' attorney's fees to \$180.

Local Referenda:

- [HB 139](#) / [SB 278](#) would have stipulated when local governments must have their local referenda elections and by what threshold they must pass. The bill did not pass both chambers.

Local Government Fiscal Transparency:

- [HB 7065](#) passed the House but failed to pass the Senate.

Among various provisions, the bill provided for:

- Voting records related to Board actions to increase taxes and the issuance of tax-supported debt.
- The provision of online access to historical TRIM notices by parcel.
- Additional requirement for public meetings and notice for local option tax increases and tax-supported debt issuances.
- The requirement for local governments to conduct a debt affordability analysis prior to approving new long-term tax-supported debt.
- The requirement that local governments include compliance with transparency requirements in their annual audit.

Local Government Fiscal Responsibility:

- [HB 7063](#) (House Ways & Means Comm.) - Relating to Local Government Fiscal Responsibility failed to pass both chambers.
- The bill, among various provisions, would have provided for:
 - Local governments, except schools, can't adopt over millage rolled-back rate unless they spend down "excess unencumbered fund balances" in special funds below 10%. In effect, this prohibits property tax increases unless excess fund balances are spent down.
 - Prohibits cities and counties (exempts schools) from enacting, extending or increasing local option taxes other than property taxes, if they had adopted a millage rate in excess of the rolled-back rate (with certain specified exceptions) in any of the three previous years.
 - Requires any local option or property tax (including special districts) that require voter approval to be on a general election ballot with a 60% threshold for passage.
 - For example- CST, local business tax, local option surtaxes, TDT, public service tax, gas taxes.
 - Requires voter approval for any new tax-supported debt (beyond 5 years) and must be on a general election ballot with a 60% threshold for passage.
 - Except, in an emergency (defined by ch. 252--Emergency Management) the governing board, by a 4/5 vote, can authorize a vote at an election other than the general election, while still requiring 60% voter approval with the proceeds only being used for said emergency.

Constitutional Officers:

- [SJR 134](#) (Sen. Articles) / [HJR 721](#) (Rep. Fischer) - Relating to Selection and Duties of County Officers/Sheriff failed to pass both chambers. The bill (and other similar bills) proposed amendments to the State Constitution to remove authority for a county charter to provide for choosing constitutional county officers in a manner other than election.

Transportation Networking Companies (Uber):

- [SB 340](#) / [HB 221](#): These bills passed the chamber and [HB 221](#) went to the governor for consideration. The governor indicated in press reports that he intends to sign the bill. This bill preempts the regulation of TNCs to the state.

Public Works Contracting:

- [SB 534](#) / [HB 599](#): These bills passed both chambers and HB 599 went to the governor for consideration. The bill prohibits state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers.

Community Redevelopment Agencies:

- [SB 1770](#) / [HB 13](#): Relating to Community Redevelopment Agencies failed to pass both chambers. The bill would have required substantial changes to the management of CRAs and potentially threatened their existence in the long-term future.

Cell Phone Towers:

- [HB 687](#) / [SB 596](#): Relating to Utilities was voted on and passed by both chambers. The bill will now head to the Governor for his final signature. The bill, among other technical provisions, stipulates parameters for local governmental regulation of the co-location of small wireless facilities in public rights-of-way. Additionally, the bill stipulates that local governments are to be compensated at a rate of \$150 per pole per year for co-located attachments.

NEWS ARTICLES ON SMALL CELL TOWERS

Vacation Rentals:

- [SB 188](#) / [HB 425](#): Relating to Vacation Rentals failed to pass both chambers. The bill would have essentially changed current law (2014) to revert back to policy passed in 2011. In 2011, the Florida Legislature passed HB 883, which blocked local governments from "regulating, restricting, or prohibiting" vacation rental properties. Recognizing that the 2011 legislation went too far in removing local authority to regulate vacation rentals, the Legislature passed SB 356 in 2014, restoring partial Home Rule authority to counties

NEWS ARTICLES ON VACATION RENTALS
