

Tab 1	CS/SB 52 by CJ, Gaetz (CO-INTRODUCERS) Osgood ; Similar to H 00095 Security Services at Places of Worship				
Tab 2	SB 502 by Wright ; Similar to CS/H 00351 Concurrent Legislative Jurisdiction over United States Military Installations				
544570	D	S	JU, Wright	Delete everything after	01/16 08:31 AM
Tab 3	SB 624 by Yarborough ; Similar to H 00491 Batterers' Intervention Program Activities				
Tab 4	SB 758 by Bradley ; Similar to H 00625 Justice Administrative Commission				
724742	A	S	JU, Bradley	Delete L.18 - 20:	01/16 08:31 AM
Tab 5	CS/SB 834 by BI, Yarborough ; Identical to H 06015 Nonprofit Religious Organizations				
Tab 6	SB 840 by DiCeglie ; Compare to H 01465 Land Use Regulations for Local Governments Affected by Natural Disasters				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Yarborough, Chair
Senator Burton, Vice Chair

MEETING DATE: Tuesday, January 20, 2026

TIME: 9:30—11:30 a.m.

PLACE: *Toni Jennings Committee Room, 110 Senate Building*

MEMBERS: Senator Yarborough, Chair; Senator Burton, Vice Chair; Senators Berman, DiCeglie, Gaetz, Hooper, Leek, Osgood, Passidomo, Polsky, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 52 Criminal Justice / Gaetz (Similar H 95)	Security Services at Places of Worship; Providing an exemption from licensure requirements for certain volunteers who provide armed security services for places of worship, etc. CJ 01/12/2026 Fav/CS JU 01/20/2026 RC	
2	SB 502 Wright (Similar CS/H 351)	Concurrent Legislative Jurisdiction over United States Military Installations; Declaring that the state accepts the relinquishment of exclusive legislative jurisdiction from the United States in accordance with specified provisions; providing that this state has concurrent legislative jurisdiction with the United States over United States military installations located within the boundaries of this state; specifying that such jurisdiction is effective upon the Governor's written acceptance of a request filed by the principal officer, or other specified representative who has supervision or control over the military installation, etc. JU 01/20/2026 MS RC	
3	SB 624 Yarborough (Similar H 491)	Batterers' Intervention Program Activities; Authorizing batterers' intervention programs to offer supplemental faith-based activities, etc. CF 01/12/2026 Favorable JU 01/20/2026 RC	
4	SB 758 Bradley (Similar H 625)	Justice Administrative Commission; Revising the membership of the Justice Administrative Commission, etc. JU 01/20/2026 CJ RC	

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Tuesday, January 20, 2026, 9:30—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	CS/SB 834 Banking and Insurance / Yarborough (Identical H 6015)	Nonprofit Religious Organizations; Revising the conditions under which a nonprofit religious organization is not subject to the requirements of the Florida Insurance Code, etc. BI 01/13/2026 Fav/CS JU 01/20/2026 RC	
6	SB 840 DiCeglie (Compare H 1465)	Land Use Regulations for Local Governments Affected by Natural Disasters; Prohibiting impacted local governments from enforcing certain moratoriums, requiring the repair or reconstruction of certain improvements to meet certain requirements, or enforcing changes to specified procedures; revising circumstances under which impacted local governments may enforce certain amendments, site plans, development permits, or development orders; deleting provisions related to filing suit against an impacted local government for injunctive relief, etc. CA 01/13/2026 Favorable JU 01/20/2026 RC	

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 52

INTRODUCER: Criminal Justice Committee and Senators Gaetz and Osgood

SUBJECT: Security Services at Places of Worship

DATE: January 16, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Fav/CS</u>
2. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	<u>Pre-meeting</u>
3. _____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 52 expressly provides that chapter 494, F.S., which regulates private investigative services, private security services, and repossession services, does not apply to volunteers who provide armed security services on the premises of a church, mosque, synagogue, or other place of worship.

The bill takes effect on July 1, 2026.

II. Present Situation:

Violence at Houses of Worship

According to research spanning from 2000 to 2024, there have been 379 incidents of violence in houses of worship in the U.S. resulting in approximately 487 deaths and 172 injuries.¹ The majority of homicides at houses of worship are not related to the religious ideology of where they occur, but the killings that *are* ideologically motivated have been among the most deadly.²

According to the Cybersecurity and Infrastructure Security Agency (CISA), the best way to mitigate a potential attack is to take a holistic approach to security. This requires assigning clear

¹ The Violence Prevention Project Research Center, Hamline University, *House of Worship Homicides*, <https://www.theviolenceproject.org/house-of-worship-homicides/> (last visited January 14, 2026).

² *Id.*

roles and responsibilities for making security and planning decisions. It also requires implementing the procedures and capabilities across an organization. A robust security plan should be tailored to the specific needs and priorities of each house of worship.³ CISA recommends the following options for consideration:

- Establish a multi-layered plan for security, identifying clear roles and responsibilities for developing and implementing security measures.
- Create emergency action plans, business continuity plans, and incident response plans that are well communicated and exercised with the Safety Team⁴ for complete understanding.
- Conduct a vulnerability assessment to understand the risks to the house of worship and based on that assessment, prioritize the implementation of safety measures.
- Build community readiness and resilience by establishing an organizational culture of caring where all members and visitors are properly supported, and credible threats are reported through previously identified channels.
- Apply physical security measures to monitor and protect the outer, middle, and inner perimeters, while respecting the purpose of each area of the house of worship.
- Focus on the safety of children by implementing safety measures around childcare, daycare, and schools.
- Implement cybersecurity best practices to safeguard important information and prevent a potential cyberattack.⁵

Division of Licensing

The Division of Licensing within the Department of Agriculture and Consumer Services administers Florida's concealed weapon licensing program⁶ and oversees the state's private investigative, private security, and recovery services industries.⁷ The division's regulatory oversight of these services includes licensing, enforcing compliance standards, and ensuring public protection from unethical business practices and unlicensed activity.⁸

The division also licenses and regulates the private security industry. People who work in the private security industry typically offer the following services for compensation:

- Bodyguard protection.
- Property protection.
- Transportation of prisoners.
- Armored car services.
- Theft prevention.

³ U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, *Mitigating Attacks on Houses of Worship Security Guide*, 90-91 (Dec. 2020), available at <https://www.cisa.gov/resources-tools/resources/mitigating-attacks-houses-worship-security-guide>.

⁴ The “Safety Team” includes greeters and volunteers as the first line of defense in identifying and reporting suspicious activity. *Id.* at 34.

⁵ *Id.* at 90-91.

⁶ See s. 790.06, F.S.

⁷ See generally ch. 493, F.S.

⁸ Division of Licensing, Department of Agriculture and Consumer Services, *Division of Licensing*, <https://www.fdacs.gov/divisions-offices/licensing> (last visited Jan. 14, 2026).

- Prevention of the misappropriation or concealment of articles of value or assisting in the return of such articles.⁹

Any individual who performs the services of a security officer must have a Class “D” license.¹⁰ To carry a firearm in the performance of regulated security duties, security officers and agency managers must also obtain a Class “G” Statewide Firearm License.¹¹ No employee may carry or be furnished a firearm unless it is required by the employing agency. The firearm must be carried openly unless otherwise provided by law.¹²

The licensing statute, chapter 493, F.S., does not, however, apply to certain individuals or to certain places, including:

- Any individual who is an “officer,”¹³ or is a law enforcement officer of the U.S. Government, if such local, state, or federal officer is engaged in his or her official duties or performing off-duty security activities approved by his or her superiors.
- Any insurance investigator or adjuster licensed by a state or federal licensing authority if he or she is providing services or expert advice within the scope of his or her license.
- Any attorney in the regular practice of his or her profession.
- Any bank or bank holding company, credit union, or small loan company operating pursuant to state law; any consumer credit reporting agency regulated under federal law; or any collection agency not engaged in repossession or any permanent employee of the collection agency.
- Any person who is a school crossing guard employed by a third party or a city or county and trained in accordance with state law.¹⁴

Notably, the licensing statute also does not apply to any individual employed as a security officer by a church or ecclesiastical or denominational organization, provided the church or organization has an established physical place of worship in the state and nonprofit religious services and activities regularly occur there. The statute also does not apply to any individual employed by a church cemetery to provide security on the property of the organization or the cemetery. In either case, the security officer may *not* carry a firearm while performing his or her duties.¹⁵

Carrying a Concealed Weapon or Firearm

A person is licensed or authorized to carry a concealed weapon or firearm if he or she is:

⁹ Florida Department of Agriculture and Consumer Services, *Private Security Licenses*, <https://www.fdacs.gov/Business-Services/Private-Security-Licenses> (last viewed January 14, 2026).

¹⁰ *Id.* An applicant for a Class “D” Security Officer License must complete 40 hours of training at a licensed school or training facility or qualify for an exception. Florida Department of Agriculture and Consumer Services, *Class “D” Security Officer License Requirements*, <https://www.fdacs.gov/Business-Services/Private-Security-Licenses/Class-D-Security-Officer-License-Requirements> (last viewed January 14, 2026).

¹¹ Florida Department of Agriculture and Consumer Services, *Private Security Licenses*, <https://www.fdacs.gov/Business-Services/Private-Security-Licenses> (last viewed January 14, 2026).

¹² *Id.*

¹³ “Officer” means any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer. Section 943.10(14), F.S.

¹⁴ *See generally* s. 493.6102, F.S.

¹⁵ Section 493.6102(13), F.S.

- A concealed carry licensee.¹⁶
- Not a concealed carry licensee but otherwise satisfies the criteria for receiving and maintaining the concealed carry license.¹⁷

Anyone licensed or authorized to carry a concealed firearm must carry identification and show it to a law enforcement officer if asked to do so.¹⁸

State law identifies certain locations where a person is not permitted to carry a weapon or firearm or openly carry a handgun, even if the person has a concealed carry license or authorization.¹⁹

These locations are:

- Places of nuisance.²⁰
- Police, sheriff, or highway patrol stations.
- Detention facilities, prisons, or jails.
- Courthouses.
- Courtrooms, except that nothing in state law precludes a judge from carrying a concealed weapon or concealed firearm or determining who will carry a concealed weapon or concealed firearm in his or her courtroom.
- Polling places.
- Meetings of the governing body of a county, public school district, municipality, or special district.
- Meetings of the Legislature or a committee of the Legislature.
- Schools, colleges, or professional athletic events not related to firearms.
- Elementary or secondary school facilities or administration buildings.
- Career centers.
- Establishments licensed to dispense alcoholic beverages for consumption on the premises.
- College or university facilities unless the licensee is a registered student, employee, or faculty member of the college or university and the weapon meets certain other criteria.
- Inside of a passenger terminal or sterile area of any airport except as otherwise permitted by law if encased and checked in as baggage for transport on a plane.
- Places where the carrying of firearms is prohibited by federal law.²¹

The Legislature has addressed the issue of concealed carry within churches, synagogues, and other religious institutions. For the purposes of safety, security, personal protection, or any other lawful purpose, a person licensed under state law may carry a concealed weapon or concealed firearm on property owned, rented, leased, borrowed, or lawfully used by a church, synagogue, or other religious institution. However, the private property rights of the church, synagogue, or other religious institution take priority, and they may prohibit individuals from bringing weapons onto their property.²²

¹⁶ Section 790.01(1)(a), F.S. (requiring the person to be licensed under s. 790.06, F.S.).

¹⁷ Section 790.01(1)(b), F.S. (requiring the person to otherwise satisfy the criteria for receiving and maintaining such a license under s. 790.06(2)(a)-(f) and (i)-(n), (3), and (10), F.S.).

¹⁸ Sections 790.06(1)(c) and 790.013(1), F.S.

¹⁹ Sections 790.06(12)(a)1.-15. and 790.013(2), F.S.

²⁰ Section 823.05, F.S., provides a list of public nuisances.

²¹ Sections 790.06(12)(a)1.-15. and 790.013(2), F.S.

²² Section 790.06(13), F.S.

