

# PBC Legislative Update



JANUARY 19,  
2018

## FEDERAL ISSUES

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## STATE ISSUES

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## Legislative Update — January 2018

### FEDERAL ISSUES

#### **Federal Government Shutdown**

*By Becker & Poliakoff*

Below is an analysis on how the federal government shutdown will impact federal activities.

#### **Treasury**

The Treasury Department, which includes the IRS, will send home more than 83 percent of its 88,268 workers.

- About 1,000 employees will stay in place to manage debt, monitor domestic and international financial markets and policy coordination. Another 2,800 workers are exempt from the shutdown to avoid any disruptions with debt borrowing functions, debt collection, investment, debt accounting and Social Security disbursements.
- At the IRS, tax refunds could take longer, depending how long the shutdown lasts. The agency lists work related to issuing refunds among tasks that won't be excepted from the shutdown. But it wasn't expecting to begin accepting 2017 tax returns until Jan. 29.
- Other IRS functions to be suspended include audits, non-automated collections and processing 1040X amended returns, according to a contingency plan dated Jan. 17. (A more detailed list can be found [here](#).)
- An IRS spokesman had no comment on how a shutdown would affect implementation of the new tax law.

#### **White House**

The Executive Office of the President will be dramatically pared down, according to a memo released on Friday night.

- The memo called for reducing the total number of workers in the office to 659, out of about 1,715 people on staff.
- The White House Office, a subset of the executive office that includes many of the functions closest to the president's decision making, will be cut from 371 staffers to just 152.
- Twenty-one people will remain at the Executive Residence, as well as one person at the vice president's residence.
- Fourteen staffers will be working at the Office of the Vice President, from 16.
- The National Security Council will retain all but one of its 45

staffers.

- Eight people will remain at the Council of Economic Advisers, from 24.

### **Securities and Exchange Commission**

Operations at the Securities and Exchange Commission are set to be sharply curtailed.

- Despite collecting fees from participants in the markets it regulates, Wall Street's main regulator will shrink its staff to about 300 employees from almost 4,600, according to an agency plan posted in December.
- The SEC plans to keep operating its Edgar corporate-filing system. But it won't approve registrations for investment advisers, issue interpretive guidance, or review many pending applications or registrations for new financial products.
- The commission will continue to deal with emergency enforcement actions like temporary restraining orders against accused market cheats. And it will continue to monitor its system for tips, complaints and referrals and operate its information systems, according to the plan.

At the 675-person Commodity Futures Trading Commission, the country's main swaps regulator, the vast majority of activity will likewise grind to a halt.

- Under a plan submitted to the White House on Friday, just 69 essential employees will remain on the job to try to ensure "to the extent practicable, the oversight of the derivatives markets and to police those markets to ensure they are free of fraud and manipulation."
- Still, the "vast bulk" of work by the commission will cease, according to the plan. For example, the agency's enforcement division will stop reviewing and investigating new victim complaints, or taking new actions against violators. Much market oversight activities will also cease.

### **Business & Economy**

The shutdown is likely to postpone the release of market-moving economic data, depending how long it continues.

- In 2013, the Labor Department's monthly employment report for September was delayed by 18 days, while the release of October figures was pushed back a week.
- Department of Commerce data were also delayed, including retail sales and housing starts, along with industrial-production figures from the Federal Reserve.
- The Department of Agriculture's National Agricultural Statistics Service, which publishes data important to livestock and crop traders, won't be releasing any reports on any day the government is shut down, according to department spokesman Damon Thompson.
- For the central bank's functions that aren't related to economic data, it's likely to be business as usual, since the Fed doesn't rely on money appropriated by Congress to operate. That means checks will still be cleared and FedWire, used by the financial industry for large, time-sensitive credit payments, will continue to run.
- The U.S. Patent and Trademark Office, which relies on user fees and doesn't get tax dollars, said it has enough money to remain open "for

a few weeks” to process the hundreds of thousands of applications for patents on new inventions or trademarks for new products.

- The Federal Communications Commission has funds to remain open through Jan. 26, spokesman Brian Hart said in an email. During the 2013 shutdown, the agency stopped accepting filings and ceased certifying that new electronic devices don't cause interference.
- Farm Service Agency offices in rural counties nationwide will be closed, and federal farm payments won't be processed, according to the Agriculture Department.

### **Workplace Safety & Labor**

Many programs at the Department of Labor designed to help workers will stop. Other federal offices designed to protect workers' rights will also close their doors.

- The Office of Federal Contract Compliance Programs, which enforces contractors' compliance with labor and civil rights laws, will cease operations.
- The Trade Adjustment Assistance Program will stop processing new requests for assistance from workers who've lost their jobs to competition or offshoring.
- The National Labor Relations Board will stop handling cases.
- The Equal Employment Opportunity Commission, which enforces workplace civil rights laws, will cease investigating charges and answering questions from the public.
- The Occupational Safety and Health Administration will send home three-quarters of its staff, and suspend most workplace safety inspections. Some exceptions will be made, such as investigating "imminent danger situations," addressing first responders' warnings of "high risk of death" and following up on "high-gravity serious violations."

### **Energy & Environment**

Oil, gas and coal companies should see little impact on day-to-day operations, as several federal agencies dip into non-lapsing appropriations and use exemptions to ensure most permits keep flowing and inspectors don't stop examining drilling rigs and coal mines.

- Bureau of Land Management employees will keep patrolling oil and gas fields to prevent theft.
- The Environmental Protection Agency is expected to run normally for at least a week, and employees have been told to report to work on Monday.
- Inspectors from the Interior Department will continue to visit offshore drilling rigs, and Labor Department inspectors will be evaluating high-priority mines.
- In the event of a rig fire, mining accident or chemical spill, federal employees would still be deployed.
- But the federal government will stop issuing some permits for oil and gas drilling -- at least for sites on land, as the Bureau of Land Management plans to halt that activity during a shutdown.
- Offshore, it's a different story, as the Interior Department plans to keep vetting permits needed to begin new drilling in federal waters. Requested permit modifications, however, are set to be considered on a case-by-case basis. The Interior Department has said

it will postpone planned public meetings on the Trump administration's proposal to potentially sell drilling rights in most coastal U.S. waters.

