

PALM BEACH COUNTY 2016 LEGISLATIVE SESSION FINAL REPORT

March 29, 2016



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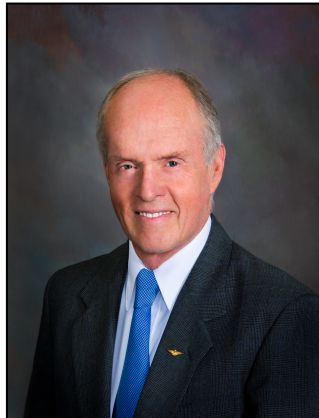
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1. BUDGET ISSUES

1.1. 2016 GENERAL APPROPRIATIONS ACT

HB 5001 by Appropriations Committee and Rep. Richard Corcoran

The Legislature agreed upon an \$82.3 billion budget with roughly \$129.1 million in tax relief measures and \$3 billion in reserves. Compared to the FY 2015-16 Budget, this represents a \$4 billion increase.

HB 5001 provides:

- General Revenue: \$30.28 billion
- State Trust Funds: \$52.06 billion

On March 15, 2016, the Governor vetoed approximately \$256.1 million in projects and trust fund sweeps.

1.2. HEALTH AND HUMAN SERVICES

Health and Human Services received \$34.31 billion, which represents a 4.13% increase in total spending over the Fiscal Year 2015-16 appropriation. This is the largest portion of funding in the budget.

The Low Income Pool (LIP) Program was funded at \$607.8 million. This program was redesigned to meet new federal Centers for Medicare & Medicaid Services (CMS) standards; now, it pays hospitals based on their charity case cost only.

Florida KidCare, the state's health insurance program for children, is fully funded to serve approximately 193,772 children. An additional \$29 million will be used to cover children of lawfully residing immigrants who have been here less than five years.

The Agency for Persons with Disabilities will receive \$1.31 billion, which includes \$25 million to serve 1,350 "critical needs" clients on the APD Medicaid Waiver Waiting List.

1.3. CRIMINAL JUSTICE AND CORRECTIONS

Criminal and Civil Justice Appropriations totaled \$4.97 billion, a 5.6% or \$208 million increase over FY 2015-16.

The Department of Juvenile Justice will receive \$545.8 million, which will include \$2 million to improve the youth-to-staff ratio in non-secure residential commitment programs, and \$6.45 million for youth prevention and diversion programs.

1.4. TRANSPORTATION AND ECONOMIC DEVELOPMENT

Transportation and Economic Development Appropriations totaled \$12.5 billion, a \$200 million increase from FY 2015-16.

The Department of Economic Opportunity will receive \$1.11 billion, which is \$14.4 million less than last year's budget. This decrease is due to economic development tool cuts such as the Quick Action Closing Fund, the Qualified Target Industry Tax Refund and the High-Impact Business Performance Grant.

Highlights include:

Department of Transportation - \$10.8 billion

- Transportation Work program - \$9.8 billion

Department of Economic Opportunity - \$1.11 billion

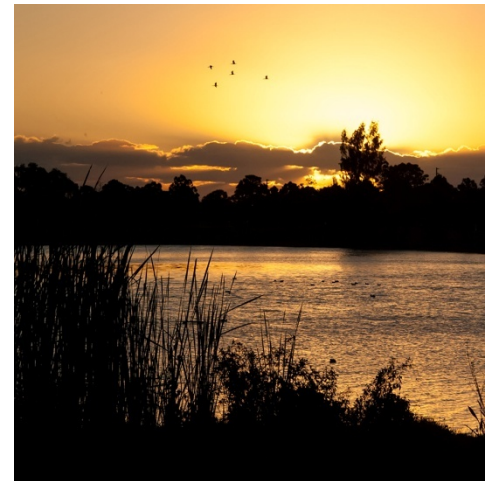
- FL Housing Finance Corporation - \$200.1 million
 - SAIL \$32.3 million
 - SHIP \$135.5 million
- Community Development Block Grant Program - \$36.5 million
- Weatherization Grant Program - \$2 million
- Low Income Energy Assistance Grant Program - \$16 million
- Supplemental Nutrition & Assistance Program - \$12.6 million
- Farm Share and Food Banks - \$4 million
- Quick Response Training - \$12 million
- Fund Regional Workforce Boards - \$283.3 million
- Enterprise Florida - \$23.5 million
- Visit Florida - \$76 million
- State Aid to Libraries: \$22.3 million

1.5. AGRICULTURE AND NATURAL RESOURCES

Funding for Agriculture and Natural Resources totaled \$3.9 billion, a 16.5% or \$555.7 million increase over FY 15-16.

Highlights include:

- Florida Forever - \$60.2 million
- Springs Protection - \$50 million
- Everglades Restoration - \$132 million
- Land Acquisition - \$56.9 million
 - Florida Forever/Conservation Lands - \$15.1 million
 - Florida Communities Trust - \$10 million
 - Everglades Restoration - \$27.7 million
- Beach Restoration - \$32 million
- Local Water Projects - \$81.7 million
- Wastewater Revolving Loan Program - \$151 million
- Drinking Water Construction Loan Programs - \$104.3 million
- Petroleum Tanks Cleanup - \$118 million
- Dry Cleaning Solvent Cleanup - \$8.5 million



Department of Agriculture and Consumer Services - \$1.7 billion

- Northern Everglades & Estuaries Restoration - \$56.8 million
- Florida Agriculture Promotion Campaign - \$12.9 million

Fish & Wildlife Conservation Commission - \$379.6 million

- Lake Restoration - \$7.2 million
- Artificial Reef Construction - \$600K
- Land management – \$31.8 million
- Lake Okeechobee Restoration Agricultural Projects - \$11.1 million

1.6. EDUCATION

All educational programs and services received approximately \$23.86 billion. The Pre-K-12 Education budget totals \$14.5 billion, which is a 2.76% or \$388.2 million increase over the prior year's budget.

The Legislature moved to hold down required local effort (RLE) property taxes for schools in the budget and proposed to keep the same RLE millage rate as last year. Therefore, the state funding portion of the Florida Education Finance Program (FEFP) will absorb the total cost of the RLE, which is estimated at \$428 million. This represents an average school tax savings of \$53 per household.

Per student funding increased to approximately \$7,178. This is about a \$71 increase, or 1%, over last year's spending. This represents a total amount of approximately \$1.4 billion to Palm Beach County, an increase of \$35.2 million (2.56% per student increase).

The Higher Education budget totals \$7.3 billion, a 3.7% or \$261 million increase over the prior year's budget. The State University System will receive \$4.7 billion, an increase of \$200.3 million over FY 2015-16.

