

Monroe County State Legislative Priorities and Issues 2019- Session End Report

Priority/Issue	Bill - Sponsor	Team Leader	Description	Achieved
<p><i>Priority:</i> Florida Keys Stewardship Act Appropriation</p>	Budget: Raschein Flores	Bernardino/ Team	<ul style="list-style-type: none"> • Received \$6M appropriation for water quality (second largest water project appropriation in State) • \$5M in Florida Forever • In Budget awaiting Gov's signature 	✓
<p><i>Priority:</i> 50-50 Bill</p>	HB 1019-Altman SB 1694-Flores	Bernardino/ Team	<ul style="list-style-type: none"> • Bill would codify a shared responsibility for takings awards between the State and the County • Passed in two Senate Committees • Not heard in House 	x
<p><i>Priority:</i> Citizens Wind Insurance Bill</p>	HB 1145-Raschein SB 1476-Flores	Reyes	<ul style="list-style-type: none"> • Bill would reduce the glidepath of annual increase for Citizens wind insurance premiums from 10% to 5% for 5 years • Passed all Senate committees, and passed off Senate floor • Not heard in House 	x
<p><i>Priority:</i> Vessel Storage Limits Bill</p>	HB 1221 - Polsky/Raschein SB 1666 - Flores	Reyes	<ul style="list-style-type: none"> • Bill Passed; sent to Governor 	✓
<p><i>Priority:</i> Vessel Pump Out Service Appropriation</p>	Budget: Raschien Flores	Reyes/ Smith	<ul style="list-style-type: none"> • Received \$750,000 appropriation (DEP) for pump out services. • In Budget awaiting Gov's signature 	✓
<p><i>Priority:</i> Vacation Rental Preemption Bill</p>	SB 824- Diaz	Smith/ Cannon	<ul style="list-style-type: none"> • Bill would have clawed back the modest ability of counties to regulate vacation rentals given to them in 2014. • Bill would have eliminated grandfathered ordinances • Bill was killed 	✓

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<p><i>Priority:</i></p> <p>Affordable Housing Preemption Bill</p>	<p>HB7103 SB 1730</p>	<p>Smith</p>	<ul style="list-style-type: none"> • Allows counties and cities to adopt and enforce inclusionary zoning ordinances but requires them to provide incentives to fully offset the costs to the developer of its affordable housing contribution. Incentives include, but are not limited to, density or intensity bonuses or reduced/waived fees. <u><i>Monroe carved out of this provision.</i></u> • Requires a county or city, upon receiving an application for approval of a development order or permit, to review the application for completeness within 30 days. An applicant will have an additional 30 days to address deficiencies in the application, if identified by the county or city. A city or county then has 120 days to approve, approve with conditions, or deny the application. For applications requiring final action through a quasi-judicial or public hearing, the county or city would have 180 days to approve, approve with conditions, or deny. The parties may agree to extend the time frame requirements in this subsection. <u><i>Monroe carved out of this provision.</i></u> • Adds a legislative finding in s. 420.502 regarding the need to create a state housing finance strategy to provide affordable workforce housing opportunities to essential services personnel in areas of critical state concern, and Provides a definition of essential services personnel to s. 402.503 to include fire personnel, child care workers, teachers, education personnel, health care personnel, a public employee or a service worker. <u><i>Monroe supported these provisions.</i></u> • Expands the scope of work for private providers who review site plans and inspect buildings and provides that local governments may not charge fees for inspections if a private provider is used; however, the local government may charge a reasonable administrative fee. • Citizens who challenge comp plan changes or development orders and lose must pay attorneys fees of prevailing side. 	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">X</p> <p style="text-align: center;">X</p>
<p><i>Priority:</i></p> <p>Private Property Rights/Bert Harris Preemption Bill</p>	<p>HB 1383 SB 1720</p>	<p>Cannon</p>	<ul style="list-style-type: none"> • Bill would have amended Bert Harris Act to applu all Bert Harris claim settlements made to all similarly situated properties • Bill failed 	<p style="text-align: center;">✓</p>
<p><i>Priority:</i></p> <p>Retainage</p>	<p>SB 246 HB 10</p>	<p>Smith/ Cannon</p>	<ul style="list-style-type: none"> • Bill would reduce by half the amount of retainage a local government can withhold from a general contractor for public construction projects. • Bill failed 	<p style="text-align: center;">✓</p>
<p><i>Priority:</i></p> <p>Local Government Business and Occupation Regulation Pre-emption Bill</p>	<p>HB 3 Grant and HB 27</p>	<p>FAC</p>	<ul style="list-style-type: none"> • The bills provides that the regulation of businesses, professions, and occupations is expressly preempted to the state and that local regulations are superseded unless expressly authorized by general law. • Bills failed 	<p style="text-align: center;">✓</p>

