



**Session Week 3: County Lobbyist Call
Monday, March 18, 2019**

Welcome & Opening Remarks

Davin Suggs, FAC's Director of Public Policy, gave the following updates:

- FAC Legislative Days are March 27-28, 2019, in Tallahassee. Please [click here](#) for more information and to register. The legislative briefing will occur on Wednesday, March 27th and the FAC Water Policy Committee will have its first meeting on Thursday, March 28th.
- We welcome Martin, St. Lucie, Monroe and Indian River counties for their county days this week. Please stop by the FAC offices to enjoy a cup of coffee, check your emails or just for some quiet time as this is your home away from home.
- Today, Governor DeSantis signed SB 182 (Brandes) "Medical Use of Marijuana" into law (Ch. 2019-1 SB 182, Laws of Florida) which is the "smokable" medical marijuana bill.

PRIORITIES

- **HB 3 (M. Grant) Preemption of Local Professional and Occupations Regulations and Licensing** was heard in the House State Affairs Committee on March 14. An adopted amendment deleted much of the language concerning preemption of business regulations and the bill no longer includes any requirements for a reauthorization process for business regulations or the extensive economic analysis. However, the bill still includes sweeping terms to preempt local government regulation and licensing of professions and occupations, unless those regulations are "expressly authorized by law". The bill passed committee along party lines, with Reps. DuBose, Good, Hart, Hattersley, Newton, Polsky, and C. Watson voting against the bill.
- **HB 5 (DiCeglie) Local Tax Referenda**
HB 5 increases the thresholds to adopt local option surtaxes authorized under 212.055. For those levies required to be adopted by referendum, the bill would require a two-thirds vote of the county governing body to place the surtax on the ballot, the referenda could only be on the general election ballot, and would be required to be approved by 2/3 (66.66%) of the electors voting on the question.

An amendment to the bill adopted by the committee would make procedural changes to the performance audit requirement adopted in 2018. These changes would require the county or

school board to notify OPPAGA of the pending referendum at least 180 days before the referendum is held. As amended, the bill would render any referendum that does not comply with the performance audit requirements invalid. The 2018 law was silent as to a notification timeline and penalty for non-compliance. The bill as amended also creates a process for citizen-initiated referenda to undergo the performance audit and be placed on the ballot.

The new provisions related to the performance audit would apply to referenda held after January 1, 2020. The remaining portions of the bill take effect upon becoming law (10 days from approval by the Governor).

The bill passed favorably out of House State Affairs Committee on Tuesday, March 12 with Reps. Cortes, Eskamani, Hart, and Silvers voting in opposition. Similar bill, SB 336 (Local Tax Referenda) by Sen. Brandes is scheduled to be heard in Senate Finance and Tax on Tuesday, March 20.

- **SB 336 (Brandes) Local Tax Referenda**
Providing that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election, etc.
- **HB 15 (Burton) Local Government**
Revises Legislative Auditing Committee duties; specifies purpose of local government fiscal transparency requirements; requires local governments to post voting record information on websites; requires property appraisers & local governments to post property tax information & history on websites; requires public notices for public hearings & meetings prior to increases of local government tax levies; specifies noticing & advertising requirements; requires local governments to conduct debt affordability analyses under specified conditions; provides method for local governments to post certain required information.
- **SB 1140 (Hutson) Attorney Fees and Costs**
Waiving the sovereign immunity of local governments for liability for certain attorney fees and costs; providing for award of attorney fees and costs and damages in successful civil actions challenging local ordinances as being preempted by the State Constitution or state law; prohibiting an award of attorney fees and costs under certain circumstances, etc.