- The Department of Energy "will be open for business on Monday," even if there is a government shutdown, spokeswoman Shaylyn Hynes said in an email on Friday.
- The programs that could be shuttered if there is a prolonged shutdown include the Advanced Research Projects Agency–Energy, or ARPA-E; the Office of Energy Efficiency and Renewable Energy, which funds research into new technology; and the Office of Fossil Energy, which runs research and development activities for coal, oil and natural gas.
- The Department of Energy is allowed to use unspent funds from the previous fiscal year for its operations.
- The Federal Energy Regulatory Commission, an independent agency that oversees pipelines and transmission lines, has the authority to keep operating as usual, using carryover funds from previous years. The agency had \$32 million in unobligated budget authority at the end of the last fiscal year, potentially enough to conduct regular business for weeks. If the shutdown persisted long enough to exhaust those funds, some work would be suspended. Five commissioners and 49 staff members would stay on to monitor energy markets, electric grid reliability and keep up inspections of liquid natural gas and hydropower facilities.

#### **Parks & Public Lands**

The administration is taking steps to mitigate the effect on national parks, which generally were closed in past shutdowns.

"National parks and other public lands will remain as accessible as possible while still following all applicable laws and procedures," said Interior Department spokeswoman Heather Swift.

- The Trump administration is planning to keep some parks and concessions open. Most outdoor "wilderness-style restrooms," like composting toilets and pits, and open roads should remain open; campgrounds, full-service restrooms and other services that require staffing and maintenance won't be. Private concessionaires may be permitted to continue operations, provided they find a way to remove snow and trash without government staff.
- Any closures pose a threat to local economies that depend on tourism dollars tied to park visits -- from the vendors inside the facilities to the hotels, stores and restaurants outside of them. This is the peak season for some sites, including Death Valley and the Everglades. During the 2013 government closure, five governors agreed to pick up the tab and spend state dollars to reopen at least a dozen national parks.
- National forests will remain accessible, but are not officially open, said Agriculture Department spokesman Tim Murtaugh in an interview. Visitors centers will be closed and rangers will not be on the job. Still, law enforcement will continue to be present in the forests for visitors who enter at their own risk, he said.

#### **Transportation**

The transportation system will function at close to its normal level, at least

initially.

- The Federal Aviation Administration's air-traffic division will continue guiding flights and the Transportation Security Administration will operate airport security checkpoints, according to the agencies' plans.
- While FAA's aviation safety inspectors will initially be furloughed, the agency's plan is to gradually bring those employees back to work as they are needed to ensure airlines and other aircraft operators are safe, the agency said.
- The FAA will cease approvals for drone operations requiring waivers, development of new air-traffic technology and training new air-traffic controllers.
- A shutdown will slow work on the FAA's certification of new aircraft. Work on approvals for two Boeing Co. models, which are expected to be completed within days, could be affected, said the National Air Traffic Controllers Association, a union representing FAA certification workers.
- The agencies monitoring the borders -- Customs and Border Protection and Immigration and Customs Enforcement -- are largely exempt from having to furlough employees during a shutdown.
- A majority of the National Highway Traffic Safety Administration's 560 employees will be sent home, as the agency suspends enforcement, defects investigations, rule-making work and some research efforts.
- Federal Transit Administration grants are to be halted, as are grants for high-speed rail projects administered by the Federal Railroad Administration.
- Most investigative work at the National Transportation Safety Board will cease; the agency can bring back teams temporarily to investigate accidents with "significant casualties" or that identify urgent risks, the agency said.
- Amtrak, the government subsidized passenger train system, will continue normal operations, the railroad said on Friday.

### **Health**

About half the staff at the Department of Health and Human Services will be furloughed, according to a plan posted on the department's website Friday. The resulting changes will reverberate across a range of functions that affect the average person.

- The Food and Drug Administration will be "unable to support the majority of its food safety, nutrition, and cosmetics activities," according to the shutdown plan. It will also stop conducting "routine establishment inspections, some compliance and enforcement activities, monitoring of imports" and other programs.
- The Centers for Disease Control said its "immediate response to urgent disease outbreaks, including seasonal influenza, would continue." It added that it would be "unable to support most non-communicable disease prevention programs."
- The National Institutes of Health, which typically treats only those people for whom standard treatments don't work, will stop admitting most new patients.
- Food-safety inspections and other critical functions will continue at

the Department of Agriculture.

- Federally mandated nutrition programs, such as the Supplemental Nutrition Assistance Program and school-feeding initiatives, will continue, but the Women, Infants and Children program and other assistance from the discretionary budget may be in danger of running out of funds.

### **Law Enforcement & Courts**

The law exempts from the shutdown those employees who are deemed necessary to protect life or property. Most types of law enforcement and criminal justice fit into that category.

- About 83 percent of the Justice Department's 115,000 employees will continue to report to work if the government shuts down, according to the department's contingency plan. Criminal litigation will continue without interruption; non-essential civil litigation is to be curtailed or postponed.
- The Federal Trade Commission will suspend antitrust investigations not related to mergers. Merger reviews by the FTC and the Justice Department will continue. The agencies say they will go to court to challenge deals if necessary.
- Federal courts, including the Supreme Court, have enough money from sources like fines and filing fees to continue most operations through Feb. 9, according to Jackie Koszczuk, a spokeswoman with the Administrative Office of the Courts.
- The Department of Homeland Security will remain largely unaffected, with 87 percent of its 232,860 employees deemed exempt from the shutdown. The department includes the Federal Emergency Management Agency, the Coast Guard and the Secret Service.

### **National Security & Foreign Affairs**

At the Defense Department, military personnel are expected to report for duty, but won't get paid until the shutdown ends. As for civilian workers, those performing activities excepted from the shutdown, such as protecting property or lives or supporting combat operations, will likewise have to work; the rest can stay home. That doesn't mean the department isn't affected.

- A shutdown can mean halting maintenance of weapons and other defense systems. Payments also stop for a range of services, including everything from money to contractors to death benefits for families of those killed in the line of duty.
- Another casualty of a shutdown: at military bases around the country, so-called commissaries -- what civilians might call grocery stores -- will shut down, a complication for families at remote locations, according to Rebecca Grant, a military analyst and president of IRIS Independent Research in Washington.