2. BUDGET ITEMS OF INTEREST

2.1. EDUCATION

Florida Atlantic University

Florida Atlantic University - Operating	\$103,332,960
Florida Atlantic University – Grants & Aid	\$22,506,154
Florida Atlantic University – Medical School	\$26,342,165
Florida Atlantic University – STEM Life Sciences Building	\$3,031,247
Florida Atlantic University - Autism Program	\$1,056,776
Florida Atlantic University – STEM Life Science Initiatives	\$1,500,000
Florida Atlantic University – Robotics Team	\$100,000
Florida Atlantic University – Financial Assistance	\$399,658

Palm Beach State College

Palm Beach State College - Lottery Funds	\$13,733,434
Palm Beach State College - Program Funds	\$ 45,898,242
Palm Beach State College – Loxahatchee Groves Campus	\$9,004,182

Glades West Tech HVAC Training	\$1,471,714
PBC Library System Online Tutor Assistance	\$74,000

Voluntary Prekindergarten Program	\$27,612,671
School Readiness Program	\$34,481,170
Public Schools Workforce Development	\$17,103,328
Adults with Disabilities	\$5,375,369

Palm Beach County Schools K-12

Public Schools K-12 FEFP (including RLE)	\$1,413,934,239
Palm Beach Schools Readiness	\$34,481,170
Palm Beach County Voluntary Prekindergarten	\$27,612,671
Palm Beach County Workforce Development	\$17,103,328

2.2. HEALTH & HUMAN SERVICES

Health & Human Services

Place of Hope	\$200,000
Jerome Golden Center for Behavioral Health Services	\$575,000
Mental Health/Substance Abuse – Sinfonia	\$750,000
Community Based Providers of Child Welfare Services (Risk Pool)	\$5,000,000
Rape Crisis Center Operating PBC	\$98,000
Alzheimer’s Community Care – Palm Beach, Martin	\$400,000
Palm Beach Habilitation Center for Mentally Disabled	\$225,000
Palm Beach Habilitation Center Maintenance	\$649,111
PACE (Morse) Expansion for Elderly	\$5,132,890
Ruth and Norman Rales Jewish Family Services	\$75,000
Homeless Housing Statewide	\$3,290,800
Scripps Research Institute	\$2,000,000

Projected Net Payments for LIP, DSH, and Rate Enhancements

Bethesda Healthcare System	\$4,080,107
Boca Raton Community Hospital	\$40,386
Columbia Hospital	\$1,290,845
Delray Medical Center	\$167,821
Good Samaritan Medical Center	\$121,770
JFK Medical Center	\$5,085,467
Jupiter Medical Center	\$63,564
Kindred Hospital – Palm Beaches	\$7,213
Lakeside Medical Center	\$1,368,127
Palm Beach Gardens Medical Center	\$98,756
Palms West Hospital	\$3,405,193
St. Mary’s Hospital	\$19,370,601
Wellington Regional Medical Center	\$1,677,907
West Boca Medical Center	\$38,167

2.3. CRIMINAL & CIVIL JUSTICE

Criminal & Civil Justice

PILT – South Bay Correctional	\$275,560
PILT – Sago Palms South Bay	\$142,900
South Bay Correctional Facility	\$2,893,625
Sago Palm Work Camp	\$857,125
4 th DCA Courthouse Construction	\$7,509,276
15 th Circuit Prosecution of PIP Fraud	\$272,075
15 th Circuit Workers Comp Fraud	\$276,558
PBC Sheriff’s Office Unmanned Aircraft System Pilot Program	\$1,000,000
RESTORE Re-entry Grant	\$500,000
Sober Home Enforcement	\$275,000

2.4. TRANSPORTATION & ECONOMIC DEVELOPMENT

Transportation Economic Development

South Bay Park of Commerce - Inland Logistics Center	\$470,900
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Glades Area Street Resurfacing/Reconstruction – Belle Glade	\$1,000,000
Lake Worth Park of Commerce	\$2,500,000
US 1 “Complete Streets” – Village of Tequesta	\$300,000
15th Street Beautification – Riviera Beach	\$450,000
Broadway Corridor Revitalization	\$450,000
Small County Transportation Fund [Rural Area of Opportunity]	\$9,000,000
Lake Okeechobee Wave Attenuation Project	\$1,000,000
Chain of Lakes Blueway Access Project	\$286,900
Lantana Community Center	\$500,000
Marine Navigability Improvements Loxahatchee River	\$1,500,000
West Palm Beach Calloway Armory	\$3,000,000
Delray Beach CRA Business Incubator	\$125,000
JARC Transition Pre-Employment Training Program	\$180,000

Transportation Disadvantaged \$55,211,227

Aviation Development Grants

N. PB County Airport Runway Pavement Rehab & Repair (8R-26L & 13-31)	\$1,072,188
Palm Beach Int’l Airport Cargo Facilities Access	\$1,135,000
Palm Beach Int’l Airport Parking Revenue Center	\$1,304,773

Bridge Construction

SR 804/East Ocean Avenue over ICWW Bridge Painting	\$3,570,221
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Road Construction Inspections

Resurface Tpk MainLine (Mp 92.53-102.47 NB & SB) & (Mp. 90.06-90.30 NB)	\$1,543,310
SR 7 from 60 th Street to Northlake Blvd	\$5,544,884
SR 7/US 441 from Broward/PB Co/Line to SR 808/Glades Road	\$1,273,436
SR 809/Military Trl from Lake Worth Rd to S of SR 80/Southern Blvd	\$1,030,745
SR 9/I-95 from Brow/Palm Bch Co Line to South of Glades Rd	\$5,537,472

Highway Maintenance

I-95 Asset Management Palm Beach County	\$3,415,000
Palm Beach County JPA’s for Maintenance Lighting Maintenance	\$2,641,238
Palm Beach County Maintenance	\$1,500,000
Palm Beach County Road Ranger Service Patrol	\$1,656,000
SR 25/US 27 Asset Management Contract US 27 & Belle Glade Area	\$1,859,778

Highway Safety Grants

Lyons Road from Norte Lago to Pine Springs Drive	\$4,064,275
SR 809/Military Trl from Lake Worth Rd to S of SR 80/Southern Blvd	\$2,049,813

Intrastate Highway Construction

Adaptive Traffic Control System – SR 786/PGA Blvd	\$1,417,272
Palm Beach County Push-Button Contract for Signalization	\$1,000,000
Roadside Improvement for Tpk MainLine from Mp 92.53 to 102.47	\$1,529,472
SR 7 from 60 th Street to Northlake Blvd	\$44,590,200
SR 7/US 441 from Broward/PB Co Line to SR 808/Glades Road	\$9,051,393
SR 808/Glades Road from SR 7 to SR 5/US 1	\$2,900,191
SR 9/I-95 from Brow/Palm Bch Co Line to South of Glades Rd	\$43,184,369

Preliminary Engineering

Bridge Replacement at Various Locations	\$1,000,000
SR 5/US 1 Federal Highway from CR A1A to Beach Road	\$5,000,000
SR 806/Atlantic Ave from SR 7/US 441 to West of Lyons Road	\$1,700,000
SR 9/I-95 from Brow/Palm Bch Co Line to South of Glades Rd	\$1,407,390

SR 9/I-95 from Broward/Palm Beach County Line to Linton Blvd	\$1,104,486
Widen Tpk from Glades to Atlantic (Mp 76.4 – 81.6) (6 to 8 Lns) W/EI	\$4,500,000
Widen Tpk from SR 710 (Mp 106.1) to MP 117 (4 to 8 Lns)	\$8,205,000
<u>Public Transit Development</u>	
Palm Beach County Block Grant Operating Assistance	\$5,025,177
<u>Rail Development</u>	
Northwood Connection from CSX MainLine to FEC MainLine	\$3,933,503
SFRTA New Station Study Area, N. of Glades Rd to N. of Palmetto Pk Rd	\$1,500,000
South Central Florida Express	\$3,320,625
Villa Rica Siding Extension	\$2,441,983
<u>Resurfacing</u>	
I-95/SR 9 Fr C-18 to Palm Beach/Martin County Line	\$4,264,327
Resurface of Tpk MainLine from Mp 103.70 to 106.11	\$2,550,313
Resurface Tpk MainLine (Mp 92.53 -102.47 NB & SB) & (Mp 90.06 - 90.30 NB Only)	\$12,381,106
SR 7/US 441 from 0.7 Mile N. of Clint Moore Rd to West Atlantic Ave	\$3,884,717
SR 809/Military Trl from Lake Worth Rd to S of SR 80/Southern Blvd	\$5,753,275
<u>Right of Way Land Acquisition</u>	
SR 786/PGA Blvd at SR 811/FEC RR W of I-95 to Fairchild	\$1,000,000
SR 80 from W of Lion Country Safari Rd to Forest Hill/Crestwood Blvd	\$1,832,239
SR 9/I-95 at Linton Blvd Interchange	\$6,296,840
<u>Toll Operation Contracts</u>	
Account Management System/CCSS	\$20,862,640
<u>Traffic Engineering</u>	
Palm Beach County Signal Maintenance & Operations on State Hwy System	\$2,285,642
<u>Transportation Planning Grants</u>	
Palm Beach UPWP FY 2016/2017 and 2017/2018	\$1,070,561
<u>Turnpike System Equipment & Development</u>	
Sunpass Capital Assets	\$1,200,000
Video Tolling	\$1,250,000
Affordable Housing Programs	\$64,600,000
State Housing Initiatives Partnership Program (SHIP)	\$135,500,000
State Apartment Incentive Loan Program (SAIL)	\$32,300,000
Homeless Challenge Grants – recurring	\$5,200,000
Palm Beach County SHIP Total Allocation	\$8,719,117
(County Breakdown Below)	
Palm Beach County	\$6,630,016
Boca Raton	\$555,408
Boynton Beach	\$460,369
Delray Beach	\$399,336
West Palm Beach	\$673,988
<u>Economic Development</u>	
Florida Atlantic University Tech Runway	\$750,000
Scripps Florida Biotech Partnership	\$1,000,000

