# Committee on Community Affairs

## CS/SB 124 — Public-private Partnerships

by Governmental Oversight and Accountability Committee and Senator Evers

The bill implements many recommendations of the statutorily created Partnership for Public Facilities and Infrastructure Act Guidelines Task Force to create a uniform process for public entities to engage in public-private partnerships (P3s).

Specifically, the bill:

- Clarifies that the P3 process must be construed as cumulative and supplemental, or alternative, to any other authority or power vested in the governing body of a county, municipality, special district, or municipal hospital or health care system;
- Revises the list of entities authorized to conduct P3s to include special districts and school districts;
- Provides increased flexibility to the responsible public entity by permitting a responsible public entity to deviate from the provided procurement timeframes if approved by majority vote of the entity's governing body;
- Requires that an unsolicited proposal be submitted concurrently with an initial application fee established by the responsible public entity;
- Authorizes a responsible public entity to request additional funds if the initial fee does not cover the costs to evaluate the unsolicited proposal; also requires the responsible public entity to return the initial application fee if the responsible public entity does not review the unsolicited proposal;
- Provides that if an unsolicited proposal involves architecture, engineering, or landscape engineering, the professional hired to evaluate or create the design criteria packaged must be retained until the entire project is completed; and
- Authorizes the Department of Management Services to accept and maintain copies of comprehensive agreements received from responsible public entities.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 38-0; House 116-1*

# Committee on Community Affairs

## CS/SB 126 — Public Records and Public Meetings/Public-private Partnerships

by Governmental Oversight and Accountability Committee and Senator Evers

The bill creates an exemption from public record and public meeting requirements for unsolicited proposals for public-private partnership projects for public facilities and infrastructure.

An unsolicited proposal is exempt from public record requirements until such time that the responsible public entity provides notice of its intended decision. If the responsible public entity rejects all proposals and concurrently provides notice of its intent to seek additional proposals, the unsolicited proposal remains exempt for a specified period of time; however, it does not remain exempt for more than 90 days after the responsible public entity rejects all proposals received for the project described in the unsolicited proposal. If the responsible public entity does not issue a competitive solicitation, the unsolicited proposal is not exempt for more than 180 days.

A public meeting exemption has been created for any portion of a meeting during which the exempt unsolicited proposal is discussed. A recording must be made of the closed portion of the meeting. The recording, and any records generated during the closed meeting, are exempt from public record requirements until such time as the underlying public record exemption expires.

If approved by the Governor, these provisions take effect on the same date that CS/SB 124 becomes a law.
*Vote: Senate 30-4; House 111-6*

# Committee on Community Affairs

## CS/SB 190 — Conservation Easements

by Community Affairs Committee and Senators Hutson and Margolis

A conservation easement is "a right or interest in real property which is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; retaining the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance; or maintaining existing land uses..."

In November 2008, Florida's voters amended the Florida Constitution to provide an ad valorem tax exemption for perpetual conservation easements. An ad valorem tax or property tax is an annual tax levied by counties, cities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year. To determine the ad valorem tax of a property, a property appraiser determines the just value of a property and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's taxable value.

Florida currently requires annual applications for the ad valorem exemption for property subject to a perpetual conservation easement.

The bill provides that once an original application for an ad valorem tax exemption for property subject to a perpetual conservation easement has been granted, the property owner is not required to file a renewal application until the use of the property no longer complies with the restrictions and requirements of the conservation easement.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 35-0; House 115-1*

# Committee on Community Affairs

## SB 194 — Redevelopment Trust Fund

by Senator Hukill

The Community Redevelopment Act authorizes a county or municipality to create community redevelopment agencies (CRAs) as a means of redeveloping slums and blighted areas. Community redevelopment agencies are not permitted to levy or collect taxes; however, the local governing body is permitted to establish a community redevelopment trust fund that is funded through tax increment financing (TIF). The TIF mechanism requires taxing authorities within the CRA to annually appropriate an incremental amount of revenue to the redevelopment trust fund by January 1. This revenue is used to finance redevelopment projects in accordance with a redevelopment plan, which may include bonding. Certain taxing authorities are exempt from contributing to the CRA.

The bill adds hospital districts to the list of taxing authorities which are exempt from contributing to the redevelopment trust fund, but only for CRAs created after July 1, 2016. Hospital districts in CRAs created before July 1, 2016, will continue to contribute to the redevelopment trust fund.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 38-0; House 114-0*

# Committee on Community Affairs

## CS/HJR 275 — Homestead Tax Exemption/Senior, Low-Income, Long-Term Residents

by Finance and Tax Committee and Rep. Avila and others (CS/SJR 492 by Finance and Tax Committee and Senators Flores and Margolis)

The ad valorem tax or property tax is an annual tax levied by counties, cities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year. To determine the ad valorem tax of a property, a property appraiser determines the just value of a property and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's taxable value. The Legislature may only grant property tax exemptions that are authorized in the Florida Constitution, and any modifications to existing property tax exemptions must be consistent with the constitutional provision authorizing the exemption.

