



## House Speaker Release "Accountability" Bills

Announced during a Thursday afternoon press conference, lasting about thirty minutes, the House released several "accountability bills" related to the practices of local economic development organizations and local tourism agencies.

HB 461 would change the definition of "trade secrets" exempt from disclosure under the Sunshine Law, requiring the disclosure of financial information related to contracts with government agencies. HB 459 would eliminate an exemption passed in 2016 for financial information held by county tourism agencies.



Speaker of the House, Richard Corcoran, calling for more transparency within tourism agencies and local governments.

HB 3, a priority of the Speaker, mandates additional requirements for economic development agencies and tourism promotion agencies, including additional limitations on expenditures and operations, require county commission approval of some contracts, increased information provided on county websites.

The Speaker took time during the press conference to share his views and concerns on local government in relationship to the legislature. To view the full press conference, [click here](#).

**FAC Contact:** To learn more about this issue and related legislative information contact Laura Youmans, Esq. via email at [lyoumans@fl-counties.com](mailto:lyoumans@fl-counties.com).

### NEWS ARTICLES ON PRESS CONFERENCE

**Tampa Bay Times**  
 WINNER OF 12 PULITZER PRIZES

[Richard Corcoran sues Tampa over "illegal tax" on hotel rooms](#)

## Hurricane Irma & Maria

Hurricane response and recovery issues continue to receive significant attention in Tallahassee. On Monday, FAC met with the interim director Wes Maul of the Division of Emergency Management regarding FEMA reimbursements and Puerto Rico evacuees impact to the counties. According to Director Maul, DEM has identified bottlenecks in the payment system and implemented measures to

accelerate payments to counties.

To that end, the division reported the following:

- Initial projections of Hermine and Mathew eligible reimbursables: \$700 million
- Applicants still need to build Project Worksheets (PW) for about half while about half has been put into the system already.

Of the projects in the system (\$371 million):

- Just over half, or roughly 235 million, is still being reviewed for federal obligation
- Just under half, or 136 million, has been obligated by FEMA

Of 136 million that is obligated:

- Roughly \$67 million has been paid
- Roughly \$40 million is waiting for communities to file the official request for reimbursement with supporting documentation
- Roughly \$29 million is in processing for payment in the next few days or weeks

As of Monday, October 23, the Division had processed and sent for payment just over \$18 million. All but \$128,000 of it has been distributed to communities. Additionally, since Monday the Division has processed another \$2 million.

Payment breakdown:

- 69 EFT's totaling \$8,718,125.88
- 21 Checks issued totaling \$9,328,791.52
- 3 Pending Warrant (Vouchered to DFS) \$127,808.86

In the legislature, no less the six committees held meetings on the impacts of Hurricane Irma, including the Senate Appropriations Committee. For more information on the Senate Appropriations and House Select Committee on Hurricane Response and Preparedness, [click here](#).

FAC will continue to advocate on behalf of our members and relay information from DEM to the counties on all things hurricane-related.

**FAC Contact:**

To learn more about this issue and related legislative information contact Robert Brown via email at [rbrown@fl-counties.com](mailto:rbrown@fl-counties.com).

## NEWS ARTICLES ON HURRICANE RESPONSE AND PREPARDNESS

**SunSentinel**

[After Hurricane Irma, Florida must rebuild for resilience | Opinion](#)

## State and Local Regulations of Vacation Rentals

During the last committee week, the Senate Community Affairs Committee held a workshop on state and local regulations of vacation rentals but had run out of time for public testimony. The workshop continued this committee week allotting time for public testimony. Many of those who chose to speak at this committee meeting were Airbnb host, who use their rentals as supplemental income to support their family.



Flagler County Commissioner, Greg Hanson, speaking at the Senate Community Affairs Committee.

Flagler County Commissioner, Greg Hanson, was also in attendance speaking about the regulations Flagler County has set up to balance the need of the rental property owners and the surrounding neighborhoods.

Last session, the vacation rental industry attempted, unsuccessfully, to restore the full preemption of local regulation of vacation rentals that passed in 2011 but was partially rolled back in 2015. Although legislation has not yet been released yet, a few bills are expected to be filled in the near future.

**FAC Contact:**

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email at [sharbin@fl-counties.com](mailto:sharbin@fl-counties.com).