2.5. ENVIRONMENT & NATURAL RESOURCES

<u>Water Projects</u>	\$81,764,005
Belle Glade NW 3 rd Street Corridor Stormwater Conveyance Improvements	\$350,000
Delray Beach Reclaimed Water System Expansion Area 12-C	\$300,000
J.W. Corbett Levee	\$500,000
Lake Region Water Infrastructure Improvement	\$1,500,000
Lantana ICW Subaqueous Water Main Crossing Replacement Project	\$350,000
Lantana Lift Stations 1, 3, 4, & 9 Electrical Upgrades	\$150,000
Palm Beach Gardens Stormwater Maintenance Repairs and Operations Program	\$300,000
Lake Worth Lagoon Initiative	\$2,000,000
Loxahatchee River Preservation Initiative	\$1,050,000
Royal Palm Beach Canal System Rehabilitation Project	\$200,000
West Palm Beach Currie Park Water Quality and Low Impact Development Retrofits	\$175,000
C-51 Reservoir Implementation	\$2,000,000
<u>Beach Restoration</u>	\$32,069,924
North Boca PBC Shore Protection	\$106,150
North Boca Raton Segment/PBC Shore Protection Monitoring	\$52,500
Jupiter/Carlin Shore Protection Monitoring	\$100,000
Delray Beach Nourishment Monitoring	\$25,514
Ocean Ridge Shore Protection Monitoring	\$100,000
South Boca Raton Beach Nourishment Monitoring	\$191,492
Petroleum Tanks Cleanup	\$125,000,000

2.6. PARKS & RECREATION

Palm Beach County Public Recreational Shooting Park	\$3,090,000
<u>FRDAP</u>	\$10,400,000
Acreage Community Park Phase III (Indian Trail Improvement District)	\$50,000
Congress Avenue Park (Boynton Beach)	\$50,000
Beach Access (Juno Beach)	\$50,000
Davis Road Park (Village of Palm Springs)	\$50,000
Lilac Park – Phase VI (Palm Beach Gardens)	\$50,000
Kagan Park (Juno Beach)	\$50,000

2.7. CULTURE & FINE ARTS

<u>Cultural Facilities Grants (Statewide)</u>	\$36,313,921
Norton Museum of Art—Renovation	\$500,000
Loggerhead Marinelifelife Center—New Construction	\$500,000
South Florida Science Center and Aquarium—Renovation	\$500,000
Zoological Society of the Palm Beaches—Renovation	\$500,000
Center for Creative Education—Renovation	\$400,000
Benzaiten Center for Creative Arts—Renovation	\$129,000
Village of Wellington—Renovation	\$500,000
Indian Trail Improvement District	\$100,000
Norton Museum of Art	\$1,000,000
Young Singers of the Palm Beaches Choir in the Glades	\$100,000

Historic Preservation Small Matching Grants

Lake Worth Historical Resources Survey Update	\$25,000
Peanut Island Restoration—Palm Beach Maritime Museum	\$50,000

Cultural and Museum Grants (Statewide)

	\$20,585,000
Spady Museum	\$20,000
Kravis Center	\$97,558
Maltz Jupiter Theatre	\$96,892
Henry Morrison Flagler Museum	\$96,060
Young Singers of the Palm Beaches	\$43,024
Palm Beach Opera	\$95,144
Norton Museum of Art	\$94,894
The Morikami	\$94,727
Palm Beach Dramaworks	\$94,395
Sunfest of Palm Beach County	\$92,897
Spady Museum - Expanding and Preserving our Cultural Heritage	\$13,090
The Lake Worth Playhouse	\$49,333
The Zoological Society of the Palm Beaches	\$92,397
Boca Raton Museum of Art	\$92,326
Center for Creative Education	\$68,602
Aequalis	\$14,258
Delray Beach Center for the Arts	\$91,398
Florida Atlantic University	\$19,485
Ballet Palm Beach	\$21,008
Boca Ballet Theatre Company	\$62,607
Palm Beach State College	\$90,756
Lighthouse ArtCenter	\$63,723
Cultural Council of Palm Beach County	\$90,699
Boca Raton Historical Society	\$53,737
Arts Garage Creative City Collaborative	\$89,101
School of the Arts Foundation	\$88,901
Boca Raton Philharmonic Symphonia	\$29,289
South Florida Science Center and Aquarium	\$44,166
Artists Showcase of the Palm Beaches	\$5,720
Adolph & Rose Levis Jewish Community Center	\$14,680
Lynn University	\$67,683
Armory Art Center	\$85,762
Boynton Cultural Centre	\$13,107
The Children's Museum	\$11,029

Culture Builds Florida

Palm Beach Poetry Festival	\$25,000
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Library Grants

State Library State Aid	\$22,298,834
Library Cooperatives	\$2,000,000
City of Riviera Beach – Riviera Beach Public Library	\$500,000

**strikethrough indicates item was vetoed.*

2.8. TAX CUT

The governor signed a tax cut package (HB 7099) worth **\$129.1 million** next year. It establishes a recurring tax savings of \$79 million and \$50 million in one-time savings.

The bill includes the following:

- A permanent exemption for manufacturing equipment from state sales taxes
- Elimination of an exemption on aviation fuel that some airlines receive in return for lowering the overall fuel tax
- Allowing local government to grant property tax exemptions in areas that were previously classified as “Enterprise Zones” before the enterprise zone program expired
- Exemption of food and drink sold by veterans’ organizations to their members from state sales taxes
- Reduction of taxes of pear cider to equal those on apple cider
- Provided tax relief for owners of airplanes who are waiting to have their aircraft registered in a foreign country
- A definition-change of “wholesale sales price” for tobacco products in a way that may increase taxes on them
- A phase-out of a sales tax on asphalt used for government projects
- A three-day back-to-school tax holiday
- Authorization of certain counties, currently Okaloosa, Bay, and Walton, to use 10% of the revenue from existing Tourist Development Taxes for expenses incurred in providing public safety services
- For purposes of the local option economic development property tax exemption, allowing the exemption for replacement data center equipment and extends the length of the exemption from 10 to 20 years for such equipment

3. LEGISLATION SUPPORTED BY THE COUNTY THAT PASSED

3.1. TRANSPORTATION & GROWTH MANAGEMENT

Relocation of Utilities

SB 416 by Sen. Flores and **HB 461 Rep. Ingram** require the Department of Transportation or the local government, and not utilities, to bear the cost of relocating utility lines if the facilities are located within an existing and valid public utility easement granted by a recorded plat. This exception would still apply if ownership of the underlying land was acquired by the governmental entity requiring the relocation. Under this exception, the governmental entity would be required to pay the full cost of relocation, after deductions for any increase in value attributable to the new facility and any salvage value of the old facility.