Level 2 Background Screening

A Level 2 background screening is a comprehensive criminal background check that includes fingerprint-based checks for disqualifying offenses in statewide and national criminal history records. It is typically required for positions of trust or responsibility.²³ For example, health care practitioners must comply with background screening requirements when applying for initial licensure or when renewing their licenses.²⁴

Security background investigations must ensure that individuals have not been arrested for, been found guilty of, or been adjudicated delinquent for any one of several disqualifying offenses identified in state law, including but not limited to:

- Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- Encouraging or recruiting another to join a criminal gang.
- Murder.²⁵

III. Effect of Proposed Changes:

The bill amends s. 493.6102, F.S., to add an additional exception to the application of chapter 493, F.S., which regulates private investigative services, private security services, and repossession services. The additional exception expressly provides that the chapter does not apply to any person who, on a voluntary basis and without compensation, provides armed security services on the premises of a church, mosque, synagogue, or other place of worship.

The bill also reenacts subsection (4) of s. 493.6201, F.S., to incorporate the amendment to s. 493.6102, F.S.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

²³ See s. 110.1127(2), F.S.; see also University of Florida Administrators, *Level 2 Background Screening*, <https://admin.hr.ufl.edu/hiring/pre-employment-screenings/level-2-background-screening/> (last visited Jan. 14, 2026).

²⁴ Section 456.0135, F.S.; see also Florida Department of Health, *Background Screening, Screening Requirements*, <https://flhealthsource.gov/background-screening/bgs-requirements/> (last visited Jan. 14, 2026). Fingerprint retention requirements do not apply to emergency medical technicians, paramedics, pharmacy interns, registered pharmacy technicians, and radiologic technologists. These professions are exempt unless applying through the military active-duty spouse licensure pathway. *Id.*

²⁵ See generally s. 435.04(2), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections of the Florida Statutes: 493.6102, 493.6201.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 12, 2026:

The committee substitute removed requirements placed on people who provide volunteer armed security for churches and other places of worship and made it clear that people who volunteer to provide such security are not subject to the same licensing requirements of a paid security service.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Criminal Justice; and Senators Gaetz and Osgood

591-01880-26

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A bill to be entitled

An act relating to security services at places of worship; amending s. 493.6102, F.S.; providing an exemption from licensure requirements for certain volunteers who provide armed security services for places of worship; reenacting s. 493.6201(4), F.S., relating to classes of licenses, to incorporate the amendment made to s. 493.6102, F.S., in a reference thereto; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Subsection (16) is added to section 493.6102, Florida Statutes, to read:

14
15 493.6102 Inapplicability of this chapter.—This chapter shall not apply to:

16
17 (16) Any person who, on a voluntary basis and without compensation, provides armed security services on the premises of a church, mosque, synagogue, or other place of worship.

18
19 Section 2. For the purpose of incorporating the amendment made by this act to section 493.6102, Florida Statutes, in a reference thereto, subsection (4) of section 493.6201, Florida Statutes, is reenacted to read:

20
21 493.6201 Classes of licenses.—

22
23 (4) Class "C" or Class "CC" licensees shall own or be an employee of a Class "A" agency, a Class "A" and Class "B" agency, or a branch office. This does not include those who are exempt under s. 493.6102, but who possess a Class "C" license solely for the purpose of holding a Class "G" license.

24
25 Page 1 of 2

26
27 CODING: Words ~~stricken~~ are deletions; words underlined are additions.

591-01880-26

202652c1

30 Section 3. This act shall take effect July 1, 2026.

Page 2 of 2

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 502

INTRODUCER: Senator Wright

SUBJECT: Concurrent Legislative Jurisdiction over United States Military Installations

DATE: January 16, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	<u>Pre-meeting</u>
2. _____	_____	<u>MS</u>	_____
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 502 establishes a procedure in statute for the federal government to relinquish exclusive legislative jurisdiction over military installations within Florida and instead provide for concurrent (both federal and state) legislative jurisdiction. If exclusive legislative jurisdiction is relinquished as outlined in the bill, the state will have concurrent legislative jurisdiction with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

For example, without concurrent legislative jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system. However, the federal court system lacks suitable services for juveniles and often tries them as adults. Concurrent legislative jurisdiction would give juveniles living on military installations access to the state juvenile justice system and its resources, which provide better prospects for their rehabilitation.

Under the bill, concurrent legislative jurisdiction is effective upon the Governor's written acceptance of a request filed with the Secretary of State by the principal officer or other authorized representative having supervision or control over the military installation under federal law. The Governor may only accept a request if it contains certain information outlined in the bill. If the Governor accepts a request, the Governor's acceptance must state each element of the concurrent legislative jurisdiction request which is accepted.

The bill also includes provisions intended to assist with finalizing and memorializing the acceptance of concurrent legislative jurisdiction. It also authorizes state agencies, local governments, and special districts to enter into reciprocal agreements with U.S. agencies to designate duties related to the concurrent legislative jurisdiction.

The bill takes effect July 1, 2026.

II. Present Situation:

Federal Jurisdiction

The Federal Government is the single largest holder of real estate in the U.S.¹ Federal jurisdiction over properties owned by the Federal Government does not arise by virtue of ownership but is instead defined by the jurisdictional status of the property.² Federal properties can be categorized in one of three ways for purposes of federal jurisdiction:

- Exclusive jurisdiction.
- Concurrent jurisdiction.
- Proprietary jurisdiction.

Exclusive legislative jurisdiction applies to land areas where the Federal Government possesses all of the authority of a state and where the state has not reserved the right to exercise its authority concurrently with the U.S., except the right to serve civil or criminal process in the area outside of the Federal Government's exclusive authority.³ Historically, the Federal Government either acquired exclusive legislative jurisdiction over territory through an agreement with the owning state or maintained it when a new state was formed.⁴ As military installations grew to accommodate more civilians, maintaining complete federal control became challenging.

Concurrent legislative jurisdiction provides a shared authority between state and federal governments, permitting authority to be shared and allowing for the enforcement of both federal and state laws, as well as the provision of both federal and state services.⁵

Concurrent jurisdiction may require one or two levels of effort from the host state, where the state:

- Establishes a new policy accepting concurrent jurisdiction to allow state authorities to intercede.
- Creates memorandums of understanding between the state and federal installations to dictate how and when the state will intercede.

Concurrent Juvenile Jurisdiction

Military installations subject to exclusive federal jurisdiction frequently address juvenile offenses through the federal court system, which lacks a juvenile justice system.⁶ Starting with the John S. McCain National Defense Authorization Act for Fiscal Year 2019, the Department of War (formerly known as the Department of Defense) has sought to establish concurrent jurisdiction

¹ U.S. Dept. of Justice, *Archives: Criminal Resource Manual*, “1630. Protection of Government Property – Real Property – 18 U.S.C. 7,” <https://www.justice.gov/archives/jm/criminal-resource-manual-1630-protection-government-property-real-property-18-usc-7> (last visited Jan. 8, 2026).

² See *id.* (citing *Adams v. United States*, 319 U.S 312 (1943)).

³ General Services Administration, *Federal Facilities Jurisdictional Status* (Aug. 28, 2007), available at <https://disposal.gsa.gov/resource/1531922197000/FederalFacilitiesJurisdictionalStatus>.

⁴ U.S. Dept. of Defense, *Best Practices: Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, available at <https://download.militaryonesource.mil/StatePolicy/pdfs/2022/bestpractices-concurrentjurisdiction.pdf> (last visited Jan. 8, 2026).

⁵ *Id.*

⁶ *Id.*

with state governments to address juvenile justice issues.⁷ This policy intends to open the door to the state juvenile justice systems and resources, providing better prospects for rehabilitation tailored to juveniles. Without concurrent jurisdiction, juvenile misconduct, which includes problematic sexual conduct in children and youth, is adjudicated in the federal court system, which lacks suitable services for juveniles and often tries children as adults.⁸

III. Effect of Proposed Changes:

The bill establishes a procedure in statute⁹ for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent (federal and state) legislative jurisdiction. If exclusive legislative jurisdiction is relinquished as outlined in the bill, the state will have concurrent legislative jurisdiction with the U.S. over any U.S. military installation under the control of the U.S. and located in the state.

Concurrent legislative jurisdiction is effective upon the Governor's written acceptance of a request filed with the Secretary of State by the principal officer or other authorized representative having supervision or control over the military installation under federal law.¹⁰

Under the bill, the Governor may only accept a request for concurrent legislative jurisdiction if the request:

- States the name, position, and legal authority of the individual requesting the cession.
- Unambiguously states the subject matter for the concurrent legislative jurisdiction request.
- Describes by metes and bounds the U.S. military installation subject to the concurrent legislative jurisdiction request.
- Indicates whether the concurrent legislative jurisdiction request includes future contiguous expansions of land acquired for military purposes.

If the Governor accepts a request, the Governor's acceptance must state each element of the concurrent legislative jurisdiction request which is accepted. Additionally, the Governor must submit the following documents to the appropriate recording office for indexing, and submit copies of same to the person who filed the request for concurrent legislative jurisdiction:

- The request for concurrent legislative jurisdiction.
- The Governor's written acceptance of concurrent legislative jurisdiction.
- A description by metes and bounds of the U.S. military installation subject to the concurrent legislative jurisdiction.

If requested by the U.S. through an authorized representative, the bill authorizes the Governor to execute appropriate documents to accomplish the cession granted under the bill. The bill also authorizes state agencies, local governments, and special districts to enter into reciprocal agreements with U.S. agencies to designate duties related to the concurrent legislative jurisdiction between the parties.

⁷ U.S. Dept. of Defense, Military State Policy Source, *Concurrent Juvenile Jurisdiction*, <https://statepolicy.militaryonesource.mil/priorities/concurrent-juvenile-jurisdiction> (last visited Jan. 8, 2026).

⁸ *Concurrent Jurisdiction for Juvenile Offenses on Military Installations*, *supra* note 4.

⁹ The bill creates s. 250.0311, F.S., entitled "United States military installations; concurrent legislative jurisdiction."

¹⁰ 10 U.S.C. s. 2683.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate negative impact on state expenditures to the extent adjudications are handled in the state court system instead of the federal court system. However, it is anticipated that the additional case load would be small and absorbed into the state court system's existing budget.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill establishes a procedure in statute for the federal government to relinquish exclusive legislative jurisdiction over military installations within the state and instead provide for concurrent (both federal and state) legislative jurisdiction. Notably, the bill does not limit the

scope of the concurrent legislative jurisdiction to only juvenile delinquency matters or any other particular matter. If the statutory procedure is followed as outlined in the bill, other or additional matters could be adjudicated in state courts.

VIII. Statutes Affected:

This bill creates section 250.0311 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



LEGISLATIVE ACTION

Senate

House

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The Committee on Judiciary (Wright) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Section 250.0311, Florida Statutes, is created
6 to read:

7 250.0311 United States military installations; concurrent
8 legislative jurisdiction over delinquency matters.—

9 (1) This state accepts and shall exercise concurrent
10 legislative jurisdiction with the United States over matters
11 involving a child who has allegedly violated a federal law on a



544570

12 United States military installation, but only if:
13 (a) The military installation is located within the
14 boundaries of this state.
15 (b) The United States Attorney or the United States
16 District Court for the applicable district in this state has
17 waived exclusive jurisdiction.
18 (c) The violation of federal law is also a crime under
19 state law.
20 (2) If concurrent legislative jurisdiction has been
21 established pursuant to subsection (1), the circuit court shall
22 have exclusive original jurisdiction over the matter in
23 accordance with chapter 985.
24 Section 2. This act shall take effect July 1, 2026.
25
26 ===== T I T L E A M E N D M E N T =====
27 And the title is amended as follows:
28 Delete everything before the enacting clause
29 and insert:
30 A bill to be entitled
31 An act relating to concurrent legislative jurisdiction
32 over United States military installations; creating s.
33 250.0311, F.S.; accepting concurrent legislative
34 jurisdiction with the United States over delinquency
35 matters on United States military installations;
36 providing conditions; establishing circuit court
37 jurisdiction over such matters; providing an effective
38 date.

By Senator Wright

8-00813-26

2026502

Be It Enacted by the Legislature of the State of Florida:

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8-00813-26

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59 jurisdiction request.

60 (d) Indicates whether the concurrent legislative
61 jurisdiction request includes future contiguous expansions of
62 land acquired for military purposes.63 (5) If the Governor accepts a request filed under
64 subsection (3):65 (a) The Governor's acceptance must state each element of
66 the concurrent legislative jurisdiction request which is
67 accepted.68 (b) The Governor shall submit the following documents to
69 the appropriate recording office for indexing and submit copies
70 of the following documents to the individual who filed the
71 request for concurrent legislative jurisdiction:

72 1. The request for concurrent legislative jurisdiction.