The effects of a shutdown on foreign and trade policy may be minimal.

- The State Department issued guidance on Friday saying that passport and visa services, as well as other agency functions, will stay open until the money runs out. Many bureaus in the department have reserves because they're funded every few years or with money that can be saved indefinitely rather than spent within a year.
- "The department will continue as many normal operations as possible," said the guidance, posted on the State Department website. "Operating status and available funding will need to be monitored continuously and closely, and planning for a lapse in appropriations must be continued."
- The State Department says no new travel or "representational events" should be arranged. However, Secretary of State Rex Tillerson hasn't

decided yet on whether to cancel a trip to Europe planned for next week.

- A shutdown is unlikely to affect U.S. involvement in talks next week in Montreal on a new North American Free Trade Agreement, since negotiators from the U.S. Trade Representative's office would be designated as essential staff.

### ***STATE ISSUES***

#### **Florida Legislative Session: Week 2**

#### **County Lobbyist Call**

*By Tiffany M. Henderson, Florida Association of Counties*

#### **Emerging Issues: Finance, Tax, & Administration**

**HB 3/SB 1714 (M. Grant/Perry): Economic Development and Tourism Promotion Accountability** • HB 3, as drafted, would place additional procedural requirements and expense on county tourism development and economic development operations- both internal and external. This bill is a House leadership priority and looks to be quickly poised for the floor. SB 1714 by Sen. Perry has been filed in the Senate. • HB 3 passed its final committee, House Ways & Means, by a 15-5 vote. The bill is ready to be considered by the full House.

**HB 7/SB 1426 (Burton/Lee): Local Government Fiscal Transparency** • After being heard on 2nd reading during one of the first committee weeks, HB 7 is likely to be passed off the House floor this week. The bill creates additional voting and notice requirements when counties issue debt. The bill would require the creation of a "debt affordability analysis" to be published in a newspaper prior to the consideration of the issuance of new debt, would require that two public hearings be held prior to issuance of debt or increases in local option sales taxes, and would require that vote counts be maintained for tax increases or issuance of tax supported debt for 5 years on the county's website, and would require additional auditing and remedial measures. FAC will continue to voice concerns related to the additional costs the bill will required to be incurred compared to the value of the information provided. Sen. Lee has filed the companion, SB 1426. • HB 7 passed the full House during the first week of Session, by a 91-12 vote. SB 1426 has not yet been heard.

**SB 560/HB 439 (Steube/Donalds): Public Meetings and Records/Imminent Litigation** • SB 560 expands an exemption from public meetings requirements to allow a county board to meet privately with its attorney to discuss imminent litigation. "Imminent litigation" is defined to be imminent when the county board has received notice of a claim or demand by a party threatening litigation before a court of administrative agency. For the meeting to be legal, the attorney must 3 identify the name of the potential claimant or litigant at a public meeting, in addition to other existing requirements. If the imminent litigation does not begin, the transcript of the private meeting must be made part of the public record after a reasonable time or when the underlying statute of limitations expires. SB 560 is similar to HB 439, sponsored by Representative Donalds. • SB 560 has passed its first two committees of reference; HB 439 will be heard in its first committee this week.

**SB 750/HB 273 (Perry/Rodrigues): Public Records** • These bills would prohibit a county that receives a request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request. Currently, certain public records are exempt; certain public records are exempt and confidential; and certain public records are exempt, confidential, and bring criminal penalties for improper disclosure. If a county receives a public records request for records that may be subject to the criminal penalty for disclosure, these proposed changes may put the county in a bind: if

the county takes the position the records are exempt, the county faces civil and potentially criminal penalties if the county is wrong. If the county release the records, it may face criminal penalties for improper disclosure. The county can avoid this trap by filing a declaratory action; however, these bills appear to prohibit such a filing. • SB 750 will be heard in its second committee, Senate Judiciary, on Thursday. HB 273 has passed all of its committees and is ready to be considered by the full House.

**SB 308/HB 9 (Bean/Metz): Federal Immigration Enforcement** • HB 9 would require county governments and law enforcement agencies, including their officials, agents, and employees, to support and cooperate with federal immigration enforcement. Specifically, the bill would prohibit a county government or law enforcement agency from having a law, policy, practice, procedure, or custom which impedes a law enforcement officer from communicating or cooperating with a federal immigration agency. The bill also requires any sanctuary policies currently in effect to be repealed within 90 days of the Act becoming law. If found in violation of the Act, a county or law enforcement agency could be fined by the State or subject to a suspension of state grant funding eligibility for 5 years. HB 9 is similar to SB 308 by Senator Bean. • HB 9 passed the House on a 71-35 vote during the first week of Session. SB 308 has not yet been heard.

### **Emerging Issues: Growth, Agriculture, Transportation, & Environment**

**SB 1304/HB 1033 (Young/Toledo): Dockless Bicycle Sharing** • The bill preempts regulation of dockless sharing companies to the state, and specifically prohibits local governments from imposing taxes or requiring business licenses. The bill also prohibits private agreements that would prohibit or limit the operation of dockless bike share companies within a local government's jurisdiction; any such existing agreements would be unenforceable after July 1, 2018. This provision appears to be aimed at some exclusive agreements between dockless bike share companies and a handful of south Florida cities. We are concerned about this bill potentially impairing existing contracts as well as limiting local government authority to regulate these entities operating in our rights-of-way. • HB 1033 is up in House Careers & Competition, its first of two committees, on Tuesday.

**SB 1328/HB 987 (Perry/B. Cortes): Affordable Housing** • These bills are aimed at expediting and incentivizing development of affordable housing. FAC does have concerns about the provision which prohibits local governments from imposing mobility fees or impact fees for affordable housing development for a five-year period beginning July 2018.

**SB 874/HB 191 (Passidomo/Shaw): State Housing Trust Fund** • These bills would prohibit sweeps of the Housing Trust Funds (specifically, the State Housing Trust Fund and the Local Government Housing Trust Fund) • SB 874 will be considered in its first committee on Tuesday.