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<p>Priority: Attorneys Fees and Costs</p>	<p>HB 829</p>	<p>Smith/ FAC</p>	<ul style="list-style-type: none"> Bill requires courts to award attorneys' fees and damages to the prevailing party in an action to challenge the adoption or enforcement of a local ordinance on the grounds that it is <u>expressly</u> preempted by the State Constitution or state law. Fees and costs may not be awarded if the governing body receives written notice that the ordinance is alleged to be preempted and if the local government withdraws an ordinance from consideration or, in the case of an adopted ordinance, notices an intent to repeal the ordinance within 30 days of the date and repeals the ordinance within 30 days thereafter. The bill does not apply to ordinances adopted pursuant to part II of chapter 163 (growth management), s. 553.73 (Florida Building Code), and s. 633.202 (Fire Prevention Code), or cases commenced <u>prior</u> to July 1, 2019. 	<p align="center">x</p>
<p>Tree Trimming Bill</p>	<p>HB 1159 LaRosa SB 1400 Albritton</p>	<p>FAC</p>	<ul style="list-style-type: none"> Bill provides that a local government may not require an application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owners obtains documentation from a certified arborist or licensed landscape architect that the tree is a danger to persons or property. The bill prohibits a local government from requiring replanting of trees removed or trimmed per the section and specifies that it does not apply to local governments with delegated mangrove protection authority. Additionally, the bill requires each county property appraiser to post on its website a "property owner bill of rights," the contents of which are provided in the bills itself. Senate version of bill more moderate; House version of bill voted off Senate floor 	<p align="center">x</p>
<p>Communications Services and Small Cell Deployment Preemption Bill</p>	<p>SB 1000</p>	<p>FAC</p>	<ul style="list-style-type: none"> The bill prohibits a local government from instituting express or de facto moratoria on permits for collocation of small wireless facilities in public rights of way, and provides additional requirements on the local government's permit registration and application process for communications services providers. 	<p align="center">x</p>
<p>Sunscreen And Straws Preemptions</p>	<p>SB 1299 HB 771</p>	<p>FAC</p>	<ul style="list-style-type: none"> Sunscreen regulation preemption was included in SB 1299- which passed out of House but did not have a Senate companion Plastic straws regulation preemptions was part of 1299, but was then amended onto HB 771 which passed the Legislature. However the governor vetoed it. Both preemptions failed 	<p align="center">✓</p>
<p>Local Government Fiscal Mandates</p>	<p>Local Govt Fiscal Transparency HB 15 Taxation Transparency HB 7053 Local Business Tax HB487 SB 330</p>	<p>FAC</p>	<ul style="list-style-type: none"> All bills failed. 	<p align="center">✓</p>