73 2. The Governor's written acceptance of concurrent
74 legislative jurisdiction.75 3. A description by metes and bounds of the United States
76 military installation subject to the concurrent legislative
77 jurisdiction.78 (6) Upon request by the United States through an authorized
79 representative, the Governor is authorized to execute
80 appropriate documents to accomplish the cession granted by this
81 section.82 (7) Upon establishment of concurrent legislative
83 jurisdiction under this section, a state agency, local
84 government, or special district may enter a reciprocal agreement
85 with a United States agency to designate duties related to the
86 concurrent legislative jurisdiction between the parties.

87 Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 624

INTRODUCER: Senator Yarborough

SUBJECT: Batteringers' Intervention Program Activities

DATE: January 16, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Kennedy	Tuszynski	CF	Favorable
2. Davis	Cibula	JU	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 624 authorizes batterers' intervention programs to offer "supplemental faith-based activities" to participants. However, no participant may be required to participate in a faith-based activity while in the program. The "activities" are supplemental to the core curriculum and, although not stated in the bill, might involve homework, journaling, group discussion, or additional support groups.

Batterers' intervention programs are court-ordered programs designed to address the root causes of domestic violence and hold a batterer accountable for his or her actions. The program must last at least 29 weeks and include 24 weekly sessions. The Department of Children and Families is tasked with certifying and monitoring these programs. There are currently 80 certified programs operating in the state.

The program is funded by user fees paid by the batterers who attend the program; therefore, the bill does not appear to have a significant fiscal impact on state government.

The bill is effective July 1, 2026.

II. Present Situation:

Batterers' Intervention Programs

Overview

A batterers' intervention program (BIP) is designed to address and change the behavior of an individual who has committed acts of domestic violence. According to an agency analysis, as of January 2026, the Department of Children and Families (DCF) currently certifies 80 programs in

the state.¹ These programs aim to enhance accountability,² reduce recidivism, and promote the safety of victims of domestic violence. These goals are pursued by educating participants on the impact of their actions and teaching them non-violent conflict resolution strategies.³ Unlike anger management programs, BIPs focus on power and control dynamics that fuel abusive behaviors.⁴ Additionally, the program is funded by user fees paid by the batterers who attend the programs which allows the participants to take responsibility for their acts of violence.⁵

Program Curriculum vs. “Supplemental” Activities

While DCF reviews and certifies each BIP provider’s program curriculum for compliance with administrative rules, a provider may offer additional “supplemental” activities for participants. These voluntary activities might include journaling, group discussions, homework, meetings of support groups, or something similar. According to a recent agency legislative analysis, DCF currently allows program providers to include “supplemental” faith-based activities to participants; however, this faith-based content cannot be required as a mandatory part of the program’s curriculum.⁶

Sentencing

If an individual is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, the court must impose a minimum term of 1 year of probation and require the defendant to attend and complete a batterers’ intervention program as a condition of probation.⁷ The statute allows a court to waive this requirement if the court states on the record why a batterers’ intervention program might be inappropriate. Unless a court determines that the defendant who is placed on probation does not meet the qualifications for the batterers’ intervention program, the program must be imposed.⁸

State Law and Administrative Rules

In 1995, the Florida Legislature enacted requirements for BIPs, including a minimum duration of 29 weeks and a curriculum based on cognitive behavioral therapy models that focus on power and control dynamics in abusive relationships. The program was initially established within the

¹ Florida Department of Children and Families, House Bill 491, *2026 Agency Legislative Bill Analysis* (on file with the Senate Committee on Judiciary).

² The Florida Department of Children and Families, Child Welfare and Child Protection, <https://www.myflfamilies.com/services/abuse/domestic-violence/programs/child-welfare-child-protection> (last visited Jan. 13, 2026).

³ Rule 65H-2.017, F.A.C.; The Florida State Courts, *What Is the Difference Between Anger Management and a Certified Batterer Intervention Program (BIP)*, available at: <https://www.flcourts.gov/content/download/864671/file/Differences%20between%20AM%20and%20BIP.pdf> (June 2023).

⁴ The Florida Department of Children and Families, *Common Differences Between Anger Management and Batterer Intervention Programs*, <https://www.myflfamilies.com/sites/default/files/2025-04/Common%20Differences%20Between%20Anger%20Management%20and%20Batterer%20Intervention%20Programs.pdf> (Sept. 2000).

⁵ Section 741.325(1)(e), F.S.

⁶ Florida Department of Children and Families, Senate Bill 894, *2025 Agency Legislative Bill Analysis* (on file with the Committee on Judiciary). This 2025 analysis addressed a bill very similar to SB 624 (2026).

⁷ Section 741.281, F.S.

⁸ *Id.*

Department of Corrections.⁹ In 2001, the Legislature transferred the regulatory authority of the program to the Department of Children and Family Services and directed DCF to oversee certification and compliance.¹⁰ Accordingly, the state does not offer the programs; rather, the state contracts with private entities that offer programs. The role of DCF is to certify and regulate the providers.

In September 2022, DCF finalized an administrative rule that establishes program curriculum requirements for batterers' intervention programs. The rule states that "The program curriculum shall not include ... [f]aith-based ideology associated with a particular religion or denomination."¹¹

Program Criteria

Generally, BIP curricula must follow a cognitive behavioral therapy¹² or psychoeducational intervention model,¹³ addressing power and control dynamics and incorporate elements that include:¹⁴

- The batterer taking responsibility for the violence.
- Viewing intimate partner violence as a learned behavior.
- Healthy expression of feelings.
- Communication and listening skills.
- Negotiation and conflict resolution skills.
- The effects of domestic violence on children.

The program curriculum may not include:

- Couples, marriage or family therapy, or any manner of victim participation.
- Anger management techniques that identify anger as the cause of domestic violence.
- Theories or techniques that identify poor impulse control as the primary cause of the domestic violence.
- Fair fighting techniques.
- Faith-based ideology associated with a particular religion or denomination.

The 80 programs operating statewide are available to circuit courts and individuals who require services.¹⁵ Of these programs, there are several organizations that are faith-based, including the Salvation Army, Healing Hearts Ministry Outreach, Community Hands of Hope, and Free Spirit

⁹ Ch. 95-195, ss. 4, 16, and 17, Laws of Fla.

¹⁰ Section 741.327, F.S.; Ch. 2001-183, s. 1, Laws of Fla.

¹¹ Fla. Admin. Code R. 65H-2.017(2)(e).

¹² A cognitive behavioral therapy model is defined as a therapeutic intervention that has been demonstrated to be effective for a range of problems whereby participants can learn to change their own thinking, problematic emotions, and behavior. Fla. Admin. Code R. 65H-2.014(8).

¹³ A psychoeducational intervention model is defined as a psychotherapeutic intervention that uses a critical thinking program model and structured didactic interventions with batterers. Fla. Admin. Code R. 65H-2.014(23).

¹⁴ See generally Fla. Admin. Code R. 65H-2.017.

¹⁵ Florida Department of Children and Families, House Bill 491, 2026 Agency Legislative Bill Analysis, (on file with the Committee on Judiciary).

Evangelistic Outreach Ministries.¹⁶ These faith-based programs are certified by DCF and provide BIP programs without providing integrated faith-based content.

First Amendment Free Exercise Challenge; Recent Litigation on BIP Administrative Rules

The Department's BIP curriculum standard, which prohibits faith-based ideology associated with a particular religion or denomination, was recently challenged in federal court on First Amendment grounds.¹⁷ The challenge was brought by a minister and former BIP provider, whose credentials were not renewed as a BIP provider because his curriculum incorporated a faith-based view of domestic violence. The district court issued a summary judgment ruling in favor of the Department and the minister appealed. The Eleventh Circuit Court of Appeals weighed the minister's free speech and free exercise rights against the Department's government speech authority. In September 2025, the court upheld the Department's rule.

The First Amendment to the United States Constitution contains the Establishment and Free Exercise Clauses. Together those clauses read:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; ... ”¹⁸

This language has been interpreted by the U.S. Supreme Court to mean that the “government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” Yet, “At the same time, a government entity has the right to speak for itself.”¹⁹ This has generally been interpreted to mean that the federal and state governments cannot create laws that establish the belief in a specific religion nor can they prohibit citizens from exercising their religious beliefs freely. While the Free Speech Clause prohibits the government from regulating private speech it does not regulate government speech.²⁰

The court concluded “that the curriculum and presentation of court-ordered BIPs are government speech,” and therefore, the minister could not “sustain a claim under the Free Speech or Free Exercise Clause of the First Amendment.”²¹

III. Effect of Proposed Changes:

SB 624 authorizes batterers’ intervention programs to offer voluntary “supplemental faith-based activities” to participants. However, no participant may be required to participate in a faith-based activity while in the program. The “activities” that are supplemental to the core curriculum, although not stated in the bill, might involve homework, journaling, group discussion, or additional support groups.

¹⁶The Florida Department of Children and Families, *Find a Local Batterers’ Intervention Program*, available at: <https://www.myflfamilies.com/services/abuse/domestic-violence/resources/find-local-batterers-intervention-program> (last visited Jan. 15, 2026).

¹⁷ *Nussbaumer v. Secretary, Florida Department of Children and Families*, 150 F. 4th 1371 (11th Cir. 2025).

¹⁸ U.S. CONST. amend. I.

¹⁹ *Nussbaumer* at 1377 (quoting *Police Dept. of City of Chicago v. Mosley*, 408 U.S. 92, 95 (1972) and *Pleasant Grove City v. Summum*, 555 U.S. 460, 467 (2009)).

²⁰ *Id.* at 1377.

²¹ *Id.* at 1381.

These changes allow participants the option of participating in programs that offer faith-based activities and content. However, while the language allows supplemental faith-based activities, it clearly prevents the programs from *requiring* participation in any offered supplemental faith-based activities as a condition of completing the batterers' intervention program.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends s. 741.325 of Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Yarborough

4-00826-26

2026624

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsection (2) of section 741.325, Florida Statutes, is redesignated as subsection (3), and a new subsection (2) is added to that section, to read:

741.325 Requirements for batterers' intervention programs.—
(2) A batterers' intervention program may offer supplemental faith-based activities to participants.
Participation in such activities may not be required as part of the program.

Section 2. This act shall take effect July 1, 2026.

Page 1 of 1

CODING: Words stricken are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 758

INTRODUCER: Senator Bradley

SUBJECT: Justice Administrative Commission

DATE: January 16, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Bond	Cibula	JU	Pre-meeting
2.		CJ	
3.		RC	

I. Summary:

SB 758 changes the membership of the Justice Administrative Commission to substitute a private criminal defense attorney appointed by the president of The Florida Bar for one of the two seats currently held by a representative of the elected public defenders, and to add a seat for a chief judge of a local circuit appointed by the Florida Conference of Circuit Judges.

The Justice Administrative Commission is an administrative support organization that provides financial and administrative assistance to the offices of the state attorneys, public defenders, capital collateral attorneys, criminal conflict and civil regional counsel, Statewide Guardian ad Litem, and private contractors that provide due process services to indigent persons. There are currently four voting members of the commission – two state attorneys and two public defenders.

The bill does not appear to have a fiscal impact on state or local governments.

The bill is effective July 1, 2026.

II. Present Situation:

Justice Administrative Commission

The office of the Justice Administrative Commission (JAC) is a budgeting and administrative office supporting various court-related entities and programs. The primary function of the commission is to maintain a central state office for administrative services and assistance for the state attorneys and public defenders of Florida, the capital collateral regional counsel of Florida, the criminal conflict and civil regional counsel, and the Statewide Guardian ad Litem Office.¹ Services provided to these state entities are primarily in the areas of accounting, budget, financial

¹ Section 43.16(5), F.S.

services, and human resources. These state entities concentrate on their core missions and rely on the administrative services that are best provided by the JAC. The JAC also provides compliance and financial review of related billings for services provided by private court-appointed attorneys representing indigent persons and associated due process vendors (the court reporters and investigators).² The JAC does not determine reimbursement rates as rates are set within the state budget. In the current budget year, the JAC has 93 authorized positions.