The legislation narrows the authority of the FDOT and local governments to prescribe and enforce rules or regulations related to the placing and maintaining of a utility to “across, on, or within the right-of-way limits” of any public road or publicly owned rail corridor, as opposed to “along, across, or on” any public road or publicly owned rail corridor.

SB 416 passed the House 109-4 and the Senate 34-4. *This bill was signed into law by the Governor on March 10, 2016.*

3.2. ECONOMIC DEVELOPMENT

Glades Initiatives

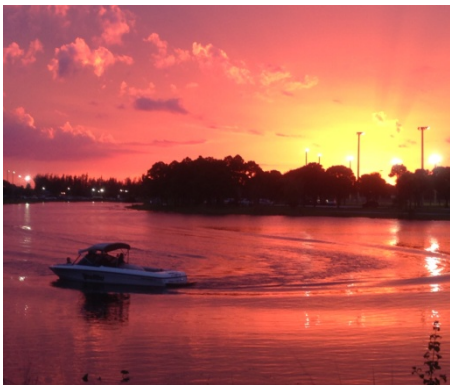
The Glades area had much success in the budget this year. One million dollars was included for roadway improvements and street resurfacing in the Glades area, with the inclusion of an additional \$9 million for the small city road fund for which the Glades region can compete for additional funds. Additionally, the area received \$1.5 million for water infrastructure, as well as \$350,000 to improve Belle Glade's NW 3rd Street Corridor Stormwater Conveyance. The Inland Port Road infrastructure in South Bay was allocated \$470,900 that, unlike last year, survived the Governor's veto pen. Likewise, the Pahokee Marina received \$1 million, which had been vetoed last year. Finally, the HVAC program at West Tech received \$1.47 million.



Biomedical Research Funding

Funds which had been included in the budget for Scripps, \$3 million, were vetoed by the Governor. However, over \$1 million in recurring general revenue continues to be allocated for Max Planck for an ongoing partnership with FAU.

3.3. GENERAL GOVERNMENT



Boating Safety

HB 427 by Rep. Magar unanimously passed the House and Senate. This legislation (whose Senate companion was **SB 746 by Sen. Negron**) would reduce the vehicle registration fees owed to the Department of Highway Safety and Motor Vehicles by boat owners who install certain personal location devices registered with NOAA. The bill contains a one-year \$250,000 appropriation to offset the reduction in fees and was a key priority of Senate President Designate Joe Negron. Palm Beach County approved a resolution in support of this legislation. *This bill was signed into law by the Governor on March 25, 2016.*

3.4. CRIMINAL & JUVENILE JUSTICE ISSUES

Department of Juvenile Justice Cost-Share

The Legislature passed **SB 1322 by Sen. Latvala**, a bill that will change the controversial DJJ cost-share distribution between the counties and state. The bill will charge counties based upon actual utilization instead of pre-disposition. It will require counties, which must end their litigation over the issue against the state, to pay \$42.5 million for FY 2016-17 and then costs would be split 50/50 for subsequent years. *This bill was signed into law by the Governor on March 29, 2016.*

Inspector General

The Legislature passed **SB 752 by Sen. Abruzzo**. The bill exempts from public inspection and disclosure certain personal identifying information of an agency employee whose duties include conducting internal audits. This would apply to both current and former employees, as well as their spouses and children. *This bill was signed into law by the Governor on March 30, 2016.*

Discharging a Firearm

SB 130 by Sen. Richter amends s. 790.15, F.S., to prohibit the recreational discharge of a firearm outdoors, including for target shooting, in an area that the person knows or reasonably should know is primarily residential in nature and that has a residential density of one or more dwelling units per acre. A violation of this law is a first-degree misdemeanor punishable by up to a year in jail and a \$1,000 fine.

The bill provides exemptions for the lawful defense of life or property, the accidental discharge of a firearm, or the performance of official duties that require the discharge of a firearm. Additionally, the penalties do not apply if, under the circumstances, the discharge does not pose a reasonably foreseeable risk to life, safety, or property. *This bill was signed into law by the Governor on February 24, 2016.*

3.5. HEALTH & HUMAN SERVICES ISSUES

Affordable Housing

The documentary stamp tax paid on all real estate transaction funds the local housing trust fund, which is the funding source for the State Housing Initiative Partnership (SHIP) program and the State Apartment Incentive Loan (SAIL) program. The Legislature approved \$135.5 million for SHIP and \$32.3 million for SAIL for FY 2016-2017.

For Palm Beach County, that translates into the following funding allocations:

Palm Beach County	\$6,630,016
Boca Raton	\$ 555,408
Boynton Beach	\$ 460,369
Delray Beach	\$ 399,336
<u>West Palm Beach</u>	<u>\$ 673,988</u>
Palm Beach County Total	\$8,719,117

Housing Assistance

SB 1534 by Sen. Simmons provides greater flexibility and increases accountability for programs receiving public funds to address housing assistance and homelessness. Specifically, the bill:

Amends the SAIL Program to:

- Change how funds are made available to better reflect projected needs and demand for affordable housing for the specified tenant groups and counties based on population;
- Require rent controls on rental units financed through the SAIL program based on applicable income limitations established by the Florida Housing Finance Corporation;
- Amend provisions relating to the State Office on Homelessness and the Challenge Grant Program that provides grants to lead agencies of homeless assistance continuums of care to:
 - Require that expenditures of leveraged funds or resources are permitted only for eligible activities committed on one project that have not been used as leverage or match for another project;
 - Remove the requirement that award levels for Challenge Grants be based upon the total population within the continuum of care catchment area and reflect the differing degrees of homelessness in the catchment planning areas;
 - Require that Challenge Grant funds distributed to the lead agencies be based on overall performance and achievement of specified objectives, including the number of persons or households that are no longer homeless, the rate of recidivism to homelessness, and the number of persons who obtain gainful employment; and
- Express legislative intent to encourage homeless continuums of care to adopt the Rapid ReHousing approach to preventing homelessness for individuals and families who do not require the intense level

of support provided in the permanent supportive housing model and requires Rapid ReHousing to be added to the components of a continuum of care plan.

Amends the SHIP Program to:

- Provide exceptions to the restriction on counties and eligible municipalities related to expenditures of SHIP Program distributions for ongoing rent subsidies;
- Provide that up to 25% of the SHIP Program funds made available in a county or municipality may be reserved for rental housing;
- Clarify monitoring requirements when SHIP program funds are used for rental housing developments;
- Revise the composition of local Affordable Housing Advisory Committees;
- Extend the time period for the FHFC to review local housing assistance plans from 30 to 45 days;
- Require local governments to use a minimum of 20% of SHIP program distributions to serve persons with special needs, with first priority given to serving persons with developmental disabilities; and
- Authorize local governments to create regional partnerships and pool appropriated funds to address homeless housing needs identified in local housing assistance plans.

Authorizes the FHFC to:

- Forgive indebtedness for SAIL loans for small properties serving homeless persons in certain underserved counties or rural areas and make loans exceeding 25% of the cost for those projects;
- Ban developers for misrepresentations or fraud related to a program application from participating in FHFC programs for any appropriate time period, including a permanent ban, rather than for only up to 2 years; and
- Require the FHFC to reserve a minimum of 5% of the annual appropriation from the State Housing Trust Fund for housing projects designed and constructed to serve persons with a disabling condition, with first priority given to projects serving persons with a developmental disability.