## NEWS ARTICLES ON VACATION RENTALS



**Herald-Tribune**

[Steube: Florida hotels' communistic view](#)

## Opioid Funding

The Senate Appropriations Subcommittee on Health & Human Services held a comprehensive workshop on opioid funding issues. The panel listened to testimony from substance-abuse and mental-health providers, doctors and researchers about opioids, addiction and the types of treatments and services shown to combat the epidemic. Chair Flores expressed that a combination of short-term intensive treatment beds, long-term outpatient services and medically assisted treatment would be the "blueprint" for a solution. While Chair Flores has not decided how much the state should spend on the opioid issue, she stated that it would be a "significant amount".

As a review, Governor Scott is asking for \$50 million to address the opioid crisis, but hasn't specified how he wants the money to be spent. Substance abuse and mental health providers are also seeking \$50 million. The state is moving forward with \$27 million in federal funding for the opioid epidemic. The Department of Children and Families, said part of the money will be spent on opening 49 new methadone treatment centers, which is twice the amount that are currently in operation. The federal funding also includes nearly \$1.8 million for naloxone, a drug also known as Narcan, that is used to reverse emergency opioid overdose.

**FAC Contact:**

To learn more about this issue and related legislative information contact Robert Brown via email at [rbrown@fl-counties.com](mailto:rbrown@fl-counties.com).

## NEWS ARTICLES ON OPIOID EPIDEMIC

[Orange County Sheriff: Federal](#)

## Springs and Beach Funding

At its first committee stop last week, [SB 174](#) by Senator Latvala passed unanimously. This week, Senator's Latvala's coastal management bill passed unanimously in the Senate Appropriations Subcommittee on the Environmental and Natural Resources. The bill has only one more stop in the Senate Appropriation committee before heading to the floor. To refresh, this bill revises beach nourishment funding criteria and dedicates an annual appropriation from the Land Acquisition Trust Fund (LATF) to beach projects. Specifically, the bill would dedicate \$50 million, or 7.6% of funds remaining after payment of debt services from LATF.

In related news, Governor Scott announced that his budget proposal, which will be released in the next few weeks, will include \$100 million for beaches.

### FAC Contact:

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email at [sharbin@fl-counties.com](mailto:sharbin@fl-counties.com).



## Constitutional Revision Commission

In the past two weeks, proposals for constitutional amendments were released by the Constitutional Revision Commission. As anticipated, one of the proposals seeks to prevent charter counties from changing the nature of the offices of the five county constitutional officers. Variations of this concept have been heard in the Florida Legislature over the past few sessions, but the language in each draft has been slightly different.

In general, the proposal provides that:

- The clerk must serve as ex officio clerk of the board unless otherwise provided by (1) special law approved by vote of the electors, or (2) if provided by general or special law (pursuant to Article V, section 16 of the Florida Constitution).
- County charters may not:
  - Abolish any of the offices of the county officers
  - Transfer the duties of those officers to another officer or office
  - Establish the length of the term of office
  - Establish any manner of selection other than by election by the electors of the county
- Applies to all county constitutional officers: sheriff, tax collector, property appraiser, supervisor of elections, and clerk of court.
- Takes effect January 5, 2021 but governs qualifying and holding the primary and general elections for county constitutional officers in 2020.

For the full text of the amendment, [click here](#).

**FAC CONTACT:**

For additional information, please feel free contact Laura Youmans via email at [lyoumans@fl-counties.com](mailto:lyoumans@fl-counties.com) or Brian Sullivan via email at [bsullivan@fl-counties.com](mailto:bsullivan@fl-counties.com).

## Public Meetings

The Senate Community Affairs Committee passed [SB 192](#), Public Meetings, by Senator Baxley on Tuesday, October 24. This bill would codify judicial interpretation specifying conditions under which members of any board or commission may participate in fact-finding exercises or excursions. It also declares all meetings or de facto meetings of any board or commission at which officials acts are to be taken or public business is to be transacted or discussed to be open public meetings. Members of the same board or commission may participate in fact-finding exercise or excursions to research public business, and may participate in meetings with a member of the Legislature if certain conditions are met.

SB 192 also defines the terms: De Facto Meeting, Discussion, Meeting, Official Act, and Public Business. Representative Roth has filed a companion bill, HB 79. FAC staff supported the bill in committee. SB 192's next and final committee stop is the Rules Committee.

**FAC CONTACT:**

For additional information, please feel free contact Laura Youmans via email at [lyoumans@fl-counties.com](mailto:lyoumans@fl-counties.com).