The JAC also has ministerial duties related to the budgets of the clerks of court.³

Top level executive leadership of the Justice Administrative Commission, from 1985 to present, is in the form of a commission of four voting members: two are state attorneys appointed by the president of the Florida Prosecuting Attorneys Association, and the other two are public defenders appointed by the president of the Florida Public Defender Association.⁴ This composition was created in 1985. The initial commission consisted of 6 voting members: the Chief Justice (or his appointee), one judge from the district courts of appeal, one circuit judge, one county judge, one state attorney, and one public defender.⁵ Prior to the 1985 change removing the justices and judges from the commission, the commission was also responsible for the accounting and human resources duties of the entire judicial branch (justices, judges, and staff).⁶

Circuit Judges, State Attorneys, and Public Defenders

The state is divided into twenty judicial districts.⁷ A judicial district consists of one or more counties. The electorate in each district elects circuit judges to 6-year staggered terms. The circuit judges of each circuit elect one of their own as chief judge of the circuit. A state attorney and a public defender are elected in each circuit to a 4-year term of office corresponding with the Governor's term.⁸

The Conference of Circuit Judges of Florida was recognized in 1959.⁹ The conference consists of the active and retired circuit judges of the several judicial circuits of the state, excluding retired judges practicing law. The 20 state attorneys collectively are the governing board of the Florida Prosecuting Attorneys Association, Inc.¹⁰ The 20 public defenders collectively are the governing board of the informal Florida Public Defender Association.¹¹

² Justice Administrative Commission, <https://www.justiceadmin.org/> (last visited Jan. 14, 2026).

³ Sections 28.35(2)(i), 40.29, 40.31, and 40.33, and 40.34, F.S.

⁴ Section 43.16(2), F.S.

⁵ Chapter 85-46, Laws of Fla.

⁶ Those administrative functions were transferred to the Office of the State Courts Administrator.

⁷ Section 26.021, F.S.

⁸ FLA. CONST. art. V ss. 17-18, Fla. Const.; See Florida Department of State, Division of Elections, Offices Up for Election and Retention in 2026, <https://dos.fl.gov/elections/candidates-committees/offices-up-for-election/> (updated Apr. 14, 2025).

⁹ Chapter 59-273, Laws of Fla.

¹⁰ Florida Prosecuting Attorneys Association, About Florida Prosecuting Attorneys Association, <https://yourfpaa.org/about-us/> (last visited Jan. 14, 2026).

¹¹ Florida Public Defender Association, Inc., FPDA Board of Directors, <https://www.flpda.org/board-of-directors> (last visited Jan. 14, 2026). The association is not formed by statute, nor does it appear to be currently registered with the state as a nonprofit corporation.

Capital Collateral Attorneys

Florida has three offices of Capital Collateral Regional Counsel which represent persons convicted and sentenced to death in collateral postconviction proceedings in their geographical jurisdictions. Their three offices are in Florida's Northern, Middle, and Southern federal judicial circuits.

Criminal and Civil Regional Counsel

Federal constitutional law requires that the state furnish certain indigent persons with legal representation at state expense. Most of this requirement is fulfilled by the offices of the public defenders representing criminal defendants. If a public defender has a conflict of interest or if the individual needs representation in a qualifying civil matter,¹² the individual is referred to the Office of Criminal Conflict and Civil Regional Counsel for representation. If the regional counsel has a conflict or cannot otherwise assist, private attorneys are appointed. The JAC provides administrative services to the regional counsels and manages the contracts and payment of private due process services required if the regional counsel cannot represent the individual.

Statewide Guardian ad Litem

The office of the Statewide Guardian ad Litem was created to provide representation to children who are a part of a civil case alleging abuse or neglect. The office was originally formed within the Office of the State Courts Administrator, but when made independent of the court system their administrative functions were assumed by the JAC.

Private contractors that provide due process services to indigent persons

If a Capital Collateral Regional Counsel has a conflict of interest prohibiting representation, a court may appoint private counsel from the Capital Collateral Attorney Registry. Similarly, if both the public defender and the regional counsel cannot provide due process services, the trial court will appoint a private attorney. Appointed private attorneys require the services of court reporters and investigators. The JAC administers contract and payroll services for those court reporters and investigators, most of whom already have a contract with the JAC to provide those same services to the state attorneys and public defenders.

The Florida Bar

The Supreme Court of Florida has exclusive and ultimate authority to regulate the admission of persons to the practice of law and the discipline of those persons who are admitted to practice.¹³ The regulation and discipline of attorneys is delegated by the Court to The Florida Bar.

¹² Only civil matters where a fundamental right is at stake entitle a person to representation. So, for instance, a person who may be involuntarily confined to an institution may have an attorney appointed if indigent. On the other hand, one does not have a fundamental right to stop paying bills, so defendants in a foreclosure or bill collection case do not have a constitutional right to appointment of counsel at state expense.

¹³ FLA. CONST. art. V, s. 15.

The Florida Bar was originally a voluntary association of lawyers. Effective in 1950, the Supreme Court required all lawyers to become a member of The Florida Bar. Members of the Bar annually elect a president. In addition to the regulatory function of the Bar, it has numerous committees that, among other duties and functions, provide education and certification of lawyers as a specialist in one area of law practice. There are currently 392 attorneys certified in Criminal Trial Law.¹⁴ Both prosecuting attorneys and defense attorneys may obtain certification. It is unknown how many of the attorneys currently holding the certification are acting as a criminal defense attorney.

III. Effect of Proposed Changes:

SB 758 changes the composition of the governing committee for the Justice Administrative Commission by removing one seat of the two currently held by an appointee of the Florida Public Defender Association, adding one seat for a board-certified criminal defense attorney appointed by the president of The Florida Bar Board of Governors, and adding one seat for a chief judge of a judicial circuit appointed by the chair of the Florida Conference of Circuit Judges.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁴ See The Florida Bar, Criminal Trial Law Certified Lawyers, <https://www.floridabar.org/about/cert/cert-cr-mbrs/> (last visited Jan. 14, 2026).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

The bill references the “Florida Conference of Circuit Judges.” There is no entity formally known by that specific name. The bill is likely referencing the “Conference of Circuit Judges of Florida” created in s. 26.55, F.S., which conference sometimes informally adopts that name.¹⁵

The duty of the Conference of Circuit Judges of Florida to appoint a member of the JAC perhaps should be added to its duties listed in s. 26.55, F.S.

The bill adds that a person holding the “Criminal Law Trial Certification” is to be appointed to the JAC. The Florida Bar uses the term “Criminal Trial Law” to refer to the attorneys holding that certification.

The bill effectively ends the term of one of the two present appointees of the Florida Public Defender Association but does not provide a means for determining which seat is affected.

The terms of the new members, and their respective start and end dates, are not clear.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends s. 43.16 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

¹⁵ Conference of Circuit Court Judges, Bylaws of the Conference of Circuit Judges of Florida, Inc., Art. I, <https://flcircuitconference.com/bylaws/> (as amended Aug. 7, 2023).

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



LEGISLATIVE ACTION

Senate

House

•
•
•
•
•

The Committee on Judiciary (Bradley) recommended the following:

1 **Senate Amendment**

2
3 Delete lines 18 - 20

4 and insert:

5 (a) Three ~~Two~~ state attorneys, to be appointed by the
6 president of the Florida Prosecuting Attorneys Association.

7 (b) Two public defenders, to be appointed by

By Senator Bradley

6-01244-26

2026758

7 Be It Enacted by the Legislature of the State of Florida:

9 Section 1. Subsection (2) of section 43.16, Florida
10 Statutes, is amended to read:

11 43.16 Justice Administrative Commission; membership, powers
12 and duties.—

18 (a) Two state attorneys, to be appointed by the president
19 of the Florida Prosecuting Attorneys Association.

(b) One ~~Two~~ public defender ~~defenders~~, to be appointed by the president of the Florida Public Defender Association

27 Section 2. This act shall take effect July 1, 2026.

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Banking and Insurance

BILL: CS/SB 834

INTRODUCER: Banking and Insurance Committee and Senator Yarborough

SUBJECT: Nonprofit Religious Organizations

DATE: January 16, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Knudson	BI	Fav/CS
2. Bond	Cibula	JU	Pre-meeting
3. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 834 authorizes a nonprofit religious organization operating a health care sharing ministry (HCSM) to market and sell memberships through a licensed insurance agent. Currently, the Florida Insurance Code (code) prohibits an HCSM from marketing and selling through a licensed insurance agent as a condition of being exempt from the code.

An HCSM offers memberships to individuals who generally agree to live by a statement of religious or ethical beliefs, who contribute monthly to pay for qualified medical expenses of other members, and who may apply for reimbursement of their own qualified medical expenses. These plans are exempt from regulation under the Florida Insurance Code if certain requirements are met, are an alternative to health insurance, and are not subject to state or federal laws that require comprehensive insurance coverage and provide consumer protections.

The bill is effective July 1, 2026.

II. Present Situation:

Health Care Sharing Ministries

The HCSMs trace their origins to the Middle Ages when tradesmen's guilds banded together to provide economic assistance to members who were injured, fell ill, or who died leaving family

members behind.¹ These guilds continued to exist in Europe until the 19th century, and the Industrial Revolution in Europe, when they were gradually replaced by trade unions and fraternal benefits associations. The modern HCSMs evolved in the late 1970s and 1980s as a byproduct of inflation, which resulted in rising costs in health care and health insurance.

An HCSM offers memberships to individuals who generally agree to live by a statement of religious beliefs or ethics² and contribute monthly to the HCSM for the payment of the qualified medical costs of other members.³ Members also submit their own eligible bills to be shared by other members.⁴ An HCSM may match paying members who need the health care funds or pool all the monthly shares and administer payments for qualified medical expenses to members directly.⁵ An HCSM is not insurance and cannot guarantee payment of claims, i.e., while they may share funds with members who have health needs, they are not legally required to do so.⁶

In the United States, an estimated 1.5 million people participate in HCSMs.⁷ Approximately 30 states, including Florida, have exempted health care sharing ministries (HCSM) explicitly from insurance regulation.⁸

Some people may choose to enroll in an HCSM because of their typically lower costs. They may also choose to enroll in an HCSM that does not pay or reimburse others for medical expenses that are related to an individual's actions or inactions that are contrary to the moral or religious beliefs of the subscriber.

The Patient Protection and Affordable Care Act (PPACA)⁹

On March 23, 2010, PPACA was signed into law. Among its sweeping changes to the U.S. health insurance system was requirements for health insurers to make coverage available to all individuals and employers,¹⁰ without exclusions, for preexisting medical conditions¹¹ and without basing premiums on any health-related factors. PPACA imposes many insurance requirements, such as coverage of essential health benefits, prohibition on lifetime dollar limits¹²

¹ HSA for America, *The History of Health Sharing* (Jan. 3, 2025), <https://hsaforamerica.com/blog/the-history-of-health-sharing/> (last visited Jan. 3, 2026).

² Stephanie Armour and Anna Wilde Mathews, WALL STREET JOURNAL, *As Sharing Health-Care Costs Takes Off, States Warn: It Isn't Insurance* (June 10, 2019), <https://www.wsj.com/articles/groups-that-share-health-care-costs-are-drawing-more-members-and-scrutiny-11560177134?mod=Searchresults&pos=3&page=1>.

³ *Id.*

⁴ National Association of Insurance Commissioners, *What You Should Know About Health Care Sharing Ministries, Discount Plans, and Risk-Sharing Plans* (Dec. 13, 2023), <https://content.naic.org/article/what-you-should-know-about-health-care-sharing-ministries-discount-plans-and-risk-sharing-plans>.

⁵ *Id.*

⁶ *Id.*

⁷ Tony Pistilli, THE ACTUARY, *Health Care Sharing Ministries* (Dec. 2021), <https://www.theactuarmagazine.org/health-care-sharing-ministries/>.

⁸ National Association of Insurance Commissioners, *What you should know about health care sharing ministries, discount plans, and risk sharing plans* (Dec. 13, 2023), <https://content.naic.org/article/what-you-should-know-about-health-care-sharing-ministries-discount-plans-and-risk-sharing-plans>.

⁹ P.L. 111-148, 124 Stat. 119-1945 (2010). PPACA was amended by P.L. 111-152, the Health Care and Education Reconciliation Act of 2010.

¹⁰ PPACA s. 1201; PHSA s. 2702 (42 U.S.C. § 300gg-1).

¹¹ 42 U.S.C. § 300gg-3.