Every person having legal and equitable title to real estate and who maintains a permanent residence on the real estate (homestead property) is eligible for a $25,000 tax exemption applicable to all ad valorem tax levies, including levies by school districts. An additional $25,000 exemption applies to homestead property value between $50,000 and $75,000. This exemption does not apply to ad valorem taxes levied by school districts.

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

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

If approved by the voters, the proposed constitutional amendment is effective January 1, 2017, and operates retroactively to January 1, 2013, for any person who received the exemption prior to January 1, 2017.
*Vote: Senate 39-0; House 113-0*

# Committee on Community Affairs

## CS/HB 277 — County and Municipality Homestead Tax Exemption

by Finance and Tax Committee; and Rep. Avila and others (CS/CS/SB 488 by Finance and Tax Committee; Community Affairs Committee; and Senators Flores and Margolis)

The ad valorem tax or property tax is an annual tax levied by counties, cities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year. To determine the ad valorem tax of a property, a property appraiser determines the just value of a property and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's taxable value. The Legislature may only grant property tax exemptions that are authorized in the Florida Constitution, and any modifications to existing property tax exemptions must be consistent with the constitutional provision authorizing the exemption.

Every person having legal and equitable title to real estate and who maintains a permanent residence on the real estate (homestead property) is eligible for a $25,000 tax exemption applicable to all ad valorem tax levies, including levies by school districts. An additional $25,000 exemption applies to homestead property value between $50,000 and $75,000. This exemption does not apply to ad valorem taxes levied by school districts.

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

The bill provides that for purposes of the long-term, low-income senior exemption for homesteads with a just value under $250,000, the $250,000 limitation is measured at the time the property owner first applies and is eligible for the exemption.

In addition, individuals who were granted the exemption in prior years, but became ineligible for the exemption because the just value of the individual's homestead rose above $250,000, may regain the exemption by reapplying for the exemption. The just value determination for such person shall be the just value as determined in the first tax year that the owner applied for and was eligible for the exemption, regardless of the current just value of his or her homestead property.

Individuals who received the exemption prior to the effective date of the bill may apply to the tax collector for a refund, pursuant to s. 197.182, F.S., for any prior year in which the exemption was denied solely because the just value of the homestead property was greater than $250,000. The refund for a given year is equal to the difference between the previous tax liability for that year without the exemption and their tax liability with the exemption.

This act shall take effect on the same date that CS/HJR 275 takes effect, if such joint resolution is approved by the electors at the general election to be held in November 2016, and shall apply

retroactively to the 2013 tax roll for any person who received the exemption under s. 196.075(2)(b), F.S., before the effective date of this act.
*Vote: Senate 36-0; House 111-0*

# Committee on Community Affairs

## CS/SB 416 — Location of Utilities

by Community Affairs Committee and Senator Flores

Consistent with common law, Chapter 337, F.S., requires a utility to bear the costs of relocating its facilities located "upon, under, over, or along" any public road or publicly owned rail corridor if the facilities "unreasonably interfere in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion" of the public road or publicly owned rail corridor. There are nine exceptions to this general rule enumerated by statute.

The bill would provide an additional exemption to the general rule requiring utilities to bear the cost for relocating their facilities. The bill requires the Department of Transportation or the local government entity to pay for the relocation of utility facilities if the facilities are located within an existing and valid public utility easement granted by recorded plat. This exception would still apply if ownership of the underlying land was acquired by the governmental entity requiring the relocation. Under this exception, the governmental entity would be required to pay the full cost of relocation, after deductions for any increase in value attributable to the new facility and any salvage value of the old facility.

The bill reduces a county's authority to grant licenses for lines to only locations "under, on, over, across, or within the right-of-way limits" of a county highway or public road, as opposed to "under, on, over, across and along" such highways or roads.

Finally, the bill narrows the authority of the Department of Transportation and local governments to prescribe and enforce rules or regulations related to the placing and maintaining of a utility to "across, on, or within the right-of-way limits" of any public road or publicly owned rail corridor, as opposed to "along, across, or on" any public road or publicly owned rail corridor.

If approved by the Governor, these provisions take effect upon becoming law.
*Vote: Senate 34-4; House 109-4*

# Committee on Community Affairs

## CS/CS/HB 447 — Local Government Environmental Financing

by Agriculture and Natural Resources Appropriations Subcommittee; Agriculture and Natural Resources Subcommittee; and Rep. Raschein and others (CS/SB 770 by Appropriations Committee and Senators Simpson, Flores, Benacquisto, and Altman)

The Areas of Critical State Concern Program was created by the "Florida Environmental Land and Water Management Act of 1972." The program is intended to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources.