## Florida Building Commission

On Wednesday, October 25, [HB 299](#), Florida Building Commission, by Representative McClain was scheduled to be heard in the House Careers & Competition committee but was temporarily postponed.

Notably for local governments, the bill would eliminate two of the three municipal code enforcement official including a fire marshal, the county code enforcement official, and the municipal or charter county representative. A strike-all amendment has been filed that would instead reduce the commission to 15 members, two of which would be "municipal county, or district officials."

It is believed that the reason behind this bill is due to there being too many members on the Florida Building Commission to be able to get anything done. While FAC has some concerns about eliminating local building official and code enforcement from the commission, we are continuing to work with the sponsor.

**FAC Contact:**

To learn more about this issue and related legislative information contact Susan Harbin, Esq. via email at [sharbin@fl-counties.com](mailto:sharbin@fl-counties.com).

## Texting While Driving

[SB 90](#), Use of Wireless Communications Devices While Driving, by Senator Perry passed the Senate Communications, Energy, and Public Utilities committee. The bill would change the enforcement of the texting ban from a secondary offense to a primary offense, meaning motorist could be stopped without first committing another violation. It would also require that all fines collected be deposited into the Emergency Medical Services Trust Fund of the Department of Health.

The discussion on this bill lasted for more than an hour and there were many concerns, one being that the language is limited to only texting and doesn't include other behaviors that could distract drivers. There is a comparable House companion in HB 121. SB 90 has three more committees to go through before it is heard on the Senate floor.

**FAC Contact:**

To learn more about this issue and related legislative information contact Robert Brown via email at [rbrown@fl-counties.com](mailto:rbrown@fl-counties.com).

## Summit Your Open Comments on FAC Proposed Guiding Principles

DEADLINE IS MONDAY, OCTOBER 30th AT 5:00 PM

During the 2017 FAC Policy Development Conference, in Osceola County, the membership approved several recommendations to FAC's Guiding Principles for each policy area:

- Federal
- Finance, Tax, and Administration
- Health and Safety
- Growth, Agriculture, Transportation and Environment

Each policy area includes guiding principles that take a strategic approach, designed to address all legislation that impact home rule values. The Legislative Executive Committee approved a call for an **open comment period** to give members an opportunity to share feedback.

We encourage you to review the materials and provide us with your comments. To review the proposed Guiding Principles **[CLICK HERE](#)**

**FAC CONTACT:**

Please submit your comments to Tiffany Henderson, [thenderson@fl-counties.com](mailto:thenderson@fl-counties.com), by Monday, October 30th before 5 pm.

## Other Legislative Issues of Note

The following provides information regarding legislation that may significantly impact Florida's counties.

**Juvenile Justice** - After a recent investigative series by the Miami Herald, the Department of Juvenile Justice received some hard questions from the Senate Appropriations Subcommittee on Criminal Justice. Chair Jeff Brandes and other members of the panel said they want to see more oversight of the private companies that operate 53 residential facilities for juvenile delinquents under contract with the DJJ. They also are seeking better monitoring and more openness when abuses occur.

**SB 658** - Filed on October 26, 2017 by Senator Brandes, this bill, Tourist Development Tax, would allow for tourist development tax revenue to be spent on public facilities that are needed to increase tourist-related business activities. Public facilities include major capital improvements that have a life expectancy of 5 or more years, such as transportation, sanitary sewer, solid waste, drainage, potable water, and pedestrian facilities.

**SB 272** - SB 272, Local Tax Referenda, was heard in the Senate Community Affairs committee. The bill would continue to allow for a 50% majority vote to approve the imposition or amendment of a surtax at a referendum held during a general election but require a 60% threshold to approve a surtax before the voters in any other election. Senator Clemens was the only one on the committee to vote against the bill. He argued against the Legislature's continued erosion of local fiscal autonomy.

**SB 186 & HB 105** - Both the Senate and House Resign-to-Run bills passed both of their committees. This bill would require elected officials to resign from office to run for federal public office if the terms of the two offices overlap.

**HB 203** - HB 203, Environmental Regulation Commission, by Representative Willhite was considered by the House Natural Resources and Public Lands Subcommittee. This bill would require the Governor to fill vacancies on the ERC within 90 days. It passed favorably.

**Land Conservation** - Both House and Senate committees heard from FDEP, FDACS, and FWC on conservation land buying programs, like Florida Forever and Rural and Family Lands Protection Program, and land management expenditures in recent years.

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