¹² PPACA s. 1001; PHSA s. 2711 (42 U.S.C. § 300gg-11).

on essential health benefits, rating and underwriting standards, reporting of medical loss ratios and payment of rebates,¹³ and other requirements.¹⁴

Under PPACA, members of health care sharing ministries (HCSMs) are exempted from the federal individual mandate to maintain minimum health coverage, but the law does not mandate whether or how states may regulate them.¹⁵ A HCSM is an organization:

- Described in section 501(c)(3) of the Internal Revenue Code and that is exempt from taxation under section 501(a) of the Internal Revenue Code;
- Comprised of members who share a common set of ethical or religious beliefs and share medical expenses among members in accordance with those beliefs and without regard to the state in which a member resides or is employed;
- Required to retain membership of members even after they develop a medical condition;
- That has been in existence at all times since December 31, 1999, and medical expenses of its members have been shared continuously and without interruption since at least December 31, 1999; and
- Subjected to an annual audit, which is performed by an independent certified public accounting firm in accordance with generally accepted accounting principles and that is made available to the public upon request.¹⁶

Regulation of Insurance in Florida – In General

Florida's Office of Insurance Regulation (OIR)¹⁷ is responsible for the regulation of all activities of insurers and other risk-bearing entities, including licensure, rates,¹⁸ policy forms, market conduct, claims, solvency, administrative supervision, as provided under the Florida Insurance Code (code).¹⁹ Insurance is classified into the following kinds of insurance: life, health, property, casualty, surety, marine, and title.²⁰ The code defines "insurance" as a contract whereby one undertakes to indemnify another or pay or allow a specified amount or a determinable benefit upon determinable contingencies.²¹ Health insurance is insurance of human beings against bodily injury, disablement, or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance pertaining to it.²²

¹³ 42 USC § 300gg-1. PPACA requires health insurers to report to the HHS information concerning the percent of premium revenue spent on claims for clinical services and activities (medical loss ratio or MLR). Insurers must provide a rebate to consumers if the MLR is less than 85 percent in the large group market and 80 percent in the small group and individual markets.

¹⁴ The federal Tax Cut and Jobs Act of 2017 eliminated the individual coverage mandate tax penalty, effective 2019. Public Law No. 115-97.

¹⁵ 26 U.S.C. § 5000A(d)(2)(B). Effective tax year 2019, the penalty for failing to maintain minimum essential coverage was reduced to \$0. P.L. 115-97.

¹⁶ 26 USC § 5000A(d)(2)(B).

¹⁷ The OIR is an office under the Financial Services Commission (commission), which is composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. The commission is not subject to control, supervision, or direction by the Department of Financial Services in any manner, including purchasing, transactions involving real or personal property, personnel, or budgetary matters. Section 20.121(3), F.S.

¹⁸ Pursuant to s. 627.062(1), F.S., rates may not be excessive, inadequate, or unfairly discriminatory.

¹⁹ Section 20.121(3)(a)1., F.S.

²⁰ Section 624.6011, F.S.

²¹ Section 624.402, F.S.

²² Section 624.403, F.S. Health insurance does not include workers' compensation coverage, except as provided in s. 624.406, F.S.

The OIR monitors the solvency of insurers, and takes administrative action, if necessary, against any authorized insurer if OIR determines that the continued operation of the insurer may be deemed hazardous to its policyholders, creditors, or to the general public.²³ If an insurer is found to be insolvent and is ordered to be liquidated by a court, a receiver takes over the insurer under court supervision and processes the assets and liabilities through liquidation.²⁴

Generally, once an insurance company is liquidated, an insurance guaranty association becomes liable for the policy or contract obligations of the liquidated insurance company. Insurance guaranty associations are designed to protect policyholders of liquidated insurers from financial losses and delays in claim payments, up to limits provided by law.²⁵ An association services covered policies and contracts, collects premiums, and pays valid claims.²⁶ All insurers authorized to write life insurance policies, health insurance policies, supplemental contracts, and annuity contracts (with exceptions) in Florida are required, as a condition of doing business in this state, to be member insurers of the association.²⁷

Alternative Medical Benefit Products Exempt from the Florida Insurance Code²⁸

The code exempts HCSMs and nonprofit agricultural organizations from the provisions of the code if certain conditions are met. Currently, an HCSM²⁹ is exempt from the requirements of the code if the nonprofit religious organization meets all the following requirements:

- Qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended.
- Limits its participants to those members who share a common set of ethical or religious beliefs.
- Acts as a facilitator among participants who have financial, physical, or medical needs to assist those with financial, physical, or medical needs in accordance with criteria established by the nonprofit religious organization.
- Provides for the financial or medical needs of a participant through contributions from other participants, or through payments directly from one participant to another participant.
- Provides amounts that participants may contribute, with no assumption of risk and no promise to pay among the participants or by the nonprofit religious organization to the participants.

²³ Section 624.805, F.S.

²⁴ The Department of Financial Services (DFS) serves as the court appointed receiver of any insurer placed into receivership in Florida. The Division of Rehabilitation and Liquidation plans, coordinates, and administers the receivership processes on behalf of DFS pursuant to the orders of the receivership court. Part I, ch. 631, F.S.

²⁵ Section 631.712, F.S.

²⁶ The maximum amount of protection provided by the association for major medical health insurance policy is \$500,000 per insured life. [Florida Life & Health Insurance Guaranty Association - Frequently Asked Questions](#) (last visited Dec. 24, 2025).

²⁷ Sections 631.713 and 631.715, F.S.

²⁸ Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651 constitute the “Florida Insurance Code.” Section 624.01, F.S.

²⁹ Section 624.1265, F.S., refers to health care sharing ministries as “nonprofit religious organizations.” A health care sharing ministry is generally an organization that facilitates the sharing of health care expenses among individuals with similar and sincerely held beliefs. The members generally pay monthly membership fees and submit claims when they incur medical bills.

- Provides a monthly accounting to the participants of the total dollar amount of qualified needs shared in the previous month in accordance with criteria established by the nonprofit religious organization.
- Conducts an annual financial audit that is performed by an independent certified public accountant and makes a copy of the audit report publicly available upon request or posts a copy of the audit report on the nonprofit religious organization's website.
- Does not market or sell health plans through insurance agents licensed by the DFS pursuant to ch. 626, F.S.

The nonprofit religious organization must provide a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the nonprofit religious organization. The disclaimer must read in substance:

"Notice: The organization facilitating the sharing of medical expenses is not an insurance company, and neither its guidelines nor its plan of operation is an insurance policy. Membership is not offered through an insurance company, and the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code. Whether anyone chooses to assist you with your medical bills will be totally voluntary because no other participant is compelled by law to contribute toward your medical bills. As such, participation in the organization or a subscription to any of its documents should never be considered to be insurance. Regardless of whether you receive any payments for medical expenses or whether this organization continues to operate, you are always personally responsible for the payment of your own medical bills."

However, the provisions of s. 624.1265, F.S., do not prevent:

- A participant from limiting the financial or medical needs that may be eligible for payment; or
- The nonprofit religious organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to meet the conditions of membership for a period greater than 60 days.

The provision by which an HCSM is not exempt from the Florida Insurance Code if it markets or sells health plans through agents licensed by the DFS pursuant to ch. 626, F.S. was created in 2023 within the legislative package for the Department of Financial Services (DFS).³⁰ DFS recommended this additional requirement to address their perception that individuals may believe that membership in a HCSM is an insurance product if it is being sold by a licensed insurance agent.³¹

In 2025, the Legislature enacted legislation which authorizes nonprofit agricultural organizations to offer medical benefit plans, specifies that such plans are not insurance for purposes of the Florida Insurance Code, and exempts such plans from insurance regulations and consumer protections that apply to health insurers, health maintenance organizations, and their policies and

³⁰ SB 1158 (2023), ch. 2023-144, Laws of Fla.

³¹ DFS, 2023 Legislative Bill Analysis of Senate Bill 1158. On file with Senate Banking and Insurance Committee.

contracts under the code if certain conditions are met.³² Like the HCSMs, a nonprofit agricultural organization may not market or sell health benefit plans through agents licensed by DFS.

Criticism of the Marketing and Selling of HCSM Memberships

A 2023 U.S. General Accounting Office (GAO)³³ report noted that officials from one of the five HCSMs that provided information to the GAO stated that they used internal and external sales representatives to sell their memberships. The same report raised concerns about external sales representatives selling HCSM memberships alongside PPACA-compliant health insurance. Specifically, officials from two of five HCSMs told the GAO they were opposed to HCSMs using external sales representatives to sell HCSM memberships alongside health insurance because it made it difficult for consumers to understand that HCSM memberships are not insurance and are not an equivalent health coverage option.³⁴ Further, agents are typically paid higher commissions³⁵ to sell HCSM products as opposed to the commission for selling a traditional health insurance plan.³⁶

III. Effect of Proposed Changes:

The bill repeals a requirement, enacted in 2023, that a nonprofit religious organization operating as an HCSM not market or sell health plans through an insurance agent licensed by the Department of Financial Services to be exempt from the Florida Insurance Code. By repealing the requirement for the exemption, the bill restores the ability of an HCSM to market or sell plans through licensed insurance agents.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³² Ch. 2025-54 Laws of Fla.

³³ U.S. General Accounting Office, *PRIVATE HEALTH COVERAGE, Information on Farm Bureau Health Plans, Health Care Sharing Ministries, and Fixed Indemnity Plans* (July 2023), <https://www.gao.gov/assets/830/827994.pdf>.

³⁴ *Id.*

³⁵ For instance, in 2019, California found that a typical agent commission on an PPACA Silver Plan was 2.6 percent. The commission on products of three HCSMs were in the range of 15-20 percent. Covered California Board Meeting (Feb. 21, 2019), <https://board.coveredca.com/meetings/2019/02-21%20Meeting/PPT.Board%20Meeting%20Policy%20and%20Action.Feb%202019.1155.pdf>.

Subsequently, California adopted a requirement for exchange-certified brokers, which required that a broker seeking to enroll an individual in an HCSM must first assess whether the individual is eligible for marketplace subsidies and provide the individual with a disclosure of risks related to an HCSM and a comparison to PPACA coverage.

³⁶ DFS, *Supra* note 31.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Licensed agents may experience an indeterminate increase in commissions associated with selling plans of HCSMs.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 624.1265 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Banking and Insurance on January 13, 2026:

The CS amends the title to “An act relating to nonprofit religious organizations.”

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL: SB 840

INTRODUCER: Senator DiCeglie

SUBJECT: Land Use Regulations for Local Governments Affected by Natural Disasters

DATE: January 16, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Shuler</u>	<u>Fleming</u>	<u>CA</u>	<u>Favorable</u>
2. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	<u>Pre-meeting</u>
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 840 amends certain provisions in CS/CS/SB 180 (2025)¹ relating to restrictions on local government power to regulate land use following hurricanes.

Among other things, CS/CS/SB 180 generally prohibited counties and municipalities within a certain distance from a hurricane's track from adopting moratoriums or more restrictive or burdensome amendments or procedures in their land use regulations for 1 year after landfall.

SB 840 narrows the geographic area subject to CS/CS/SB 180's restrictions and revises them to clarify under what circumstances moratoriums and certain other procedural requirements or changes may or may not be enforced. For example, the bill:

- Allows impacted local governments to enforce a moratorium if imposed to address stormwater or floodwater management, potable water supply, or sanitary sewer systems.
- Prohibits impacted local governments from enforcing changes to their development review process that are intended to give them more time to review and take effect after landfall.
- Clarifies that the restrictions on land use regulation in SB 180 do not apply if adopted for an area of critical state concern or to comply with state or federal law.

SB 180 similarly restricted the regulatory powers of local governments listed within the federal disaster declaration for Hurricane Debby, Hurricane Helene, and Hurricane Milton. These restrictions, as revised by SB 840, expire on June 30, 2026. Without SB 840, the restrictions on local governments within the disaster declarations for Hurricane Debby, Hurricane Helene, and Hurricane Milton will not expire until June 30, 2028.

The bill takes effect on July 1, 2026.

¹ See ch. 2025-190, ss. 18 and 28, Laws of Fla. (codifying s. 252.422, F.S., and creating an undesignated section of law, respectively).

