



CAPITOL UPDATE

Sentencing

SB 484 by Sen. Bradley, relating to Sentencing, was heard in Senate Appropriations Subcommittee on Thursday, December 7 at 9am. The committee substitute would authorize a court to sentence a person for up to twenty-four months in the county jail in the county where the offense was committed, under certain circumstances. One prerequisite would be the existence of a contractual agreement between the county and the Florida Department of Corrections.



Sen. Brandes has filed an amendment which adds additional conditions of the sentence, but keeps in the prerequisite of a contractual agreement between the county and FDC. The language that speaks to the contract only being executed with appropriation by the legislature remains in the amendment as well.

Other additions include:

- Inmates sentenced to county jails receive substantially equivalent services and programming as are provided by FDC
- Authorizes a county jail to contract with a privately operated community release and transition center to provide the required services
- Establishment of regular intervals that the county jail and FDC must share information related to an inmate
- Stipulations of the contract between a county jail and FDC

FAC CONTACT:

For additional information, please feel free to contact Robert Brown via email at rbrown@fl-counties.com.

NEWS ARTICLES ON COUNTY JAILS

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County Commission: County Jail Problems Continue

Impact Fees

SB 324 (Impact Fees) by Sen. Young passed its first committee, Senate Community Affairs, this week. As originally filed, the bill would have prohibited counties from collecting impact fees prior to the issuance of the certificate of occupancy for the property subject to the fee.

Based on feedback received from several counties, we communicated our concerns about delaying collection to a point so late in the development process, and suggested that the time that the building permit is issued is more appropriate and in line with most county practices.

Sen. Young did amend the bill in committee to instead provide that impact fees cannot be collected prior to the issuance of a building permit; the amendment also added language to codify existing case law on the validity of impact fees.

The bill is certainly a work in progress, and we will continue to work with the sponsor and other stakeholders to address the remaining concerns, but we appreciate the changes that have been made thus far.

FAC CONTACT:

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

Local Tax Referenda

HB 317, Local Tax Referenda, was heard in the House Ways & Means 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.

It moves on to House Government Accountability Committee, its final stop. Companion bill SB 272 moved through Community Affairs, its first of four committees in the Senate.

FAC CONTACT:

For additional information, please feel free to contact Laura Youmans via email at lyoumans@fl-counties.com.

Concealed Weapons or Firearms

The Senate Judiciary Committee voted down Senator Greg Steube's (Sarasota) **SB 134 – Concealed Weapon or Firearms**. The bill authorizes a person who has a concealed weapon or firearm license to carry a concealed weapon or firearm into a courthouse if he or she immediately notifies management or security personnel of the presence of the weapon or firearm. The bill had a late-filed amendment that added language from another gun-related bill that had been voted down earlier in the committee on the same day.

A measure in **SB 274** would have allowed for a licensed person to carry their firearm on private school property where a religious institution is also located. Six of the ten members of the Judiciary Committee voted against the legislation. Three separate gun-related bills were voted down this week which means it is unlikely the Senate will consider any gun-related legislation in the annual session that starts in January.

FAC CONTACT:

For additional information, please feel free to contact Robert Brown via email at rbrown@fl-counties.com.

NEWS ARTICLES ON CONCEALED WEAPONS



[Order in the court? 'Courthouse carry,' gun bills die in committee](#)

Constitutional Revision Commission

Proposal 13 (Constitutional Officers) - It would prohibit a county charter from abolishing the offices of constitutional county officers, transferring or merging the duties of those officers, or calling for the appointment of those officers. It is up in the Ethics & Elections Committee on December 13th.

Proposal 51 (Utilities) - It would affect the ability of a county to enter into an exclusive franchise agreement with a utility provider and would also affect the revenues received from a county's public service utilities tax. It is up in the General Provisions Committee on December 14th.

Proposal 92 (Unfunded Mandates) - It would require the Legislature, when enacting an unfunded mandate, to hold a public hearing after at least 24 hours notice of the hearing, to prepare a fiscal analysis made available at the time of the public hearing, and to pass such legislation by a three-fourths vote of the membership of each house of the legislature. It is up in the Finance & Tax Committee on December 12th.

FAC CONTACT:

Emerging Issues

HB 3 (Economic Development and Tourism Promotion Accountability) – HB 3 would impose increased transparency and accountability requirements on local economic development and tourism promotion agencies. This bill is a priority of Speaker Corcoran, and has only one committee stop before heading to the House floor.

SB 658/HB 585 (Tourist Development Tax) – It expands the use of the Tourist Development Tax dollars moved through Senate Community Affairs. The proposal was unanimously approved though some senators raised concerns regarding the breadth of the expanded authorization.

FAC CONTACT:

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

NEWS ARTICLES ON EMERGING ISSUES



Florida tourist-tax proposal for broader use of money gets committee OK

Other Legislative Issues of Note

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

SB 232 (Coral Reefs) - It would establish the Southeast Florida Coral Reef Ecosystem Conservation Area, including areas offshore Broward, Martin, Miami-Dade, and Palm Beach Counties. SB 232 passed its second committee unanimously. FAC adopted a Guiding Principle in support of this initiative at the request of GATE Committee Vice-Chair Levine Cava, with support of the Committee Leadership.

SB 204 (Land Acquisition Trust Fund) - It increases the annual statutory appropriation from the LATF for springs restoration and protection projects from \$50 million to \$75 million, passed its second committee unanimously. The bill would also establish an annual \$50 million appropriation from the LATF to the St. Johns River Water Management District for restoration projects in the St. Johns River and its tributaries or the Keystone Heights Lake Region.

SB 370 (Land Acquisition Trust Fund) - It establishes a \$100 million annual appropriation from the LATF to the Florida Forever Trust Fund, also passed its second committee unanimously.

SB 376 (Workers' Compensation Benefits for First Responders) - It would expand workers' compensation coverage to employment-related mental or nervous injuries incurred by first responders, regardless of whether they are accompanied by a physical injury.

SB 384 (Electric and Hybrid Vehicles) - SB 384 passed its first committee, Senate Transportation, this week. It directs the Florida Transportation Commission to review funding sources for transportation projects and prepare a report on the impact of projected electric and hybrid vehicle use on future revenues derived from existing taxes on traditional vehicles. The bill would also require MPOs to consider increased use of autonomous technology and electric vehicles in their long-range plans; the MPO Advisory Council supported the bill in committee.

HB 575 (Metropolitan Planning Organization) - HB 575 passed its first committee, House Transportation & Infrastructure. It would reduce the size of MPO boards. Specifically, MPOs in urbanized areas with populations less than 500,000 would be required to have boards with between 5 and 11 members; in larger urbanized areas, the MPO boards would be required to have 5 to 15 members. The bill also prohibits MPOs from adopting a weighted voting structure. The Miami-Dade TPO is exempt from this bill. There is not a Senate companion, although a few other MPO related bills have been filed.

HB 273 (Public Records) – It would prohibit a county that receives a request to inspect or copy public records from responding to such request by filing a civil action against the individual or entity making the

request. HB 273 passed the House Oversight, Transparency, & Administration Subcommittee on Wednesday. SB 750 (Perry) is the Senate companion.

HB 551 (Public Records/Health Care Facilities) – HB 551 provides an exemption from public records requirements for building plans, blueprints, schematic drawings, & diagrams of certain health care facilities. HB 551 passed the House Oversight, Transparency, & Administration Subcommittee on Wednesday. SB 906 (Young) is the Senate companion.

SB 488/HB 285 (Emergency Medical Services) – It would allow certain governmental entities (including municipal and special district) to provide advanced life support non-transport services without having to obtain a COPCN from the county.