The designated Areas of Critical State Concern are the Apalachicola Bay Area, the Green Swamp Area, the Big Cypress Area, the Florida Keys Area, and the City of Key West Area.

The Legislature designated the Florida Keys (Monroe County and its municipalities) and the City of Key West as Areas of Critical State Concern in 1975 due to the area's environmental sensitivity and mounting development pressures. The legislative intent was to establish a land use management system for the Florida Keys that would achieve the following goals:

- Protect the natural environment and improve the nearshore water quality;
- Support a diverse economic base that promotes balanced growth in accordance with the capacity of public facilities;
- Promote public land acquisition and ensure that the population of the Florida Keys can be safely evacuated;
- Provide affordable housing in close proximity to places of employment; and
- Protect property rights and promote coordination among governmental agencies that have permitting jurisdiction.

The bill makes the following changes to law:

- Expands the use of the local government infrastructure surtax to include acquiring any interest in lands for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern.
- Expands the definition of infrastructure under the local government infrastructure surtax to include "any fixed capital expenditure or fixed capital outlay associated with…all other professional and related costs to bring the public facilities." Public facilities is defined to include a wide variety of major capital improvements including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities; healthcare systems and facilities; and water management and control facilities, alternative water systems, and certain spoil disposal sites for maintenance dredging in waters of the state.
- Adds the City of Key West Area of Critical State Concern to the list of eligible areas for which Everglades restoration bonds may be issued and expands the range of uses to include projects that protect, restore, or enhance nearshore water quality and fisheries,

such as storm water or canal restoration projects, and projects to protect and enhance the water supply to the Florida Keys.

- Allows for lands that are purchased in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern from Everglades restoration bond proceeds to be surplused under certain circumstances. The applicable general purpose local government must agree to the disposal of lands and must be offered the first right to purchase those lands.
- Revises the DEP's criteria for the recommendation to the board of the purchase of lands in an area of critical state concern to include:
  - Lands that conserve sensitive habitat;
  - Lands that protect, restore, or enhance nearshore water quality and fisheries;
  - Lands used to protect and enhance water supply to the Florida Keys, including alternative water supplies such as reverse osmosis and reclaimed water systems; and
  - Lands used to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern if the acquisition of such lands fulfills a public purpose listed in s. 259.032(2), F.S.
- Requires that of the funds appropriated to the DEP as distributed in the Florida Forever Act for land acquisition and capital projects, a minimum of $5 million annually is allocated within the Florida Keys Area of Critical State Concern beginning in Fiscal Year 2017-2018 through Fiscal Year 2026-2027.
- Appropriates to the Department of Environmental Protection $5 million in nonrecurring funds from the General Revenue Fund for the 2016-2017 fiscal year. These funds shall be distributed in accordance with the existing interlocal agreement among specified local governmental entities in Monroe County for various water purposes and to enhance water supply in the Florida Keys Area of Critical State Concern and the City of Key West Area of Critical State Concern; or, alternatively, for the purposes of land acquisition within the Florida Keys Area of Critical State Concern.
- Expands the powers of the Area of Critical State Concern land authority to include the prevention or satisfaction of private property rights' claims resulting from limitations imposed by the designation of an areas of critical state concern and to contribute funds to the DEP for the purchase of lands by the DEP.
- Provides that the Area of Critical State Concern land authority may only make an acquisition or contribution if the acquisition or contribution is not used to improve public transportation facilities or otherwise increase road capacity to reduce hurricane evacuation clearance times.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 39-0; House 113-1*

# Committee on Community Affairs

## CS/HB 479 — Special Districts

by Local Government Affairs Subcommittee and Rep. Metz and others (SB 956 by Senator Stargel)

Special districts are used to provide a variety of local services and generally are funded through the imposition of ad valorem taxes, fees, and charges on the users of those services. There are two types of special districts: independent special districts, which typically are created by special act and operate independently of any local general-purpose government, and dependent special districts, which typically are created by local ordinance and are subject to the control of a local general-purpose government.

The bill requires a special district to publish additional information on its website, including a calendar of public meetings, and ensure other current budgetary information is maintained on its website for longer periods of time. The bill also reorganizes the oversight provisions of ch. 189, F.S., to increase clarity and avoid duplication. The bill clarifies the power of the Legislature to create dependent special districts. The bill revises the process for the Department of Economic Opportunity to declare a special district inactive and clarifies the power of the Legislature to dissolve inactive independent special districts by general law. The bill also makes conforming changes to a number of related statutes.