II. Present Situation:

Presidential Disaster and Emergency Declarations

When there is a disaster in the U.S., the Governor of an affected state must request an emergency and major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.² All emergency and disaster declarations are made at the discretion of the President of the U.S.³ There are two types of disaster declarations: emergency declarations and major disaster declarations.⁴ Both declarations allow for federal assistance to states and local governments; however, they differ in scope, types, and amount of assistance available.⁵

If the President deems federal assistance necessary to address an emergency situation, the President can declare an emergency, thereby authorizing the federal government to provide emergency services. The total amount of assistance from an emergency declaration cannot exceed \$5 million unless reported to Congress.⁶

Following a request from the Governor, the President may declare a major disaster for any natural event, including hurricanes if the President deems that the disaster is of such severity that it is beyond the combined capabilities of state and local governments to respond.⁷ A major disaster declaration makes a wide range of federal assistance resources available for individuals and states for emergency and permanent work.⁸

2024 Hurricane Season

Hurricane Debby

Forming into a tropical depression on August 3, 2024, Debby intensified into a Category 1 hurricane less than 12 hours before landfall.⁹ Hurricane Debby made landfall near Steinhatchee in Taylor County at around 7 am on August 5, 2024.¹⁰ Debby brought storm surge of 3 to 5 feet across portions of the Nature Coast and the southeast Big Bend, causing damage to areas where many were still recovering from Hurricane Idalia from the year before.¹¹ Debby's primary impact across the area was flooding from heavy rainfall due to the forward movement of the storm slowing after landfall.¹² Rainfall amounts of 8 to 12 inches resulted in widespread flooding in southeast Madison and eastern Lafayette counties, while in Suwannee and Gilchrist counties, rainfall amounts approaching 15 inches were observed.¹³ Flooding lasted for several weeks in Madison County after landfall due to the influx of rainfall putting pressure on the groundwater

² 42 U.S.C. ss. 5121-5207.

³ FEMA, *How a Disaster Gets Declared*, <https://www.fema.gov/disaster/how-declared> (last visited Jan. 13, 2026).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ National Weather Service, *Hurricane Debby Strikes the Florida Big Bend August 5, 2024*, <https://www.weather.gov/tae/HurricaneDebby2024> (last visited Jan. 13, 2026).

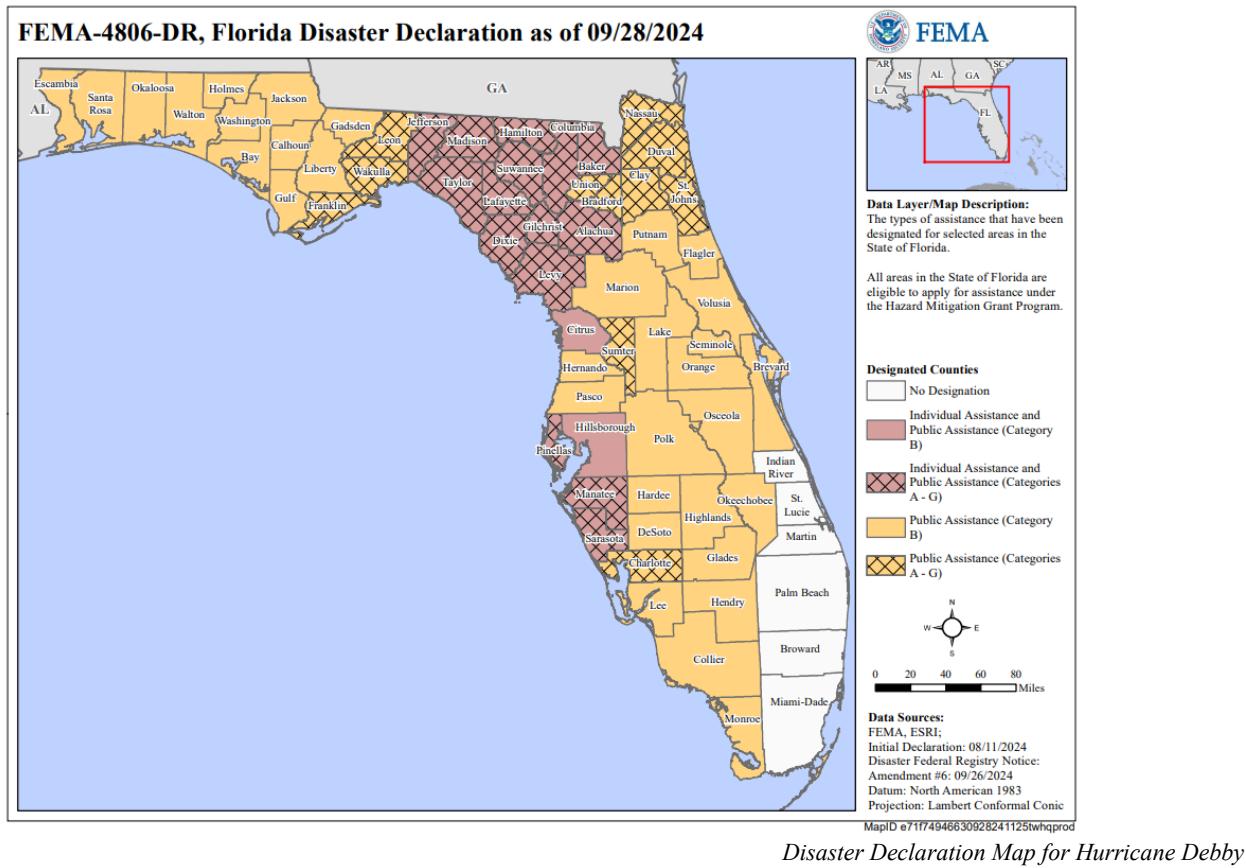
¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

system, which subsequently triggered new flooding as water came up from the ground.¹⁴ Flooding along the Suwannee River continued 3 weeks after landfall.¹⁵



Hurricane Helene

Due to high oceanic heat and the abatement of wind shear, conditions were favorable for Helene to rapidly intensify from a Category 1 hurricane into a Category 4 hurricane from September 25 to September 26, 2024.¹⁶ Helene hit a maximum of 140 mph for sustained winds just before making landfall near Perry, just east of the mouth of the Aucilla River around 11:10 pm on September 26, 2024.¹⁷ While the storm moved quickly across the state, this did not lessen the impacts.¹⁸ The wind field of Helene was among the top 10 percent of all recorded storms resulting in widespread wind impacts and hurricane-force gusts extending further inland than most systems.¹⁹ Much of the area affected by the storm experienced 4 to 8 inches of rainfall, but the heaviest amounts were observed near the Apalachicola State Forest where radar estimates indicated 10 to 18 inches of rain.²⁰ A large upper-level trough to the west of Helene helped

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ National Weather Service, *Hurricane Helene Makes Landfall in the Florida Big Bend September 26-27, 2024*, <https://www.weather.gov/tae/helene2024> (last visited Jan. 13, 2026).

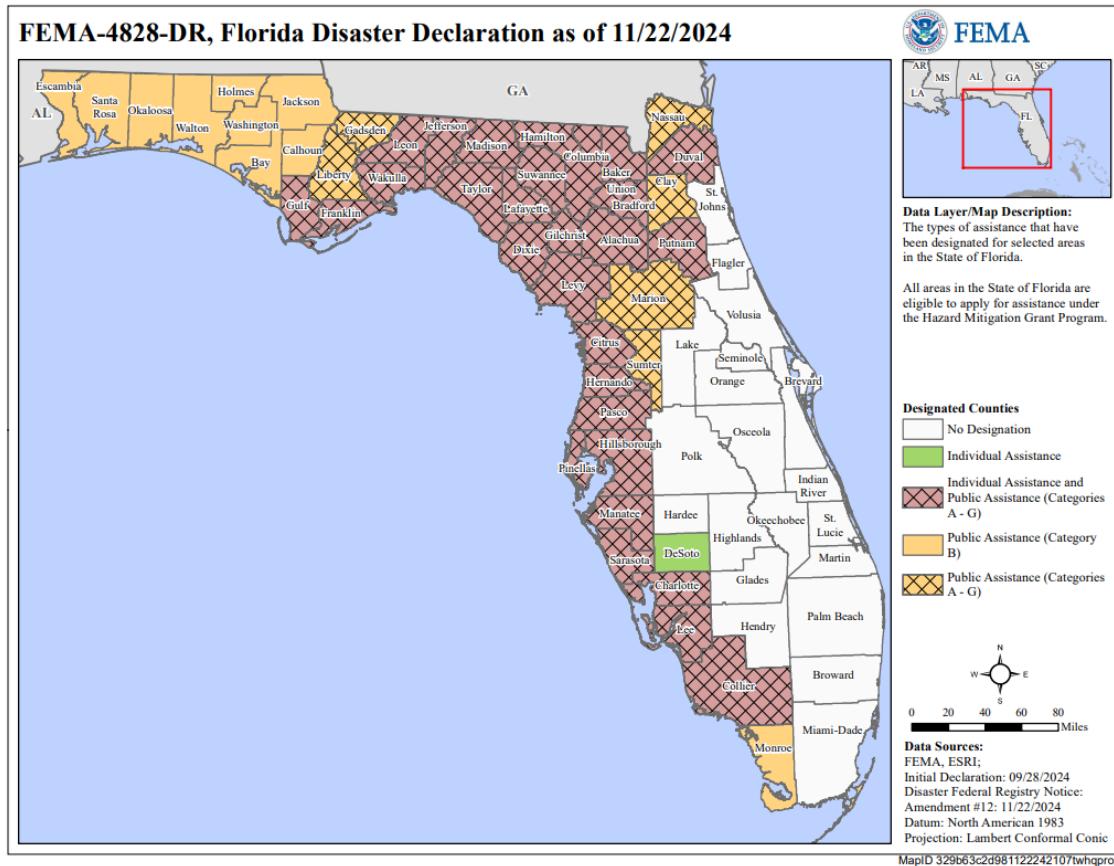
¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

funnel abundant tropical moisture northward well before landfall, creating conditions that led to significant impacts from heavy rainfall and flooding.²¹ Many counties across the Panhandle reported flooding and washed-out roads.²² The combination of Helene's large size and extremely fast forward motion contributed to catastrophic storm surge in the southeast Big Bend area and along the west coast of Florida.²³ In Cedar Key, the storm surge level of 9.3 feet exceeded the level of 6.89 feet observed during Hurricane Idalia the previous year.²⁴ Preliminary data for Taylor and Dixie counties estimated more than 15 feet of surge, while areas near Tampa saw levels over 6 feet.²⁵



Disaster Declaration Map for Hurricane Helene

Hurricane Milton

Just shy of 2 weeks after Hurricane Helene's landfall in Florida, Hurricane Milton made landfall around 8:30 pm on October 9, 2024 at Siesta Key in Sarasota County.²⁶ At landfall, Milton was a

²¹ *Id.*

²² *Id.*

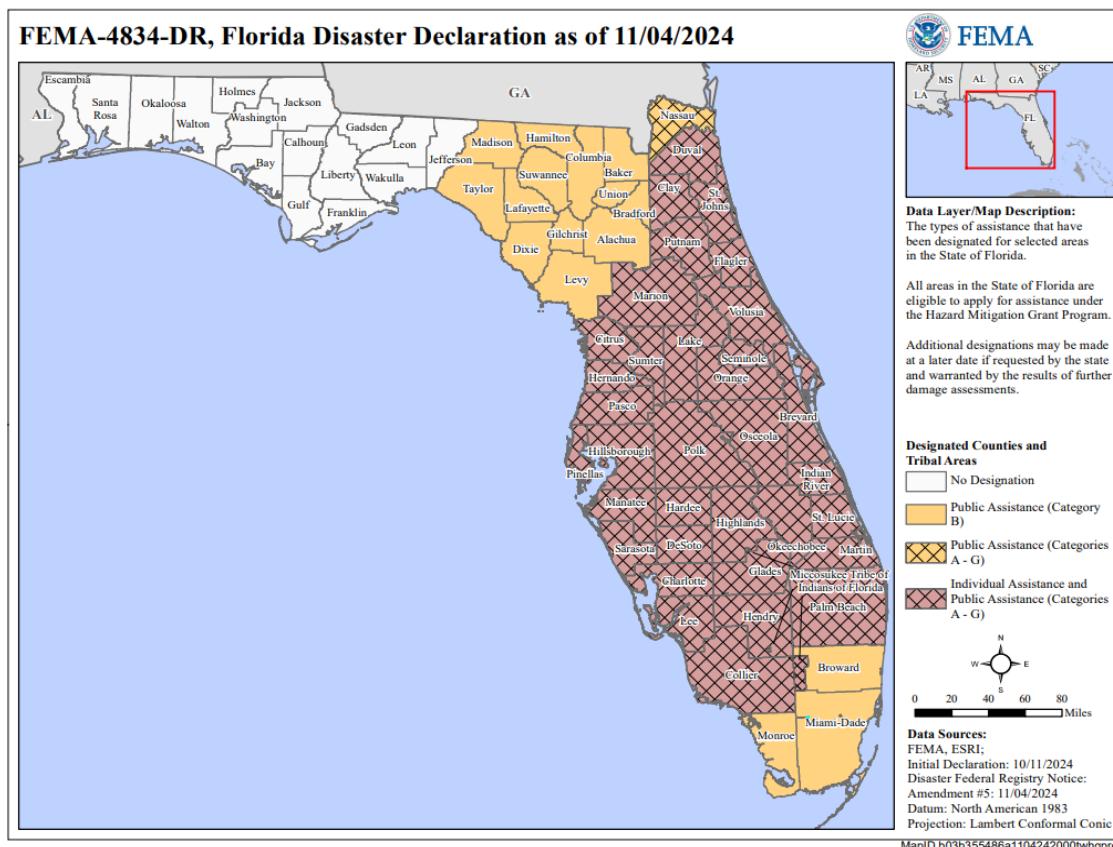
²³ *Id.*

²⁴ Emily Powell, Florida Climate Center, *Hurricane Helene Post-Storm Summary Report* (Oct. 7, 2024), available at <https://climatecenter.fsu.edu/images/docs/Hurricane-Helene-Summary-Report.pdf>.