If approved by the Governor, these provisions take effect July 1, 2016. *This bill was signed into law by the Governor on April 8, 2016.*

Mental Health and Substance Abuse

SB 12 by Sen. Garcia and HB 7097 by Rep. Harrell address Florida's system for the delivery of behavioral health services. The legislation provides for mental health services for children, parents, and others seeking custody of children involved in dependency court proceedings. It identifies the components of a coordinated system of care to be provided to individuals with mental illness or substance use disorder. By December 31, 2016, the Agency for Health Care Administration (AHCA) and the Department of Children and Families (DCF) are directed to develop a plan to increase federal funding for behavioral health care. To more closely align the Baker Act (mental illness) and Marchman Act (substance abuse), the legislation modifies the legal procedures and timelines, as well as processes for assessment, evaluation, and provision of services. The duties and responsibilities of DCF include determination of the optimal array of services to meet the needs identified in the needs assessment and development strategies to divert people with mental illness or substance use disorder from the criminal justice system and collaborate with the Department of Juvenile Justice (DJJ) and the state court system to integrate behavioral health services with the child welfare system. SB 12 passed the Senate 38-0 and the House 118-1. *This bill was signed into law by the Governor on April 15, 2016.*



3.6. ENVIRONMENT/NATURAL RESOURCES/AGRICULTURE ISSUES

Environmental Resources

SB 552 by Sen. Dean addresses numerous topics relating to Florida's environmental resources. It creates the Florida Springs and Aquifer Protection Act. The legislation updates and restructures the Northern Everglades and Estuaries Protection Program to reflect and build upon the Department of Environmental Protection's (DEP) implementation of Basin Management Action Plans (BMAPs) for Lake Okeechobee, the Caloosahatchee River and Estuary, and the St. Lucie River and Estuary. SB 552 also directs the Office of Economic and Demographic Research to conduct an annual assessment of water resources and conservation lands. The bill requires the DEP to establish statewide standards for the collection and analysis of water quantity and quality, and conduct a feasibility study for creating and maintaining a web-based, interactive map of the state's waterbodies that provides information on the status of each waterbody with respect to minimum flows and levels and nutrient impairment. SB 552 passed the House 110-2 and the Senate 37-0. *This bill was signed into law by the Governor on January 21, 2016.*

Natural Gas Rebate Program

The Legislature passed **SB 90 by Sen. Simpson**. The bill allows the Department of Agriculture and Consumer Services to award excess funds in the state's natural gas fuel fleet rebate program to applicants who have already received the \$250,000 in fiscal year maximum funding. The bill gives priority to government owned fleets. *This bill was signed into law by the Governor on April 6, 2016.*

Dangerous Dogs

HB 91 by Rep. Steube clears the ambiguity in the existing laws when a dog that has not been previously classified as dangerous causes serious injuries. Under current law the dog would have to be euthanized, its owner unable to offer a defense and explain the circumstances; however, if a dog has already been classified as dangerous, an owner can offer a defense. The bill requires that animal control authorities allow owners to offer affirmative defenses of dogs that have not been previously classified as dangerous during a euthanization hearing. The bill also protects the home rule authority of local governments. *This bill was signed into law by the Governor on March 8, 2016.*

Environmental Control

Among other items, **HB 589 by Rep. Pigman** repeals s. 373.245, F.S., which authorizes damages to be paid to consumptive use permit holders that occur as a result of permit violations by abutting consumptive use permit holders. *This bill was signed into law by the Governor on March 25, 2016.*

4. LEGISLATION SUPPORTED BY THE COUNTY THAT FAILED

4.1. FINANCE & TAX ISSUES



Economic Development/Film and TV Incentives

HB 1325 by Rep. Boyd and SB 1646 by Sen. Latvala would have restructured several of the state's economic incentive programs. The legislation would have changed the name of the "Quick Action Closing Fund" to the Florida Enterprise Fund and lowered the return-on-investment levels projects needed to meet to maintain eligibility for grants from the program. Many of the components of the bill were aimed at assisting small businesses, such as an exemption from impact fees for three years for a business of 12 employees or less. The legislation would have also made numerous changes to Florida law relating to sports development. SB 1646 included language that would have provided for a complete overhaul of the state's film industry. HB 1325 passed

the House 79-39 but died in the Senate. SB 1646 died in the Appropriations Committee, its last committee of reference.

Gaming

Neither the House nor Senate gaming bills were able to pass their respective chamber. **HB 7109 by the Regulatory Affairs Committee and Rep. Diaz (J)** would have ratified the gaming compact negotiated by Gov. Scott and the Seminole Tribe. It would have decoupled greyhound tracks, allowing them to remove dog racing while adding poker and slots. Further, it would have allowed slots in Palm Beach County and at a new facility in Miami-Dade.

SB 7072 and SB 7074 by the Regulated Industries Committee would have allowed pari-mutuels to add slot machines in six counties (Brevard, Hamilton, Gasden, Lee, Palm Beach, and Washington), as well as allowing pari-mutuels to decouple from live races.

4.2. CRIMINAL JUSTICE ISSUES

Public Record Exemption—Marchman Act

SB 762 by Sen. Abruzzo, a bill supported by the county, would have exempted from public records information related to the involuntary assessment and stabilization of a person impaired due to substance abuse under the Marchman Act. The bill would have ensured that families will not have to fear that sensitive personal information would be made public should they choose to Marchman Act a loved one. It would also have aligned public records law regarding the Marchman Act with that of the Baker Act.

4.3. GENERAL GOVERNMENT

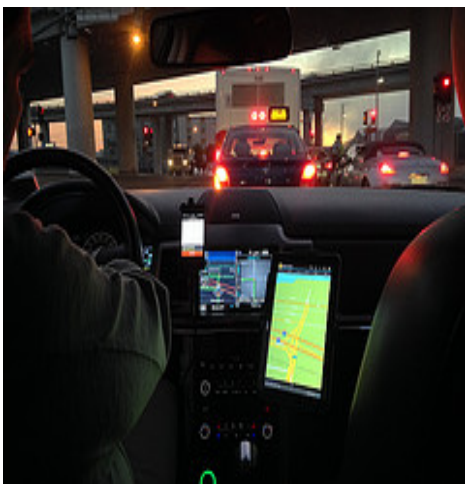
Alarm System Registration

SB 768 by Sen. Flores died in Messages, having passed the Senate unanimously. The bill would have preempted local alarm system registration in order to establish a statewide uniform system. Further, it would have capped the fees for registration to a one-time payment of \$25 and required registration within twenty days of occupancy of a property. The bill would have prohibited false or excessive alarm penalties being charged to monitoring or installation companies and instead would have placed responsibility on customers.



Transportation Network Companies (Uber)

HB 509 by Rep. Matt Gaetz and SB 1118 by Sen. David Simmons would have created insurance requirements for Transportation Network Companies, such as Uber, Lyft, and SideCar. Transportation network companies use smartphone technology to connect individuals who want to purchase rides with private drivers.



HB 509 included a third party background check and would have preempted all local governments with regulation requirements. SB 1118 only contained the insurance component of TNC's and provided that drivers would be required to have \$125,000 in coverage for death and bodily injury per person, \$250,000 in coverage for death and bodily injury per incident and \$50,000 in coverage for property damage when logged on a TNC's digital network or engaged in a prearranged ride. When not logged in, drivers would have to maintain \$25,000 in coverage for death and bodily injury per person, \$50,000 in coverage for death and bodily injury per incident and \$10,000 in coverage for property damage. Language was included in the Senate version that would also require notice be given to drivers that it is illegal to accept a ride not arranged through the TNC application and such rides would not be

covered by insurance. HB 509 had much lower minimum insurance standards.

HB 509 passed the House 108-10 but died in the Senate. SB 1118 died on the calendar.