**SB 324/HB 697 (Young/Miller): Impact Fees** • These bills address the timing of collection of impact fees. As originally filed, they would amend the impact fee statute to clarify that local governments cannot collect impact fees prior to the issuance of a certificate of occupancy for the property subject to the fee. SB 324 was amended in its first committee to instead provide that impact fees cannot be collected prior to the issuance of a building permit; this change is favorable to local governments and in line with common practices. • Both bills have made it through their first committees. HB 324 will be considered in its second committee on Wednesday.

**SB 1400 (Steube): Vacation Rentals** • SB 1400, the "Florida Vacation Rentals Act," would preempt regulation and control of vacation rentals to the state, conferring exclusive regulatory authority over such rentals to DBPR's Division of Hotels and Restaurants. Vacation rentals would be required to obtain annual, non-transferrable licenses from the



Division. The bill would invalidate existing local regulations, including those grandfathered in under the 2011 law and adopted pursuant to the 2014 change. SB 1400 does not yet have a House companion.

**HB 773 (La Rosa): Vacation Rentals** • HB 773 prohibits counties and cities from establishing ordinances specific to short-term vacation rentals and would instead require that local regulations of activities associated with vacation rentals be applied uniformly to all residential properties. The bill would allow counties with vacation rental ordinances in place prior to June 1, 2011, to amend their ordinances, as long as the amendment makes the regulation of vacation rentals less restrictive.

**SB 804/HB 631 (Passidomo/Edwards): Possession of Real Property** • These bills specify the process by which a property owner with a superior right of possession can use a cause of action to recover possession of the property. The bill includes a brief, sentence-long section which could preempt local customary use ordinances which have been used to establish a right of public access to beaches. Specifically, the bill states that a common law claim of customary use for the public use of private property must apply to a particular parcel and must be determined by the court. • Both bills passed their first committees during the first week of Session.

**SB 574/HB 521 (Steube/Edwards): Tree Trimming, Removal, and Harvesting** • These bills would prohibit a local government from regulating the trimming, removal or harvesting of trees and timber on private property or requiring mitigation for tree removal or harvesting on 5 private property. The bills would also preempt local governments from prohibiting the burial of vegetative debris on properties larger than 2.5 acres. • Neither bill has been heard in committee.

**SB 432/HB 17 (Lee/Raburn): Community Redevelopment Agencies** • These bills would increase various auditing, reporting, accountability, and ethics requirements on CRAs; the House bill would also create a process to phase out existing CRAs unless re-authorized by a supermajority vote of the board, and would only allow new CRAs to be created by special act of the Legislature • HB 17 passed the full House by a 72-32 vote during the first week of session. SB 432 has passed the first of its four referenced committees.

#### **Emerging Issues: Health & Safety**

**SB 90/HB 3 (Perry/Toledo): Texting While Driving** • These bills strengthen the current ban on texting, emailing, and instant messaging while driving, by changing the current enforcement of the ban from secondary to primary. Any violation of the ban that causes a crash results in the addition of six points to the offender's driver license record. House Speaker Richard Corcoran praised the legislation in a press release. • Both SB 90 and HB 33 have passed in their first committees.

**SB 488/HB 285 (Grimsley/Pigman): Emergency Medical Services** • These bills would authorize governmental entities that maintain fire rescue infrastructure and provide first responders to provide advanced life support non-transport services (ALSNS) without having to obtain a COPCN from the county. The exempt governmental entity would only be required to follow an existing county medical protocol if it does not restrict or limit the entity's ability to provide ALSNS. FAC is working with Senator Grimsley and North Collier Fire District on amendment language that would alleviate many of FAC's concerns with the legislation. • SB 488 passed its first committee of reference. HB 285 has not yet been heard.

**SB 484 (Bradley): Sentencing** • SB 484 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. • SB 484 has passed its first two committees and is now in full Senate Appropriations; there is not a House companion.

### **BeachWatch Update**

*By Debbie Flack, Florida Shore & Beach Preservation Association*

- The House Select Committee on Hurricane Response and Preparedness Hurricane wrapped up Tuesday morning and sent its recommendations to House substantive and appropriations subcommittees.
- Expect the House to recognize the current amount of recurring LATF in the base budget of \$29.5 M.
- Senate carried \$50M for Matthew/Hermine damages last session to Budget Conference, and the House had nothing.
- The Governor again recommended \$50M.
- **SB 204** by Senator Bradley provides \$50M annually from the LATF for St. Johns River restoration or Keystone Heights and increases springs funding from \$50M to \$85M annually. This bill passed its last committee, Appropriations, this week. It does not have a House companion to date.
- **SB 370** by Senator Bradley provides \$100M annually for the Florida Forever Trust Fund from the LATE. The bill passed its last committee, Appropriations, last week. It is on the Senate calendar on second reading. The companion, **HB 1353** by Representative Beshears, has not been heard to date.
- **SB 174** by Senator Hukill and **HB 131** by Representative Peters allocate \$50M annually to the statewide beach management program from the LATF; SB 174 is in its last committee, Appropriations. HB 131 has not been heard to date.
- **HB 585** by Representative Fine and **SB 658** by Senator Brandes expand the allowable uses of tourist development tax dollars. Currently, HB 585 includes both estuary or lagoon improvements and “public facilities” as defined in the bill, while SB 658 only includes “public facilities”. HB 585 is in its last committee. SB 658 is in its second of three committees.
- **HB 3** by Representative M. Grant relates to economic development and tourism promotion accountability. It will be heard on special order in the House next week. The bill defines:

“Economic development agency” as any entity that receives public funds and is engaged in economic development activities on behalf of one or more local governmental entities.

"Tourism promotion agency" as any entity that receives public funds to promote tourism development on behalf of one or more local government entities.

### **State Assumption of Federal Section 404 Dredge and Fill Permitting Authority**

- Section 404 of the federal Clean Water Act provides the principle federal protection for wetlands. NRPL2 was approved as a committee bill by the House Natural Resources and Public Lands Subcommittee and was filed as HB 7043

this week. The companion, SB 1402 by Senator Simmons, will be heard in the Environmental Preservation and Conservation Committee, its first of three committees, next week.