²⁵ *Id.*

²⁶ National Weather Service, *Hurricane Milton Impacts to East Central Florida*, https://www.weather.gov/mlb/HurricaneMilton_Impacts (last visited Jan. 11, 2026).

Category 3 hurricane with maximum sustained winds of 120 mph.²⁷ Hurricane Milton spawned a record tornado outbreak, resulting in a total of 47 confirmed tornados on October 9, 2024, covering 400 miles and causing 7 deaths and 14 injuries.²⁸ Though Milton moved quickly across the state, it produced extreme rainfall, with the highest amounts, nearly 20 inches, measured in the Clearwater Beach and St. Petersburg areas.²⁹ In the days and weeks following the storm, rainfall caused rivers and tributaries to reach major flood stages.³⁰ The hydrograph at Astor for the St. Johns River showed a new record high level on October 10, 2024, of 4.81 feet, while the Hillsborough River crested at a new record of 38.16 feet at Morris Bridge on October 12, 2024.³¹ Storm surge in many areas was less than Hurricane Ian in 2022, but higher than experienced during Helene.³² National Oceanic and Atmospheric Administration gages in Ft. Myers and Naples Bay North measured storm surge above 5 feet.³³ Enormous amounts of sand were displaced along Florida's west-central coast following Hurricanes Helene and Milton, which eroded beaches and undid previous beach renourishment projects.³⁴



Disaster Declaration Map for Hurricane Milton

²⁷ Emily Powell, Florida Climate Center, *Post-Storm Summary Report on Hurricane Milton* (Oct. 31, 2024), available at <https://climatecenter.fsu.edu/images/docs/Hurricane-Milton-Report.pdf>.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

National Flood Insurance Program

The National Flood Insurance Program (NFIP) was created by the passage of the National Flood Insurance Act of 1968.³⁵ The NFIP is administered by the Federal Emergency Management Agency (FEMA) and enables homeowners, business owners, and renters in flood-prone areas to purchase flood insurance from the federal government.³⁶ Participation in the NFIP by a community is voluntary.³⁷ To join, a community must complete an application; adopt a resolution of intent to participate and cooperate with FEMA; and adopt and submit a floodplain management ordinance that meets or exceeds minimum NFIP criteria.³⁸

In coordination with participating communities, FEMA develops flood maps called Flood Insurance Rate Maps (FIRMs) that depict the community's flood risk and floodplain.³⁹ An area of specific focus on the FIRM is the Special Flood Hazard Area (SFHA).⁴⁰ The SFHA is intended to distinguish the flood risk zones where properties have a risk of 1 percent or greater risk of flooding every year⁴¹ and at least a 26 percent chance of flooding over the course of a 30-year mortgage.⁴² In a community that participates in the NFIP, owners of properties in the mapped SFHA are required to purchase flood insurance as a condition of receiving a federally backed mortgage.⁴³

Community Floodplain Management

Key conditions of the NFIP minimum floodplain management standards include, among other things, that communities:

- Require permits for development in the SFHA.
- Require elevation of the lowest floor of all new residential buildings in the SFHA to be at or above the base flood elevation (BFE).⁴⁴
- Restrict development in floodways to prevent increasing the risk of flooding.
- Require certain construction materials and methods that minimize future flood damage.⁴⁵

³⁵ The National Flood Insurance Act of 1968, Pub. L. 90-448, 82 Stat. 572 (codified as amended at 42 U.S.C. s. 4001 et seq.); *see also* FEMA, *Laws and Regulations*, <https://www.fema.gov/flood-insurance/rules-legislation/laws> (last visited Jan. 13, 2026).

³⁶ See FEMA, *Flood Insurance*, <https://www.fema.gov/flood-insurance> (last visited Jan. 13, 2026).

³⁷ FEMA, *Participation in the NFIP*, <https://www.fema.gov/about/glossary/participation-nfip> (last visited Jan. 13, 2026).

³⁸ *Id.*

³⁹ See Congressional Research Service, *Introduction to the National Flood Insurance Program*, 3 (Apr. 22, 2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² FEMA, *Coastal Hazards & Flood Mapping: A Visual Guide*, 6 (undated), available at https://www.fema.gov/sites/default/files/documents/fema_coastal-glossary.pdf.

⁴³ Congressional Research Service, *Introduction to the National Flood Insurance Program*, 10 (Apr. 22, 2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593>. Such lenders include federal agency lenders, such as the Department of Veterans Affairs, government-sponsored enterprises Fannie Mae, Freddie Mac, and federally regulated lending institutions, such as banks covered by the Federal Deposit Insurance Corporation or the Office of the Comptroller of the Currency. *Id.* at 10.

⁴⁴ The “base flood elevation” is the elevation of surface water resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year. FEMA, *Base Flood Elevation (BFE)* (Mar. 5, 2020), <https://www.fema.gov/about/glossary/base-flood-elevation-bfe>.

⁴⁵ Congressional Research Service, *Introduction to the National Flood Insurance Program*, 6 (Apr. 22, 2025), available at <https://crsreports.congress.gov/product/pdf/R/R44593>.

The Community Rating System (CRS) within the NFIP is a voluntary incentive program that rewards communities for implementing floodplain management practices exceeding the minimum requirements of the NFIP.⁴⁶ Property owners within communities that participate in the CRS program receive discounts on flood insurance premiums.⁴⁷ Premium discounts range from 5 to 45 percent based on a community's CRS credit points.⁴⁸ Communities earn credit points by implementing a variety of activities that fall into one of four categories: public information activities, mapping and regulations, flood damage reduction activities, and warning and response.⁴⁹

Florida Building Code

Part IV of chapter 553, F.S., is known as the "Florida Building Codes Act" (Act). The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified state building code known as the Florida Building Code. The Florida Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.⁵⁰ The Florida Building Commission (Commission) was created to implement the Florida Building Code. The Commission, which is housed within the Department of Business and Professional Regulation, is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Florida Building Code.⁵¹

The Commission and local governments may adopt technical and administrative amendments to the Florida Building Code.⁵² The Commission may approve technical amendments to the Florida Building Code once each year for statewide or regional application upon making certain findings.⁵³ Local governments may adopt amendments to the Florida Building Code that are more stringent than the Florida Building Code which are limited to the local government's jurisdiction.⁵⁴ Amendments by local governments expire upon the adoption of the newest edition of the Florida Building Code, and thus, the local government would need to go through the amendment process every three years to maintain a local amendment to the Florida Building Code.⁵⁵

⁴⁶ FEMA, *Community Rating System*, <https://www.fema.gov/floodplain-management/community-rating-system> (last visited Jan. 13, 2026).

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Florida Office of Insurance Regulation, *Cumulative Substantial Improvement Period Study Final Report*, 19 (Nov. 26, 2024), available at <https://floir.com/docs-sf/default-source/property-and-casualty/other-property-casualty-reports/final-report.pdf>.

⁵⁰ Section 553.72(1), F.S.

⁵¹ Sections 553.73 and 553.74, F.S.

⁵² Section 553.73, F.S.

⁵³ Section 553.73(9), F.S.

⁵⁴ Section 553.73(4), F.S.

⁵⁵ Section 553.73(4)(e), F.S.

Community Planning

The Community Planning Act provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.⁵⁶ Each county and municipality must maintain a comprehensive plan to guide future development.⁵⁷

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.⁵⁸ A comprehensive plan provides the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area.⁵⁹

A local government's comprehensive plan lays out the locations for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.⁶⁰

A comprehensive plan is implemented through the adoption of land development regulations⁶¹ that are consistent with the plan, and which contain specific and detailed provisions necessary to implement the plan.⁶² Such regulations must, among other prescriptions, regulate the subdivision of land and the use of land for the land use categories in the land use element of the comprehensive plan.⁶³ Substantially affected persons have the right to maintain administrative actions which assure that land development regulations implement and are consistent with the comprehensive plan.⁶⁴

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board, and subsequently by the governing board.⁶⁵

Development Permits and Orders

The Community Planning Act defines "development" as "the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels."⁶⁶ When a party wishes to

⁵⁶ Section 163.3167(1), F.S.

⁵⁷ Section 163.3167(2), F.S.

⁵⁸ Section 163.3194(3), F.S.

⁵⁹ Section 163.3177(1), F.S.

⁶⁰ Section 163.3177(6), F.S.

⁶¹ "Land development regulations" means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land, except that this definition does not apply in s. 163.3213 (relating to administrative review of land development regulations). *See* s. 163.3164(26), F.S.

⁶² Section 163.3202, F.S.

⁶³ *Id.*

⁶⁴ Section 163.3213, F.S.

⁶⁵ Sections 163.3174(4)(a) and 163.3184, F.S.

⁶⁶ Section 163.3164(14), F.S.

engage in development activity, they must seek a development permit from the appropriate local government having jurisdiction. A development permit is defined to include “any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.”⁶⁷ Once a local government has officially granted or denied a development permit, the official action constitutes a development order.⁶⁸ A development order vests certain rights related to the land.⁶⁹

Land Use Regulations for Local Governments Affected by Natural Disasters

During the 2025 Regular Session, the Legislature passed CS/CS/SB 180. The bill was signed by the Governor and became chapter 2025-190, Laws of Florida. The act included two sections that impacted local government land use regulation authority after storms: Section 18 creating s. 252.422, F.S., and Section 28 creating an undesignated section of law.

Section 252.422, F.S., provided new restrictions on county or municipal land use regulations after a hurricane. For one year after a hurricane makes landfall, the section prohibits a county listed in a federal disaster declaration, or a municipality located within such a county, and located entirely or partially within 100 miles of a hurricane’s track from proposing or adopting:

- A moratorium on construction, reconstruction, or redevelopment of any property.
- A more restrictive or burdensome amendment to its comprehensive plan or land development regulations.
- A more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, development permit, or development order.

The section allowed for enforcement pursuant to the following exceptions:

- The associated application is initiated by a private party other than the impacted local government and the property is owned by the initiating private party.
- The proposed comprehensive plan amendment was submitted to reviewing agencies before landfall.
- The proposed comprehensive plan amendment or land development regulation is approved pursuant to requirements for areas of critical state concern.

The section also includes a procedure for any person to file suit for declaratory and injunctive relief to enforce the section.

The Office of Program Policy Analysis and Government Accountability was directed in the section to study local governments action after hurricanes related to comprehensive plans, land development regulations, and procedures for review, approval, or issuance of site plans, permits, or development orders and submit the study to the Legislature by December 1, 2025.

Section 28 created a temporary 3-year prohibition against any county or municipality within the counties listed in the federal disaster declaration for Hurricane Debby, Hurricane Helene, or Hurricane Milton from proposing or adopting:

⁶⁷ Section 163.3164(16), F.S.

⁶⁸ See s. 163.3164(15), F.S.

⁶⁹ See s. 163.3167(3), F.S.

- A moratorium on construction, reconstruction, or redevelopment of property damaged by the hurricanes.
- More restrictive or burdensome amendments to its comprehensive plan or land development regulations.
- More restrictive or burdensome procedures to its comprehensive plan or land development regulations concerning the review, approval or issuance of a site plan, development permit, or development order.