Sober Homes

SB 1138 by Sen. Clemens died in the Appropriations Committee. The bill would have prohibited unethical marketing practices by substance abuse treatment providers and operators of recovery residences, such as soliciting or receiving kickbacks or bribes to secure residents, promising free rent and other perks to potential residents, and using predatory marketing. As originally filed, **HB 823 by Reps. Hager and Rooney** was identical to the Senate bill, but it was later amended to include a pilot program to study the problem, headed by the Office of the State Attorney for the 15th Judicial Circuit. This bill died in House Appropriations. However, the Legislature did allocate \$275,000 for the State Attorney of the 15th Judicial Circuit, Dave Aronberg, to study the issue and report back to the governor and Legislature by the end of 2016.

Public Records

SB 1220 by Sen. Garcia and **HB 1021 by Rep. Steube** would have given judges the discretion in determining whether to grant or deny enforcement costs, including attorney fees, in actions requiring agencies to disclose public records. A court would have had to assess and award the reasonable costs of enforcement, including reasonable attorney fees, against the responsible agency if it determined that the agency unlawfully refused to permit the public record to be inspected or copied, and the complainant provided written notice identifying the public record request to the agency's custodian of public records at least five days before filing the civil action. A court would not have been able to assess and award any reasonable costs of enforcement, including reasonable attorney fees, against the agency if the court determined that the request to inspect or copy the public record was made primarily to harass the agency or cause a violation. SB 1220 passed the Senate 30-0 but died in Messages in the House. HB 1021 died in the State Affairs Committee.

5. BILLS OPPOSED BY THE COUNTY THAT FAILED

5.1. GENERAL GOVERNMENT

Millage Rates

SB 1222 by Sen. Flores would have changed the maximum millage rate that counties, municipalities, special districts, or municipal service taxing units may levy without requiring a supermajority or unanimous vote. This bill would have based the rolled back rate on the amount of taxes actually levied in the prior year and adjusted for change in per capita Florida personal income, unless the change is negative. This would have eliminated the original flexibility provided for the local management of local resources. **HB 1015 by Rep. Nunez** also contained these provisions but was amended in its last committee, Local and Federal Affairs, to remove the language and instead require taxing authorities to post their tentative and final budgets on their websites. SB 1222 died in the Appropriations Committee, its last committee of reference, and HB 1015 died on the calendar.

Fracking

SB 318 died after its sponsor, **Sen. Richter**, withdrew it from consideration, saying he did not have the votes to get it through the Appropriations Committee. The House last month passed its version, **HB 191 by Reps. Rodrigues (R) and Pigman**. The bills would have created a permitting system for high-pressured well stimulation or "fracking." The final bill required DEP to conduct a study on how to control and mitigate chemical impacts on the environment and develop rules for the permitting process. Those rules would then have to be ratified by the Legislature prior to implementation. It would have imposed a moratorium on fracking until the rules were ratified.



Local Government Tax Referenda

HB 791 by Rep. Ingolia would have required local tax referenda to be held during general elections. In addition, the bill would have required a 60% threshold for passage only if the election is during a Presidential primary election and allow for a majority vote threshold if the election is during a general election.

5.2. TRANSPORTATION AND NATURAL RESOURCES



Red Light Cameras

HB 4027 by Rep. Artilles and **SB 168 by Sen. Jeff Brandes** would have repealed current law that authorizes the use of red light cameras, which are currently used by law enforcement agencies to issue traffic citations to drivers who run red lights. HB 4027 passed the House 83-33 but died in the Senate. SB 168 died in the Appropriations Subcommittee on Transportation, Tourism and Economic Development.

5.3. CRIMINAL JUSTICE ISSUES

Medical Examiners Fees

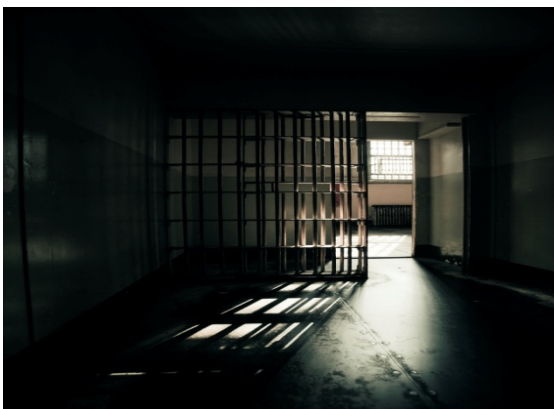
SB 620 by Sen. Grimsley would have capped the fees counties can charge for state-mandated medical examiner services for cremations at \$50. Other language was adopted onto a Department of Health bill, as well as in a stand-alone companion bill, that would have prohibited all counties from charging any fees for medical examinations before cremations as well as affect death certificate service fees. Those failed as well. Opponents contend that the fee is used to offset the costs of the mandate and is especially necessary in larger, urban counties that require a large number of cremations. If passed, the bill would have resulted in an annual net negative impact to Palm Beach County of close to \$300,000.

Historic and Archaeological Artifacts

After a lengthy debate, Senate Governmental Oversight and Accountability effectively killed the proposal by postponing **SB 1054 by Sen. Dean** that would create procedures to discover historical and archeological artifacts and would allow for normal citizens to retrieve artifacts without committing a felony. The program had been repealed by the Legislature years ago due to abuse of persons seeking to profit off of artifacts. However, the state recently cracked down on individuals who had artifacts, spurring lawmakers to consider the program again. Opponents of the bill came from multiple angles, with some opponents worried about abuse or untrained individuals damaging artifacts.

6. OTHER BILLS OF INTEREST

6.1. CRIMINAL & JUVENILE JUSTICE/PUBLIC SAFETY ISSUES



Death Penalty

HB 7101 by Reps. Trujillo and Spano makes changes to Florida's capital sentencing scheme. It puts Florida's death penalty laws in compliance with the U.S. Constitution following a Supreme Court ruling finding they previously gave judges too much discretion to order the death penalty. The Court ruled that "the Sixth Amendment requires a jury, not a judge, to find each fact necessary to impose a sentence of death." The judge is no longer permitted to "override" the jury's recommendation of a sentence of life imprisonment by imposing a sentence of death. HB 7101 passed the Senate 35-5 and

the House 93-20. *This bill was signed into law by the Governor on March 7, 2016.*

Contraband Forfeiture

SB 1044 by Sen. Brandes amends the Florida Contraband Forfeiture Act to specify that a seizure may occur only if the property owner is arrested for a criminal offense, with some exceptions. Seizure of property may also occur should the owner of the property not be identified after a diligent search, or the person in possession of the property denies ownership, and the owner of the property cannot be identified by available means at the time of seizure. SB 1044 passed the Senate 38-0 and the House 116-0. *This bill was signed into law by the Governor on April 1, 2016.*

Fire Safety

HB 431 by Rep. Raburn makes changes related to the Florida Fire Prevention Code on agricultural property. The bill defines an “agricultural pole barn” and exempts them from the Florida Fire Prevention Code, National Codes and the Life Safety Code. The bill clarifies tents currently exempt from such codes can be any shape up to 900 square feet. The bill defines a nonresidential farm building and establishes classes for use in which such buildings can be exempt from the Florida Fire Prevention Code, National Codes and the Life Safety Code. *This bill was signed into law by the Governor on March 24, 2016.*

Law Enforcement Officer Body Cameras

HB 93 by Reps. Jones (S), Williams, and others creates s. 943.1718, F.S., pertaining to body cameras, to:

- Define relevant terms including the term “body camera,” which means “a portable electronic recording device that is worn on a law enforcement officer’s person that records audio and video data of the officer’s law-enforcement-related encounters and activities”;
- Require a law enforcement agency that permits its law enforcement officers to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras;
- Specify what must be included in those policies and procedures, such as general guidelines for the proper use, maintenance, and storage of body cameras and limitations on recording law-enforcement-related encounters and activities; and
- Require these agencies to conduct training on those policies and procedures, retain audio and video data recorded by body cameras, and perform periodic review of body camera practices.