The bills clarify that when state law conflicts with federal requirements, the federal requirements would apply to state administered section 404 permits. They also exempt state administered section 404 permits from state permitting decision deadlines. The bills limit state administered section 404 permits to no more than five years, as required by federal law.

## **Florida Legislative Session: Week 2**

*By County Staff, Corcoran & Johnston, Ericks Consulting*

### ***Tuesday***

- **House Select Committee on Hurricane Response and Preparedness**

The select House Committee on Hurricane Response and Preparedness discussed more than 12 pages of [recommendations](#). With a unanimous vote, the committee supported the recommendations on how to better prepare for hurricanes and their aftermaths.

- **Senate Appropriations Subcommittee on Finance and Tax**

**SB 272** would revise the voter approval threshold required to pass a referendum to adopt or amend local government discretionary sales surtaxes when the referendum is held at any date other than a general election/

SB 272 reported favorable, and now moves to Senate Appropriations.

**SB 620** would provide a 10-day sales tax holiday (June 1-10, 2018) on items related to disaster preparedness and protection.

SB 620 reported favorable, and now moves to Senate Appropriations.

- **Senate Environmental Preservation and Conservation**

**SB 806** makes the following changes to the procedures a water management district (WMD) must follow when selling surplus lands:

- Provides that the first publication of the required notice of intention to sell must occur at least 30 days, but not more than 360 days, before any sale is approved by a WMD. Currently, the law states “before any sale,” the change is meant to provide clarity.
- Authorizes, rather than requires, the governing board of a WMD to sell surplus parcels of land valued at \$25,000 or less to adjacent property owners. Currently, the law requires WMDs to give adjacent property owners the first opportunity to purchase such lands.
- Authorizes a WMD to sell surplus parcels of land valued at \$25,000 or less at any time to the general public for the highest price obtainable, if the parcel is not sold to an adjacent property owner.
- Defines the term “adjacent property owners” to mean “those owners whose property abuts the parcel.”

SB 806 reported favorable and now moves to Senate Governmental Oversight and Accountability.

**SB 1130** re-creates, without modification, the Land Acquisition Trust Fund within the Department of State and repeals s. 20.106(5), F.S., which is the subsection of law relating to the termination of such trust fund.

SB 1130 reported favorable and now moves to Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

- **House Criminal Justice Subcommittee**

**PCB CRJ 18-03** amends current law related to human trafficking. The bill provides a mandatory minimum sentence of 10 years for any person who engages in, attempts to engage in, or benefits from human trafficking.

PCB CRJ 18-03 reported favorable, and bill has been filed as HB 7039.

- **House Health Quality Subcommittee**

**HB 1099** creates a new licensure program within AHCA for advanced birth centers.

HB 1099 reported favorable and now moves to Health Care Appropriations Subcommittee.

HB 1101 provides exemption from public records requirements for clinical records & inspection reports held by an advanced birth center.

HB 1101 reported favorable, and now moves to House Oversight, Transparency, and Administration Subcommittee.

- **House Local, Federal & Veterans Affairs Subcommittee**

**HB 883** enables community development districts (CDDs) created by a county government to include a list of parcels in the creation petition that the district expects to annex within the next ten years.

HB 883 reported favorable and now moves to Government Accountability Committee.

**HB 963** requires a county or municipality to establish maximum rates for the towing and storage of vessels, as well placing a cap on the maximum rate for immobilizing a vehicle or vessel.

HB 963 reported favorable and now moves to House Transportation & Infrastructure Committee.

**HB 987** creates new provisions on the use of local and state government-owned surplus land, the assessment of impact and mobility fees by local government entities, and local government permitting as it relates to the development of affordable housing.

HB 987 reported favorable and now moves to Transportation & Tourism Appropriations Subcommittee.

**HB 1139** is a local bill that provides exemptions to general law, giving the governing body of Palm Beach County the ability to appoint two additional commissioners to the Palm Beach County Housing Authority.

HB 1139 reported favorable and now moves to Public Integrity & Ethics Committee.

- **House Transportation & Tourism Appropriations Subcommittee**

**HB 3167** is an appropriations bill for Pahokee Marina Improvements. Improvements to Pahokee Marina will help to stimulate economic development in the area.

HB 3167 reported favorably, and now moves to Appropriations Committee.

- **Senate Commerce and Tourism**

**SB 376** revises workers' compensation standards for determining benefits for employment related mental or nervous injuries of law enforcement officers, firefighters, emergency medical technicians, paramedics, and first responders. Generally, the bill will increase the likelihood of compensability for workers' compensation indemnity benefits for mental or nervous injuries of first responders delineated in s. 112.1815, F.S., or post-traumatic stress disorder (PTSD) of law enforcement officers, firefighters, emergency medical technicians, or paramedics described in s. 440.093, F.S.

SB 376 reported favorable, and now moves to Appropriations Committee.

- **Senate Criminal Justice**

**SB 1004** authorizes the following persons to visit at their pleasure between the hours of 6 a.m. and 11 p.m. all facilities housing juveniles that are operated or overseen by the Department of Juvenile Justice (DJJ) or a county:

- The Governor;
- A Cabinet member;
- A member of the Legislature;
- A judge of a state court;
- A state attorney;
- A public defender; and
- A person authorized by the secretary of the DJJ.

The bill provides that a person specified may visit a state facility housing juveniles between 11 p.m. and 6 a.m. pursuant to rules prescribed by the DJJ.

- **Senate Education**

**SB 252** modifies the tuition and fee waiver benefit that is extended to the employees of the State of Florida. Specifically, the bill modifies from 6 credit hours per term to 18 credit hours per calendar year the requirement that state universities and Florida College System institutions waive tuition and fees for state employees, on a space-available basis.

SB 252 reported favorable, and now moves to Appropriations Subcommittee on Higher Education.

- **House Careers & Competition Subcommittee**

**HB 469** creates the "Florida Salvage of Pleasure Vessels Act" (Act) providing certain consumer protections, similar to those contained in part IX of ch. 559, F.S., related to the repair of motor vehicles. The bill applies, with a few exceptions, to all salvors

operating in Florida. The bill defines “salvage work” to include any assistance, services, repairs, or other efforts rendered by a salvor relating to saving, preserving, or rescuing a pleasure vessel or its passengers and crew that are in marine peril, but does not include towing, and defines a “pleasure vessel” as a watercraft that is no more than 60 feet in length used solely for personal pleasure, family use, or the transportation of executives, persons under the employment, and guests of the owner.