WATCHING CLOSELY

- **HB 693 (Fischer) / SB 1000 (Hutson) Communications Services**
Reducing the communications services tax rate levied on sales of communications services; revising the authority for municipalities and counties to impose permit fees on providers of communications services that use or occupy municipal or county roads or rights-of-way, etc.
- **HB 1159 (La Rosa) Private Property Rights**
Prohibits local governments from requiring permits, fees, or other notices for certain tree activity on residential property under specified conditions; deletes provision that authorizes electric utilities to perform certain right-of-way tree maintenance only after certain local government approval; creates Property Owner Bill of Rights; requires county property appraisers to provide specified information on their websites.

- HB 1169 (McClure) Displacement of Private Waste Companies**
 Displacement of Private Waste Companies: Requires local governments intending to establish solid waste collection services that displace private companies to provide specified notice, prepare specified plan, & include certain private companies in development of plan; extends period local governments are required to provide certain notice to displaced private companies; provides requirements for public notice & hearings & implementation of plan.
- HB 167 (Andrade) Local Government Public Construction Works**
 Requires governing board of local government to consider estimated costs of certain projects using generally accepted cost-accounting principles that account for specified costs when making specified determination; requires local government that performs project using its own services, employees, & equipment to disclose actual costs of project after completion to Auditor General; requires Auditor General to review such disclosures as part of his or her routine audits of local governments; requires estimated total construction project costs for certain projects to include specified costs.
- HB 715 (Robinson) Florida Building Code Enforcement**
 Prohibits local government from carrying forward more than specified amount of unexpended revenue; revises requirements for expenditure of certain unexpended revenue.
- HB 1139 (Plakon) Inspections and Permits**
 Requires county or municipality that imposes inspection fees to establish expedited inspection process that provides priority processing for such inspections; authorizes county or municipality to charge additional fee up to specified amount for expedited inspection process; requires such local governments to establish expedited permitting process that provides priority processing for such permits; authorizes local government to charge additional fee for expedited inspection process; provides that local government must require applicant to pay only specified percentage of fees due upon receipt of application; provides for reduction of outstanding fees due; provides for refund of fees; specifies that certain procedures apply to building permit applications for any nonresidential buildings.

Calendar: Week Of 3/18/19

FAC will be attending and monitoring the following committee meetings and bills this week.

Monday, March 18, 2019

1:00 p.m. House Appropriations Committee

- HB 7053 (Ways & Means Committee) - Taxation Transparency

1:30 p.m. Senate Commerce and Tourism

- SB 1162 (Gainer) - Northwest Florida Rural Inland Affected Counties Recovery Fund

1:30 p.m. Senate Criminal Justice

- SB 1334 (Brandes) - Criminal Justice

3:30 p.m. House Ways & Means Committee

- HB 15 (Burton) - Local Government Fiscal Transparency

4:00 p.m. Senate Judiciary

- SB 1140 (Hutson) - Attorney Fees and Costs

Tuesday, March 19, 2019

8:00 a.m. House Local, Federal & Veterans Affairs Subcommittee

- HB 1159 (La Rosa) - Private Property Rights
- HB 1169 (McClure) - Displacement of Private Waste Companies

8:00 a.m. House Transportation & Tourism Approps Subcommittee

- HB 311 (Fischer) - Autonomous Vehicles

9:00 a.m. House Energy & Utilities Subcommittee

- HB 693 (Fischer) - Communications Services

10:00 a.m. Senate Approps Sub on Agriculture, Environment and General Government

- SB 532 (Lee) - Wetland Mitigation

11:30 a.m. House Business & Professions Subcommittee

- HB 167 (Andrade) - Local Government Public Construction Works
- HB 715 (Robinson) - Florida Building Code Enforcement
- HB 1139 (Plakon) - Inspections and Permits

Wednesday, March 20, 2019

1:30 p.m. Senate Finance and Tax

- SB 144 (Gruters) - Impact Fees
- SB 336 (Brandes) - Local Tax Referenda

2:30 p.m. House Session

- HB 127 (Williamson) - Impact Fees

4:00 p.m. Senate Community Affairs

- SB 1730 (Lee) - Growth Management

4:00 p.m. Senate Infrastructure and Security

- SB 536 (Brandes) - 911 Services