The bill specifies that ch. 934, F.S., (interception of communications), does not apply to body camera recordings made by law enforcement agencies that elect to use body cameras. If approved by the Governor, these provisions take effect upon becoming law. *This bill was signed into law by the Governor on March 24, 2016.*

Expunction of Records of Minors

SB 386 by Sens. Detert, Soto, Joyner, and Evers amends s. 943.0515, F.S., to require all records maintained by the Florida Department of Law Enforcement (FDLE) related to minors who are not classified as serious or habitual juvenile offenders or who have not been committed to a juvenile correctional facility or juvenile prison to be automatically expunged when the minor reaches the age of 21 years, instead of 24 years of age.

Automatic expunction will occur so long as one of the following exceptions does not apply:

- A person 18 years of age or older is charged with or convicted of a forcible felony and the person’s criminal history record as a minor has not yet been destroyed;
- At any time a minor is adjudicated as an adult for a forcible felony; or
- The record relates to a minor who was adjudicated delinquent for a violation committed on or after July 1, 2007, as provided in s. 943.0435(1)(a)1.d., F.S., involving certain sexual offenses.

Automatic expunction of records related to juveniles who are classified as serious or habitual juvenile offenders or who have been committed to a juvenile correctional facility or juvenile prison will remain at 26

years of age under the bill. Furthermore, the bill provides that a minor who is eligible for automatic expunction of criminal history records at age 21 may apply for an expunction any time after reaching 18 years but before reaching 21 years of age. The only offenses eligible to be expunged are those that the minor committed before reaching the age of 18 years. In order to qualify for expunction prior to age 21, the minor is required to apply to the FDLE. *This bill was signed into law by the Governor on March 10, 2016.*

Human Trafficking

HB 545 by Rep. Spano reclassifies human trafficking offenses under s. 787.06, F.S., if a person causes great bodily harm, permanent disability, or permanent disfigurement to another person and clarifies that a person can be convicted of branding a victim of human trafficking if the branding is for the purpose of committing or facilitating the offense of human trafficking. The bill also adds human trafficking as a qualifying felony offense for first-degree felony murder.

The penalties for a first-time violation of s. 796.06(2), F.S. (renting a space to be used for lewdness, assignation, or prostitution), are increased from a second-degree misdemeanor to a first-degree misdemeanor. The penalties for a second or subsequent violation are increased from a first-degree misdemeanor to a third degree felony.

The bill addresses prostitution and related acts by:

- Removing minors from being prosecuted for prostitution, lewdness, or assignation under s. 796.07, F.S.;
- Revising the definition of the term “sexual abuse of a child” in s. 39.01, F.S. (a definition relevant to dependency proceedings), to delete reference to a child being arrested or prosecuted for a violation of any offense in ch. 796, F.S. (prostitution);
- Specifying that programs offered by faith-based providers may be included in required educational programs on the negative effects of prostitution and human trafficking;
- Reclassifying a violation of s. 796.07, F.S., to the next degree higher if the place, structure, building, or conveyance that is owned, established, maintained, or operated in violation of the statute is a massage establishment that is or should be licensed under s. 480.043, F.S.; and
- Adding s. 796.07, F.S., to the list of offenses which requires an emergency order suspending a massage therapist or establishment license and denying an application for a new or renewal massage therapist or establishment license.

Finally, the bill adds the offense of racketeering to the list of qualifying offenses for classification as a sexual predator or sexual offender only if the court makes a written finding that the racketeering activity involved at least one registration-qualifying sexual offense or one registration-qualifying offense with sexual intent or motive. *This bill was signed into law by the Governor on March 8, 2016.*

6.2. TRANSPORTATION & GROWTH MANAGEMENT ISSUES

Growth Management

HB 1361 by Rep. La Rosa makes several changes to the state’s growth management programs. The legislation states that a county governing board may hold joint public meetings with the governing body or bodies of one or more adjacent municipalities or counties to discuss matters regarding land development or other multi-jurisdictional issues at any appropriate public place within the jurisdiction of any participating municipality or county. It authorizes a local government to approve the exchange of one approved development Developments of Regional Impact (DRI) land use for another so long as there is no increase in impacts to public facilities. The bill authorizes reductions in height, density, or intensity in DRIs without losing vested rights. The bill decreases the minimum required acreage for application of a sector plan from 15,000 acres to 5,000 acres. The language clarifies that certain proposed developments that are currently consistent with the local government comprehensive plan are not required to be reviewed pursuant to the State Coordinated Review Process for comprehensive plan amendments. HB 1361 passed the House 113-0 and the Senate 34-2. *This bill was signed into law by the Governor on March 25, 2016.*

Building Codes

HB 535 by Rep. Eagle makes the following changes to the state’s minimum building code law:

- Requires a contractor and an alarm system monitoring company to provide notice to property owners regarding the obligation to register their alarm system, if applicable;
- Provides that a contractor or an alarm system monitoring company is not liable for any penalties assessed or imposed by the applicable local government for failure to register the alarm, dispatch to an unregistered user, or excessive false alarms;
- Prohibits local enforcement agencies from requiring payment of any additional fees, charges, or expenses associated with providing proof of licensure as a contractor, recording a contractor license, or providing or recording evidence of workers’ compensation insurance covered by a contractor;
- Requires the local enforcement agency to accept duct and air infiltration tests conducted in accordance with the Florida Building Code if performed by certain individuals;
- Adds provisions to the Fire Prevention Code to:
 - Require new high-rise buildings to comply with minimum radio signal strength for fire department communications set by the local authority with jurisdiction. Existing high-rise buildings must comply by 2022 and existing apartment buildings must comply by 2025;
 - Require areas of refuge to be provided when required by the accessibility volume of the Florida Building Code;
 - Authorize fire officials to use the Fire Safety Evaluation System to identify low-cost alternatives for compliance; and
 - Require technicians that work on fire pump control panels and drivers to be under contract with a licensed fire protection contractor.

Effective July 1, 2017, the legislation requires counties and local enforcement agencies to post each type of building permit application on their websites and allow for the submittal of completed applications to the appropriate building department. *This bill was signed into law by the Governor on March 25, 2016.*

6.3. GENERAL GOVERNMENT ISSUES

Alcoholic Beverages and Tobacco

SB 698 by Sen. Bradley permits municipalities, counties, and nonprofit civic and charitable organizations to be issued no more than 12 temporary alcoholic beverages permits per calendar year. It requires counties and municipalities to donate all net profits from the sale of alcoholic beverages to a nonprofit civic or charitable organization within 90 days of the event. As a condition for the permit, the county or municipality must have attempted to solicit a qualified civic or charitable organization to conduct the sales but have been unable to find such an organization in a reasonable and practical time frame. Current law only permits “civic organizations” to receive no more than three temporary alcoholic beverage permit per year. *This bill was signed into law by the Governor on April 6, 2016.*

Residential Facilities

SB 1174 by Sens. Diaz de la Portilla and Sobel requires a radius of 1,200 feet between a community residential home licensed for 7 to 14 residents and a home licensed for 6 or fewer residents what otherwise meets the definition of a community residential home. The bill does not impact community residential homes already licensed and in operation prior to July 1, 2016. *This legislation was signed into law by the Governor on March 23, 2016.*

6.4. FINANCE AND TAX ISSUES



Reduced Fees for County & Municipal Parks and Transportation Authorities

SB 1202 by Sen. Abruzzo would require counties and municipalities to provide a partial or a full discount on park entrance fees to military members, veterans, and the spouses and parents of deceased military members and first responders. It would also require regional transportation authorities to provide a partial or a full discount on fares for certain disabled veterans. *This bill was signed into law by the Governor on April 6, 2016.*

Homestead Tax Exemption/Senior, Low-Income, Long-Term Residents

Since 2013, counties and municipalities have been authorized to also exempt the entire assessed value of a low-income senior's homestead with a just value less than \$250,000 if the low-income senior has maintained that homestead for not less than 25 years. Taxpayers who initially receive the exemption are denied the exemption in a later year if the just value of their homestead exceeds \$250,000.