HB 469 reported favorable, and now moves to Government Accountability Committee

**HB 813** To act as an unarmed security officer, a person must obtain a Class “D” private security license, which includes the completion of a 40-hour training course. Currently, this course must be taken in person at a school or training facility. The bill will allow:

- applicants for a Class “D” unarmed security officer license to take the required training online.
- applicants for a Class “D” school and training facility license to offer such training courses online.

HB 813 reported favorable, and now moves to Commerce Committee

**HB 1033** preempts the governance of dockless bicycles and dockless bicycle sharing companies to the state and creates a regulatory framework governing the operation of dockless bicycle sharing companies in the state.

HB 1033 reported favorable, and now moves to Commerce Committee

- **House Careers & Competition Subcommittee**

**HB 2431** is an appropriations bill for the Palm Beach Habilitation Center Cultural Arts Building. The Cultural Arts building will be the hub of the Personal Arts and Creative Expression (PACE) Program strives to integrate art into all activities by providing meaningful activities for individuals with disabilities who are interested in exploring and developing expressive skills through the arts. The planned 10,000 square foot building will be hurricane hardened and designated to serve as an Emergency Shelter for program participants in the event of a hurricane or other natural disaster.

HB 2431 reported favorable, and now moves to House Appropriations.

- **Senate Community Affairs**

**SB 562** allows counties and municipalities to further restrict smoking within the boundaries of certain public parks and designated facilities.

SB 562 reported favorable, and moves to Senate Health Policy Committee.

**SB 1144** requires a local government authorized to charge certain fees to post its permit fee and inspection fee schedule on its website with a link to a specified building permit and inspection report; requiring the governing body of a local government, before making any adjustment to a fee schedule, to publish a building permit and inspection report and post it on the local government’s website.

SB 1144 reported favorable, and moves to Appropriations Subcommittee on Finance and Tax.

**SB 494** amends the exemptions from the land-use-consistency provisions of the Power Plant Siting Act (PPSA)<sup>1</sup> and Transmission Line Siting Act (TLSA)<sup>2</sup> to provide that they apply to established rights-of-way and corridors, to rights-of-way and corridors yet to be established, and to the creation of distribution and transmission corridors.

SB 494 reported favorably, and is now placed on the calendar on 2<sup>nd</sup> reading.

- **Senate Health Policy**

**SB 8** authorizes certain boards to require practitioners to complete a specified board-approved continuing education course to obtain authorization to prescribe controlled substances as part of biennial renewal; authorizing disciplinary action against practitioners for violating specified provisions relating to controlled substances; requiring certain pain management clinic owners to register approved exemptions with the department; providing requirements for pharmacists and practitioners for the dispensing of controlled substances to persons not known to them; establishing direct-support organizations for specified purposes; requiring a direct-support organization to operate under written contract with the department.

SB 8 reported favorable and will move to Senate Appropriations.

**SB 138** "Florida Families First Act"; requiring the Department of Health to create public service announcements to educate the public on perinatal mental health care; revising components that are included in the postpartum evaluation and follow-up care provided by birth centers to include a mental health screening and the provision of certain information on postpartum depression.

SB 138 reported favorably and moves to Senate Appropriations Subcommittee on Health and Human Services.

**SB 800** "Florida Infectious Disease Elimination Act (IDEA)"; authorizing the Department of Health to establish sterile needle and syringe exchange pilot programs upon request from eligible entities, rather than a single program established in Miami-Dade County.

SB 800 reported favorable and moves to Senate Appropriations Subcommittee on Health and Human Services.

*Wednesday*

- **House Children, Families & Seniors Subcommittee**

**HB 1069** prohibits service providers from having certain contractual or referral relationships with recovery residences; prohibits recovery residences & specified affiliated individuals from benefitting from certain referrals; provides penalties.

HB 1069 reported favorable and will move to Health Care Appropriations Subcommittee.

- **House Oversight, Transparency & Administration Subcommittee**

**HB 459** repeals all public record exemptions for trade secrets in current law, all associated processes for designating a trade secret, and all references to trade secrets contained in definitions for proprietary business information.

HB 459 reported favorable and will move to Government Accountability Committee.

- **House Civil Justice & Claims Subcommittee**

**HB 505** revises types of information relating to identity & location of child's legal father that fall within scope of court inquiry at dependency or shelter hearings or hearing regarding petition for termination of parental rights; provides conditions for establishing paternity in dependency proceeding; requires notice of petition for termination of parental rights to be served on unmarried biological father identified under oath or by diligent search of Florida Putative Father Registry.

HB 505 reported favorable and will move to Children, Families & Seniors Subcommittee.

- **House PreK-12 Appropriations Subcommittee**

**HB 2439** is an appropriations bill for Florida Atlantic University's A.D. Henderson University Lab School.

HB 2439 reported favorable and will move to House Appropriations Committee.

- **Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development**

- **SB 328** directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a state veteran identification card to be used by veterans as proof of veteran status for obtaining discounts or fee waivers. The DHSMV shall issue the card to a veteran who has been honorably discharged and who provides to the DHSMV:

- A copy of his or her DD Form 214;
- A copy of his or her valid driver license, identification card, or another form of photographic identification acceptable to the DHSMV; and
- Payment of a \$10 fee.

The bill provides specifications for information that will appear on the card, and provides that the card may be used as proof of veteran status in numerous sections of the Florida Statutes that waive application fees for registration or licensure or provide for expedited review of concealed weapons applications.

SB 328 reported favorable and will move to Senate Appropriations.

- **House Health Innovation Subcommittee**

**HB 443** requires nursing homes to notify residents and the State Long Term Care Ombudsman with the facility's current contact information, including a functional telephone number, and to notify residents and the State Long Term Care Ombudsman of any change in contact information within 30 days after such change and authorizes AHCA to take disciplinary action against nursing homes that fail to do so.

**HB 443** reported favorable and moves to Health Care Appropriations



Subcommittee.