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<p>Sales Tax Referenda And Citizen-based Constitutional Amendments</p>	<p>HB 5 HB 687-LaRosa</p>	<p>FAC</p>	<ul style="list-style-type: none"> • Sales Tax referenda requirement added that they be held only during general elections. The attempt to increase the threshold from majority to 2/3rds was not successful. • On the 60th day of the session, legislators amended HB 5 to add the limits on citizen-based constitutional amendment drives originally found in SB 7096 and HB 7111. If these obstacles had been in place, voters might never have gotten the chance in 2014 to approve Amendment 1, the land and water conservation amendment. Most amendments to the Florida Constitution have come from legislators, not citizens, yet legislators won't face the same barriers. 	
<p>State Funding for Environmental Projects</p>			<ul style="list-style-type: none"> • Florida Forever: \$33 million • Everglades Restoration: \$285.3 million • EAA Reservoir: \$64 million • Northern Everglades Restoration: \$32.9 million • Herbert Hoover Dike: \$50 million • Member Local Water Projects: \$49.1 million • Springs Restoration: \$100 million • Beach Management Funding Assistance: \$50 million • Hurricane Beach Recovery: \$11.2 million • Lake Okeechobee Watershed Restoration: \$50 million • Florida Resilient Coastline Initiative: \$5M (coastal resiliency, SLR planning, reef health) 	
<p>State Funding for Affordable Housing</p>			<ul style="list-style-type: none"> • \$200.6 million in housing appropriations from the Housing Trust Funds <ul style="list-style-type: none"> ◦ \$115M for Panhandle ◦ \$85M for rest of state • \$46.6 million State Housing Initiatives Partnership (SHIP) program • \$39 million for the State Apartment Incentive Loan (SAIL) program 	
<p>State Funding for Economic Development</p>			<ul style="list-style-type: none"> • Florida Job Growth Grant Funding: \$40 million • Visit Florida: \$50 Million (phased out by October 2019) • Enterprise Florida: \$16 million 	
<p>State funding for Various Programs</p>			<ul style="list-style-type: none"> • Substance Abuse/Mental Health: \$834M (\$100M increase over last year.) • Shared County/State Juvenile Detention: County portion \$57M (decrease of 6M) • Libraries: \$25M • SCOP: \$71.2M (slight decrease fr last year) • SCRAP: \$29.3M (slight decrease fr last year) 	

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Here's a recap of issues not related to Monroe County's legislative priorities, but were of state-wide importance and captured an enormous amount of legislators' attention:

- **Health Care Deregulation:** An overhaul of health-care regulations occurred with the elimination of the long-controversial “certificate of need” regulatory process for new hospitals and services. Also, a plan that could lead to importing lower-cost prescription drugs from Canada was approved.
- **Hurricane Michael/Panhandle:** The House and Senate received hundreds of millions of dollars in requests for assistance and put about \$220 million in the new budget for recovery efforts. Also, a tax package includes measures to help farmers hammered by the October storm.
- **Insurance/AOB:** Lawmakers approved an overhaul of the controversial insurance practice known as “assignment of benefits.” The practice involves policyholders signing over benefits to contractors, and insurers contend that abuses and litigation are driving up insurance premiums. Lawmakers took steps such as limiting attorney fees in so-called AOB cases.
- **Medical Marijuana:** Lawmakers approved eliminating the ban on smokable marijuana.
- **School Choice/Expanded Charters:** The Legislature continued expanding school choice, including passing a new vouchers program known as the Family Empowerment Scholarship Program. Under the program, state money will be used to send as many as 18,000 students to private schools next year. Critics contend the plan is unconstitutional, citing a 2006 Florida Supreme Court ruling that struck down a similar vouchers program.
- **School Safety/Guns in Schools:** Lawmakers passed a wide-ranging bill designed to bolster school safety. The bill was based on the Report of the Marjory Stoneman Douglas School Safety task force. The bill also included issues such as improving mental-health services, but almost all of the debate focused on a controversial provision that would expand the school “guardian” program to allow armed classroom teachers.
- **New Toll Roads:** Lawmakers approved a plan expanding or building three toll roads. The plan would extend the Suncoast Parkway from the Tampa Bay region to the Georgia border; extend the Florida Turnpike west to hook up with the Suncoast Parkway; and create a multi-use corridor, including a toll road, from Polk County to Collier County.
- **Sanctuary Cities:** Even though there are no sanctuary cities in Florida, the legislature passed a bill banning any local governments from passing adopting relating to providing “sanctuary” to undocumented immigrants. The bill prohibits localities from adopting sanctuary policies to protect undocumented immigrants from deportation. If enacted, undocumented immigrants could be detained for even minor violations of the law and turned over to federal immigration enforcement if a detainer request is found for them.