The joint resolution **HB 275 by Rep. Avila and others** proposes an amendment to the Florida Constitution to limit the just value determination, for purposes of the long-term, low-income, senior exemption, to the value as determined in the first tax year that the owner applies for and is eligible for the exemption.

Special Assessments on Agricultural Lands

HB 773 by Rep. Albritton and others prohibits a county or municipality from levying or collecting a special assessment for the provision of fire protection services on lands classified as agricultural lands under s. 193.461, F.S., unless the agricultural lands contain a residential dwelling, or a nonresidential farm building with a just value that is over \$10,000. For land to be classified as agricultural, it must be used "primarily for bona fide agricultural purposes," which is defined as a good faith commercial agricultural use of the land.

The bill requires special assessments that are levied to be based solely on the special benefit that accrues to the dwelling, including the curtilage, or the nonresidential farm building. The bill excludes "agricultural pole barns" from the imposition of the special assessment and defines agricultural pole barns as nonresidential farm buildings in which 70% or more of the perimeter walls are permanently open and allow free ingress and egress. *This bill was signed into law by the Governor on March 24, 2016.*

6.5. ENVIRONMENTAL/NATURAL RESOURCES/AGRICULTURAL ISSUES

Implementation of Water and Land Conservation Constitutional Amendment

HB 989 by Rep. Harrell and **SB 1168 by Sen. Negron** create a dedicated funding source for Everglades Restoration projects, totaling \$255 million. The legislation, also known as "Legacy Florida," requires the lesser of 25% or \$200 million be allocated from Amendment 1 dollars towards the Comprehensive Everglades Restoration Plan (CERP) as well as Lake Okeechobee projects and water quality projects. HB 989 also requires the lesser of 7.6% of the funds or \$50 million to be distributed for spring restoration, protection, and management projects, and \$5 million to be provided through the 2025-2026 fiscal year for projects dedicated to the restoration of Lake Apopka. HB 989 passed the House 113-1 and the Senate 40-0. *This bill was signed into law by the Governor on April 7, 2016.*



Healthy Food Financing Imitative Pilot Program

HB 153 by Reps. Santiago and Lee Jr. (L) directs the Florida Department of Agriculture and Consumer Services to establish a Healthy Food Financing Initiative Program to provide financial assistance for the rehabilitation or expansion of grocery retail outlets located in underserved or low-income communities. It will draw upon and coordinate the use of federal, state, and private loans or grants, federal tax credits, and other types of financial assistance. The goal of the program is to improve public health and well-being of low-income children, families, and older adults by increasing access to fresh produce and other nutritious foods at participating independent grocery outlets that will be required to allocate at least 30% of their retail space to the sale of perishable foods, which may include fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish. The bill provides an appropriation of \$500,000.00. *This bill was signed into law by the Governor on April 14, 2016.*

Agritourism

HB 59 by Reps. Combee, Raburn, and others amends the legislative intent in s. 570.85, F.S., to express the Legislature's intent to promote agritourism. The bill prohibits a local government from enforcing any local ordinance, regulation, rule, or policy that prohibits, restricts, regulates, or otherwise limits an agritourism activity on land classified as agricultural land under s. 193.461, F.S. However, the bill specifies that a local government is not limited by the prohibitions when adopting or enforcing local regulations that address substantial off-site impacts of agritourism activities. *This bill was signed into law by the Governor on March 8, 2016.*

Solar or Renewable Energy Source Devices

The joint resolution **HJR 193 by Reps. Rodrigues (R), Berman, and others** proposes two amendments to the Florida Constitution. The first amendment authorizes the Legislature to exempt the assessed value of solar devices or renewable energy source devices from ad valorem taxation on tangible personal property. The second amendment authorizes the Legislature to prohibit, by general law, a property appraiser from considering the installation of a solar device or a renewable energy source device in the determination of assessed value of real property for the purpose of ad valorem taxation. This expands the current constitutional provision by including both residential and nonresidential real property. If approved by the Governor, these provisions take effect January 1, 2018.

Anchoring Limitation Areas

HB 1051 by Rep. Caldwell and others designates the following densely populated urban areas, which have narrow state waterways, residential docking facilities, and significant recreational boating traffic, as anchoring limitation areas:

- The section of Middle River lying between Northeast 21st Court and Intracoastal Waterway in Broward County;
- Sunset Lake in Miami-Dade County; and
- The sections of Biscayne Bay in Miami-Dade County lying between:
 - Riva Alto Island and Di Lido Island,
 - San Marino Island and San Marco Island, and
 - San Marco Island and Biscayne Island.

The bill prohibits a person from anchoring a vessel at any time during the period between one-half hour after sunset and one-half hour before sunrise in an anchoring limitation. The bill authorizes vessels under certain circumstances to anchor overnight in anchoring limitation areas. *This bill was signed into law by the Governor on March 24, 2016.*

6.6. HEALTH AND HUMAN SERVICES

Medical Marijuana

HB 307 by Reps. Gaetz, Edwards, and Brodeur passed the House by a 99-16 and the Senate 28-11. The bill would expand the Right to Try Act to include medical marijuana. Patients with one year left to live would be allowed to purchase the marijuana from dispensing organizations. The legislation also allows those organizations to grow and distribute to terminally ill patients medical marijuana products that are made from the whole plant. *This bill was signed into law by the Governor on March 25, 2016.*

Synthetic Drugs

HB 1347 by Rep. Ingram was unanimously passed by the House and Senate. The bill would add twelve new substances and six general substance classes to the list of substances that are classified under Schedule 1. Flakka, a synthetic drug that has attracted significant attention, will be prohibited under this legislation. *This bill was signed into law by the Governor on March 24, 2016.*

Sexual Offense Investigations

SB 636 by Sen. Benacquisto passed the House and Senate unanimously. The bill requires that DNA collected for evidence during a sexual assault investigation must be submitted by a law enforcement officer to a state crime lab within thirty days. Additionally, the lab must test the DNA within 120 days of receiving it. *This bill was signed into law by the Governor on March 23, 2016.*



6.7. BILLS OF INTEREST THAT FAILED

Open Carry/Guns on Campus

None of the major gun proposals made it through the Legislature this Session. **HB 163 by Rep. Gaetz** passed the House by 80-38 but was not heard by the Senate. The bill would have allowed conceal-weapons permit holders to carry handguns openly wherever they are allowed to carry concealed weapons. Private businesses could have chosen to disallow open carry, but no public place could. The bill was amended to allow lawmakers to carry concealed weapons during legislative sessions and meetings. **HB 4001 by Reps. Steube and Rehwinkel Vasilinda** passed the House 80-37 but was also not heard by the Senate. It would have allowed concealed-carry permit holders aged twenty-one and older to carry concealed guns on college and university campuses.

6.8. LOCAL BILLS

Repeal of the City of Delray Beach Civil Service Code

HB 911 by Rep. Bill Hager repeals ch. 49-25784, Laws of Florida, which created the civil service code for the City of Delray Beach. The current civil service code is included in the city's code of ordinances and repealing the act provides flexibility for the city to make changes pursuant to its home-rule authority. The Delray Beach City Commission desires to have the ability to amend its civil service code by home rule ordinance in order to update provisions of the code that are outdated and do not reflect the needs of the city. The repeal will not take effect until it is approved by a majority vote of those qualified electors of the city in a referendum to be held in conjunction with a general election. *This bill was signed into law by the Governor on March 25, 2016.*