- **House Justice Appropriations Subcommittee**

**HB 3889** is an appropriations bill to fund the Riviera Beach Summer Youth Employment Program. The goal of the program is to provide summer employment and training opportunities to City youth with businesses and organizations that will provide real world experience. The program also aims to reduce the number of youthful offenders and youth victimization in the City of Riviera Beach.

HB 3889 reported favorably and will move to House Appropriations.

- **Senate Regulated Industries**

**SB 840** authorizes a greyhound racing permitholder to receive an operating license to conduct pari-mutuel wagering activities at another permitholder's greyhound racing facility.

SB 840 reported favorable and will move to Senate Appropriations Subcommittee on Finance and Tax.

- **House Ways and Means**

**HB 585** expands the permissible uses of tourist development tax revenues by authorizing counties to use such revenues in connection with improving or bringing into service public facilities within the boundaries of the county or sub county special taxing district if the expenditure is deemed necessary to increase tourist-related business activities by the county tourist development council.

HB 585 reported favorable and will move to House Commerce Committee.

**HB 697** revises minimum requirements for adoption of impact fees.

HB 697 reported favorable and now moves to Government Accountability.

*Thursday*

- **House Health & Human Services**

**HB 721** requires jails to provide medical information pertaining to defendants who have been adjudicated incompetent to proceed or adjudicated not guilty by reason of insanity & committed to DCF; requires continued administration of psychotropic medication to certain defendants when discharged & transferred to jails under certain conditions; removes requirement that DCF develop certification process by rule for community substance abuse prevention coalitions.

HB 721 reported favorable, Health & Human Services was the last committee of reference.

- **House Education**

**HB 577** authorizes student to use credit earned upon completion of apprenticeship or preapprenticeship program to satisfy specified high school graduation requirements; requires SBE to approve and identify registered apprenticeship and preapprenticeship programs.

HB 577 reported favorable, placed on Calendar, on 2<sup>nd</sup> reading.

- **Senate Judiciary**

**SB 750** prohibits an agency that receives a request to inspect or copy a record from responding to such a request by filing a civil action against the individual or entity making the request

SB 750 was temporarily postponed by Judiciary

- **Senate Transportation**

**SB 852** Florida Smart City Challenge Grant Program; Creating the program within the Department of Transportation; requiring the department to issue a request for proposals by a specified date; authorizing the department to select an independent nongovernmental entity to assist in project construction, management, and evaluation for specified purposes, etc. APPROPRIATION: \$15,000,000.00

SB 852 reported favorable, now in Appropriations Subcommittee on Transportation, Tourism, and Economic Development

- **House Commerce**

**HB 529** Requires specified containers be allowed in exit corridors of certain apartment occupancies under certain circumstances; authorizes authorities having jurisdiction to approve alternative containers; requires such authorities to allow phase-in period to comply; provides for future repeal.

HB 529 reported favorable, the Commerce Committee was the last committee of reference

**HB 533** Authorizes certain insurers to refuse to insure or continue to insure applicant or insured for failing to purchase certain noninsurance motor vehicle services.

HB 533 reported favorable, placed on Calendar, on 2<sup>nd</sup> reading

- **House Government Accountability**

**HB 55** Requires FDLE to allow payment or transmittal of processing fees for criminal history checks of potential firearms buyers by electronic means.

HB 55 reported favorable, placed on Calendar, on 2<sup>nd</sup> reading

**HB 317** Provides that a referendum to adopt or amend a local discretionary sales surtax must be held at a general election. Effective Date: upon becoming a law

HB 317 reported favorable, Committee Substitute Text (C2) Filed

**HB 7029** Removes scheduled repeal of exemption from public record requirements for certain criminal history records ordered expunged that are retained by FDLE.

HB 7029 reported favorable, placed on Calendar, 2<sup>nd</sup> reading

- **House Public Integrity & Ethics**

**HB 85** Authorizes DOS to become member of nongovernmental entity to verify voter registration information; establishes requirements for such memberships; requires DHSMV to provide specified information to DOS; establishes reporting requirements.

HB 85 reported favorable, Committee Substitute Text (C1) Filed, placed on Calendar, 2<sup>nd</sup> reading

**HB 87** Creates public record exemption for certain information received by Department of State from another state that is confidential or exempt pursuant to laws of that state; provides for release of such information to specified persons; provides for future legislative review & repeal of exemption; provides statement of public necessity.

HB 87 reported favorably, Committee Substitute Text (C1) Filed, placed on Calendar, 2<sup>nd</sup> reading

- **House Agriculture & Natural Resources**

**HB 2039** Provides an appropriation for the Martin County Turtle Creek Water Quality Weir. APPROPRIATION: \$350,000.00

HB 2039 reported favorable, now in Appropriations Committee

**HB 2181** Provides an appropriation for the Riviera Beach Singer Island South Stormwater Improvements. APPROPRIATION: \$1,183,000.00

HB 2181 reported favorable, now in Appropriations Committee

**HB 2279** Provides an appropriation for the Royal Palm Beach Canal System Rehabilitation Project. APPROPRIATION: \$475,000.00

HB2279 reported favorable, now in Appropriations Committee

**HB 2481** Provides an appropriation for the Delray Beach Reclaimed Water System Expansion Area 9. APPROPRIATION: \$1,000,000.00

HB 2481 reported favorable, now in Appropriations Committee

**HB 2547** Provides an appropriation for the Palm Beach Gardens Stormwater Maintenance, Repairs and Operation Program. APPROPRIATION: \$250,000.00

HB 2547 reported favorable, now in Appropriations Committee

**HB 2549** Provides an appropriation for the Palm Beach Gardens Septic to Sewer and Water Infrastructure Improvements Project. APPROPRIATION: \$2,860,000.00

HB 2549 reported favorable, now in Appropriations Committee

**HB 2605** Provides an appropriation for the Delray Beach Atlantic Dunes Park Coastal Dune Restoration and Water Quality Improvement Project. APPROPRIATION: \$800,000.00

HB 2605 reported favorable, now in Appropriations Committee

**HB 2893** Provides an appropriation for the Riviera Beach Water Treatment Plant Disinfection Facility. APPROPRIATION: \$1,478,000.00