Any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure is declared null and void ab initio. The restrictions of this section apply retroactively to August 1, 2024, and until October 1, 2027, with the section scheduled to expire on June 30, 2028.

The section also creates a cause of action for residents or business owners in a county or municipality to seek declaratory and injunctive relief against the county or municipality for violations.

III. Effect of Proposed Changes:

The bill amends certain provisions in CS/CS/SB 180 (2025) relating to restrictions on local government power to regulate land use following hurricanes.

Among other things, CS/CS/SB 180 generally prohibited counties and municipalities within a certain distance from a hurricane's track from adopting moratoriums or more restrictive or burdensome amendments or procedures in their land use regulations for 1 year after landfall.

The bill reduces the number of "impacted local governments" under s. 252.422(1), F.S., by redefining the term to include only counties located entirely or partially within 50 miles, instead of 100 miles, of the track of a hurricane listed in a federal major disaster declaration, and the municipalities located within those counties. Consequently, the bill narrows the geographic area subject to CS/CS/SB 180's restrictions.

The bill revises s. 252.422(2), F.S., to allow impacted local governments, within 1 year after a hurricane makes landfall, to *propose or adopt* moratoriums, amendments to comprehensive plans or land use regulations, or procedures concerning review, approval, or issuance of a site plan, development permit, or development order. However, under the bill, impacted local governments may not:

- *Enforce* a moratorium that prevents or delays the repair or reconstruction of an existing improvement damaged by a hurricane. An exception is allowed for enforcement of a moratorium addressing stormwater or flood water management, potable water supply, or necessary repairs to or replacement of sanitary sewer systems.
- Require the repair or reconstruction of an existing improvement damaged by a hurricane to comply with a comprehensive plan or land development regulation amendment that becomes effective after a hurricane makes landfall.
- Enforce a change to a procedure concerning review, approval, or issuance of a site plan, development permit, or development order, which increases the timeframe for final action and which is effective after a hurricane makes landfall.

The bill clarifies that these restrictions only apply to property damaged so severely that the repairs or reconstruction require a permit. Local governments may require property owners to show documentation related to the damage caused by the hurricane. If a property was not damaged enough to require a permit for repair or reconstruction, comprehensive plan or land development regulation amendments and moratoriums will apply.

The bill also revises the list of exceptions to CS/CS/SB 180's restrictions in s. 252.422(3), F.S. As enacted under SB 180, a comprehensive plan amendment, land development regulation amendment, site plan, development permit, or development order approved or adopted by an impacted local government could be enforced if the proposed comprehensive plan amendment had been submitted to reviewing agencies pursuant to s. 163.3184, F.S. The bill deletes this exception.

However, the bill continues to permit impacted local governments to enforce if the associated application is initiated by a private party other than the impacted local government and the property that is the subject of the application is owned by the initiating private party. Impacted local governments may also enforce if, as clarified by the bill:

- The proposed comprehensive plan amendments and land development regulations are approved by the state land planning agency for an area of critical state concern designated pursuant to chapter 380, F.S.
- The adoption of the comprehensive plan amendment or land development regulation amendment is required to comply with state or federal law.
- The adoption of the comprehensive plan amendment or land development regulation implements a floodplain management standard consistent with 44 C.F.R. part 60, relating to the National Flood Insurance Program.

The bill deletes the provision in s. 252.422, F.S., allowing any person to file suit for declaratory and injunctive relief to enforce the section. It also deletes an Office of Program Policy Analysis and Government Accountability study requirement.

The bill clarifies that s. 252.422, F.S., does not restrict local government adoption or enforcement of changes to the Florida Building Code or local technical amendments thereto.

CS/CS/SB 180 similarly restricted the regulatory powers of local governments listed within the federal disaster declaration for Hurricane Debby, Hurricane Helene, and Hurricane Milton. These restrictions, as revised by SB 840, expire on June 30, 2026. Without SB 840, the restrictions on local governments within the disaster declarations for Hurricane Debby, Hurricane Helene, and Hurricane Milton will not expire until June 30, 2028.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To the extent implementation of the bill results in fewer regulatory hurdles at the local level in connection with the repair and reconstruction of property damaged by hurricanes, the private sector may experience fewer permitting-related delays and some cost savings.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 252.422 of the Florida Statutes and chapter 2025-190 of the Laws of Florida.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator DiCeglie

18-00753C-26

A bill to be entitled

2026840

25 Be It Enacted by the Legislature of the State of Florida:

27 Section 1. Section 252.422, Florida Statutes, is amended to
28 read:
29 252.422 Restrictions on county or municipal regulations

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after a hurricane.—

40 (2) For 1 year after a hurricane makes landfall in this
41 state, an impacted local government may not propose or adopt:

42 (a) Enforce a moratorium that prevents or delays the repair
43 or construction, reconstruction, or redevelopment of an
44 existing improvement damaged by such hurricane, unless the
45 moratorium is imposed for the purpose of addressing stormwater
46 or flood water management, potable water supply, or necessary
47 repairs to or replacement of sanitary sewer systems any
48 property.

49 (b) Require the repair or reconstruction of an existing
50 improvement damaged by such hurricane to comply with an A more
51 restrictive or burdensome amendment to its comprehensive plan or
52 land development regulations which was first effective after
53 such hurricane made landfall in this state.

54 (c) Enforce a change to a more restrictive or burdensome
55 procedure concerning review, approval, or issuance of a site
56 plan, development permit, or development order, to the extent
57 that those terms are defined in s. 163.3164, which increases the
58 timeframe for the impacted local government to take final action

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59 on such review, approval, or issuance and which is effective
 60 after such hurricane makes landfall in this state.

61 (3) Notwithstanding subsection (2), a comprehensive plan
 62 amendment, land development regulation amendment, site plan,
 63 development permit, or development order approved or adopted by
 64 an impacted local government ~~before or after June 26, 2025~~, may
 65 be enforced if:

66 (a) The associated application is initiated by a private
 67 party other than the impacted local government and the property
 68 that is the subject of the application is owned by the
 69 initiating private party;

70 (b) ~~The proposed comprehensive plan amendment was submitted
 71 to reviewing agencies pursuant to s. 163.3184 before landfall,
 72 or~~

73 (c) ~~The proposed comprehensive plan amendment or land
 74 development regulation is approved by the state land planning
 75 agency for an area of critical state concern designated pursuant
 76 to chapter 380; pursuant to s. 380.05.~~

77 (c) The adoption of the comprehensive plan amendment or
 78 land development regulation amendment is required to comply with
 79 state or federal law; or

80 (d) The adoption of the comprehensive plan amendment or
 81 land development regulation implements a floodplain management
 82 standard consistent with 44 C.F.R. part 60, relating to the
 83 National Flood Insurance Program.

84 (4) The prohibitions of paragraphs (2)(b) and (c) apply
 85 only to property damaged to such an extent that a permit is
 86 required for the repair or reconstruction of the existing
 87 improvement. An impacted local government may require a property

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88 owner to provide documentation demonstrating that the property
 89 was damaged by a hurricane, including, but not limited to,
 90 documents produced by property appraisers, insurers, or local
 91 building inspectors.

92 (a) ~~Any person may file suit against any impacted local
 93 government for declaratory and injunctive relief to enforce this
 94 section.~~

95 (b) ~~A county or municipality may request a determination by
 96 a court of competent jurisdiction as to whether such action
 97 violates this section. Upon such a request, the county or
 98 municipality may not enforce the action until the court has
 99 issued a preliminary or final judgment determining whether the
 100 action violates this section.~~

101 (c) ~~Before a plaintiff may file suit, the plaintiff shall
 102 notify the impacted local government by setting forth the facts
 103 upon which the complaint or petition is based and the reasons
 104 the impacted local government's action violates this section.
 105 Upon receipt of the notice, the impacted local government shall
 106 have 14 days to withdraw or revoke the action at issue or
 107 otherwise declare it void. If the impacted local government does
 108 not withdraw or revoke the action at issue within the time
 109 prescribed, the plaintiff may file suit. The plaintiff shall be
 110 entitled to entry of a preliminary injunction to prevent the
 111 impacted local government from implementing the challenged
 112 action during pendency of the litigation. In any action
 113 instituted pursuant to this paragraph, the prevailing plaintiff
 114 shall be entitled to reasonable attorney fees and costs.~~

115 (d) ~~In any case brought under this section, all parties are
 116 entitled to the summary procedure provided in s. 51.011, and the~~

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117 ~~court shall advance the cause on the calendar.~~

118 (5) This section may not be construed to restrict a local
 119 government from adopting or enforcing changes to the Florida
 120 Building Code or local technical amendments adopted pursuant to
 121 s. 553.73(4) The Office of Program Policy Analysis and
 122 Government Accountability (OPPAGA) shall conduct a study on
 123 actions taken by local governments after hurricanes which are
 124 related to comprehensive plans, land development regulations,
 125 and procedures for review, approval, or issuance of site plans,
 126 permits, or development orders. The study must focus on the
 127 impact that local governmental actions, including moratoriums,
 128 ordinances, and procedures, have had or may have on
 129 construction, reconstruction, or redevelopment of any property
 130 damaged by hurricanes. In its research, OPPAGA shall survey
 131 stakeholders that play integral parts in the rebuilding and
 132 recovery process. OPPAGA shall make recommendations for
 133 legislative options to remove impediments to the construction,
 134 reconstruction, or redevelopment of any property damaged by a
 135 hurricane and prevent the implementation by local governments of
 136 burdensome or restrictive procedures and processes. OPPAGA shall
 137 submit the report to the President of the Senate and the Speaker
 138 of the House of Representatives by December 1, 2025.

139 Section 2. Section 28 of chapter 2025-190, Laws of Florida,
 140 is amended to read:

141 Section 28. (1) Each county listed in the Federal Disaster
 142 Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-
 143 4828), or Hurricane Milton (DR-4834), and each municipality
 144 within one of those counties, may not propose or adopt any
 145 moratorium on construction, reconstruction, or redevelopment of

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146 any property damaged by such hurricanes; propose or adopt more
 147 restrictive or burdensome amendments to its comprehensive plan
 148 or land development regulations; or propose or adopt more
 149 restrictive or burdensome procedures concerning review,
 150 approval, or issuance of a site plan, development permit, or
 151 development order, to the extent that those terms are defined by
 152 s. 163.3164, Florida Statutes, before June 30, 2026 October 1,
 153 2027, and any such moratorium or restrictive or burdensome
 154 comprehensive plan amendment, land development regulation, or
 155 procedure shall be null and void ab initio. This subsection
 156 applies retroactively to August 1, 2024.

157 (2) Notwithstanding subsection (1), any comprehensive plan
 158 amendment, land development regulation amendment, site plan,
 159 development permit, or development order approved or adopted by
 160 a county or municipality before or after the effective date of
 161 this act may be enforced if:

162 (a) The associated application is initiated by a private
 163 party other than the county or municipality.

164 (b) The property that is the subject of the application is
 165 owned by the initiating private party.

166 (3) (a) A resident of or the owner of a business in a county
 167 or municipality may bring a civil action for declaratory and
 168 injunctive relief against the county or municipality for a
 169 violation of this section. Pending adjudication of the action
 170 and upon filing of a complaint showing a violation of this
 171 section, the resident or business owner is entitled to a
 172 preliminary injunction against the county or municipality
 173 preventing implementation of the moratorium or the comprehensive
 174 plan amendment, land development regulation, or procedure. If

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175 such civil action is successful, the resident or business owner
176 is entitled to reasonable attorney fees and costs.

177 (b) Attorney fees and costs and damages may not be awarded
178 pursuant to this subsection if:

179 1. The resident or business owner provides the governing
180 body of the county or municipality written notice that a
181 proposed or enacted moratorium, comprehensive plan amendment,
182 land development regulation, or procedure is in violation of
183 this section; and

184 2. The governing body of the county or municipality
185 withdraws the proposed moratorium, comprehensive plan amendment,
186 land development regulation, or procedure within 14 days; or, in
187 the case of an adopted moratorium, comprehensive plan amendment,
188 land development regulation, or procedure, the governing body of
189 a county or municipality notices an intent to repeal within 14
190 days after receipt of the notice and repeals the moratorium,
191 comprehensive plan amendment, land development regulation, or
192 procedure within 14 days thereafter.

193 (4) This section expires June 30, 2026 2028.

194 Section 3. This act shall take effect July 1, 2026.