HB 2893 reported favorable, now in Appropriations Committee

**HB 2895** Provides an appropriation for the Boynton Beach Fuel Cell Power Generation. APPROPRIATION: \$1,500,000.00

HB 2895 reported favorable, now in Appropriations Committee

**HB 2971** Provides an appropriation for the Delray Beach Sand Search for Beach Nourishment Project. APPROPRIATION: \$650,000.00

HB 2971 reported favorable, now in Appropriations Committee

**HB 3187** Provides an appropriation for the Boynton Beach Mangrove Park Water Quality and Access Improvements. APPROPRIATION: \$1,050,000.00

HB 3187 reported favorable, now in Appropriations Committee

**HB 3451** Provides an appropriation for the Riviera Beach Avenue H East and West - North of Blue Heron Stormwater. APPROPRIATION: \$3,263,318.00

HB 3451 reported favorable, now in Appropriations Committee

**HB 3863** Provides an appropriation for the Boynton Beach - Alternative Reclaimed Water Supply Project. APPROPRIATION: \$250,000.00

HB 3863 reported favorable, now in Appropriations Committee

- **House Justice Appropriations Subcommittee**

**HB 471** Prohibits operating drone over certain facilities; authorizes use of drone in certain circumstances to facilitate collection of evidence at scene of crime or traffic crash; authorizes use of drone by local or state agency for specified purposes.

HB 471 reported favorable, moves to Judiciary Committee

**HB 3163** Provides an appropriation for the Palm Beach County Sheriff's Office Expansion of the Unmanned Aircraft System. APPROPRIATION: \$1,931,170.00

HB 3163 reported favorable, move to Appropriations Committee

- **House Transportation & Tourism Appropriations Subcommittee**

**HB 2163** Rosemary Corridor Enhancement: Provides an appropriation for the City of West Palm Beach - Rosemary Corridor Enhancement. APPROPRIATION: \$400,000.00

HB 2163 reported favorable, now in Appropriations Committee

**HB 2365** Provides an appropriation for the Florida Atlantic University Tech Runway. APPROPRIATION: \$3,000,000.00

HB 2365 reported favorable, now in Appropriations Committee

**HB 3039** Provides an appropriation for the City of Palm Beach Gardens City Hall Expansion Emergency Facility. APPROPRIATION: \$750,000.00

HB 3039 reported favorable, now in Appropriations Committee

**HB 3179** Provides an appropriation for the Glades Communities Street Resurfacing and Reconstruction. APPROPRIATION: \$1,000,000.00

HB 3179 reported favorable, now in Appropriations Committee

- **Senate Rules**

**SB 118** Authorizing a member of the State Legislature to visit any district school in his or her legislative district, etc.

SB 118 reported favorable, Committee Substitute Text (C1) Filed, placed on Calendar, 2<sup>nd</sup> reading

**SB 7000** Amending provisions relating to an exemption from public records requirements for certain criminal history records ordered expunged which are retained by the Department of Law Enforcement; saving the exemption from repeal under the Open Government Sunset Review Act, etc.

SB 7000 reported favorable, placed on Calendar, 2<sup>nd</sup> reading

**SB 7002** Amending provisions which provides an exemption from public meetings requirements for portions of a meeting of a duly constituted criminal justice commission at which active criminal intelligence information or active criminal investigative information being considered by, or which may foreseeably come before, the commission is discussed; removing the scheduled repeal of the exemption, etc.

SB 7002 reported favorable, placed on calendar, 2<sup>nd</sup> reading

- **Senate Appropriations**

**SB 152** Requiring Department of Law Enforcement procedures to allow the payment or transmittal of processing fees for criminal history checks of potential firearms buyers by electronic means; providing that criminal history check requests by licensed importers, manufacturers, and dealers to the department may be made by electronic means, etc.

SB 152 reported favorable, placed on calendar, 2<sup>nd</sup> reading

**SB 204** Revising the specified appropriation for spring restoration, protection, and management projects; requiring a specified appropriation for certain projects related to the St. Johns River and its tributaries or the Keystone Heights Lake Region, etc.

SB 204 reported favorable, placed on calendar, 2<sup>nd</sup> reading

**SB 232** Establishing the Southeast Florida Coral Reef Ecosystem Conservation Area, etc.

SB 232 reported favorable, placed on calendar, 2<sup>nd</sup> reading

***Friday***

- **House Health Care Appropriations Subcommittee**

**HB 2119** is an appropriations bill for Place of Hope, Inc. The appropriation will allow Place of Hope at the Haven Campus, Inc. to continue to meet the unprecedented increases in regional placement needs for Florida’s abused and neglected children, victims of human trafficking and otherwise homeless former foster young adults. Place of Hope at the Haven Campus, Inc. would continue to impact the disproportionate number of former and otherwise homeless youth in the district by providing structured independent living housing and program services.

HB 2119 reported favorable and moves to House Appropriations

**HB 2367** is an appropriations bill for Federation Transportation Services, Inc., which provides transportation services for low-income elderly.

HB 2367 reported favorable and moves to House Appropriations

**HB 3797** is an appropriation bill for the Addiction Receiving Facility in Palm Beach County. The proposed facility will include 20+ beds for detox and medication assisted treatment, as well as an emergency receiving center. The center will also include outpatient overlay services along with case management services.

HB 3797 reported favorable and moves to House Appropriations

- **House Higher Education Appropriations Subcommittee**

**HB 3055** is an appropriations bill for Florida Atlantic University – Max Planck Florida Scientific Fellows: to train the next generation of the brightest researchers from Florida’s graduate institutions & beyond; provide students unmatched knowledge, experience & outstanding career development programs in neuroscience; strengthen supply of a highly-educated workforce; gain worldwide recognition of the State & region as an internationally competitive scientific and working environment.

HB 3055 reported favorable and moves to House Appropriations

**Palm Beach County  
Legislative Affairs**

301 North Olive Avenue  
Suite 1101.3  
West Palm Beach, FL  
33401

**Rebecca DeLaRosa  
Director  
Legislative Affairs**

**Phone**  
Office (561) 355-3451

**E-mail**  
rdelarosa@pbcgov.org

**We’re on the Web!**  
www.pbcgov.com

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