If approved by the Governor, these provisions take effect October 1, 2016.
*Vote: Senate 36-0; House 110-0*

# Committee on Community Affairs

## CS/CS/HB 499 — Ad Valorem Taxation

by Appropriations Committee; Local and Federal Affairs Committee; and Rep. Avila and others (CS/CS/SB 766 by Appropriations Committee; Finance and Tax Committee; and Senator Flores)

The ad valorem tax or "property tax" is an annual tax levied by counties, cities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year. The property appraiser annually determines the "just value" of property within the taxing authority and then applies applicable exclusions, assessment limitation, and exemptions to determine the property's "taxable value."

Each property appraiser submits the county tax roll to the Department of Revenue (DOR) for review by July 1 of each year for assessments as of the prior January 1. In August, the property appraiser sends a Truth in Millage (TRIM) notice to all taxpayers providing specific tax information about their parcel. Taxpayers who disagree with the property appraiser's assessment or the denial of an exemption or property classification may:

- Request an informal meeting with the property appraiser;
- Appeal the assessment by filing a petition with the county Value Adjustment Board (VAB); or
- Challenge the assessment in circuit court.

Each county has a VAB, comprised of two members of the governing body of the county, one member of the school board and two citizen members appointed by the governing body of the county. The county clerk acts as the clerk of the VAB. A property owner may initiate a review by filing a petition with the clerk of the VAB within 25 days after the mailing of the TRIM notice.

The clerk of the VAB is responsible for receiving completed petitions, acknowledging receipt to the taxpayer, sending a copy of the petition to the property appraiser, and scheduling hearings.

Current law requires VABs to render a written decision within 20 calendar days after the last day the board is in session. The decision of the VAB must contain findings of fact and conclusions of law and must include reasons for upholding or overturning the determination of the property appraiser. If a special magistrate has been appointed, the recommendations of the special magistrate must be considered by the VAB. The clerk of the VAB, upon issuance of a decision, must notify each taxpayer and the property appraiser of the decision of the VAB. If requested by the DOR, the clerk must provide to the DOR a copy of the decision or information relating to the tax impact of the findings and results of the board as described in s. 194.037, F.S., in the manner and form requested.

The bill makes several changes related to the VAB process. Specifically, the bill:

- Requires the VAB to resolve all petitions by June 1 following the assessment year. The June 1 date is extended to December 1 in any year that the number of petitions increases by more than 10 percent over the prior year.

- Limits the persons who may represent a taxpayer before the VAB to certain licensed professionals, an employee of the taxpayer, a person with power of attorney, or an uncompensated individual with a written authorization.
- Requires that a petition filed by someone other than a licensed professional or employee of the taxpayer be signed by the taxpayer or be accompanied by a power of attorney from the taxpayer or the taxpayer's written authorization for representation. Powers of attorney and written authorizations to petition the VAB are only valid for 1 assessment year.
- Changes the rate of interest for overpayments and underpayments from 12 percent to the bank prime loan rate and requires interest on an overpayment related to a petition to be funded proportionately by each taxing authority that was overpaid.
- Authorizes a petitioner or a property appraiser to reschedule a hearing a single time, for good cause only, and reduces the notice for rehearing from 25 to 15 days when the rehearing is requested by the petitioner.
- Prohibits the imposition of interest or penalty when an owner of nonhomestead residential property or nonresidential property was improperly granted an assessment limitation due to a clerical mistake or omission.
- Clarifies that a property owner may petition the VAB concerning a property appraiser's determination that a change of ownership, change of control, or qualifying improvement has occurred for purposes of resetting the assessment limitation on the property.
- Specifies the property appraiser's treatment of erroneous or incomplete property tax returns, and requires returns to be timely filed in order to be contested before the VAB.

The bill also makes permanent the ability of a school district to levy 75 percent of a school district's most recent prior period funding adjustment millage in the event that the final tax roll is delayed for longer than 1 year.

If approved by the Governor, unless otherwise provided, these provisions take effect July 1, 2016.
*Vote: Senate 38-0; House 117-0*

# Committee on Community Affairs

## HB 525 — Small Community Sewer Construction Assistance Act

by Rep. Beshears and others (SB 444 by Senator Montford)

The Department of Environmental Protection administers the Small Community Sewer Construction Assistance Act (Act) to assist financially disadvantaged small communities with their needs for adequate sewer facilities. A "financially disadvantaged small community" is defined in statute as a municipality that has a population of 10,000 or fewer, according to the last decennial census and a per capita annual income less than the state per capita annual income as determined by the United States Department of Commerce.

The bill expands grant eligibility to small disadvantaged communities in need of adequate sewer facilities to include counties and special districts that fall under the same population and per capita annual income parameters as currently required under the Act. Specifically, the bill includes only special districts whose public purpose includes water and sewer services, utility systems and services, or wastewater systems and services.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 38-0; House 111-0*

# Committee on Community Affairs

## CS/CS/CS/HB 535 — Building Codes

by Regulatory Affairs Committee; Government Operations Appropriations Subcommittee; Business and Professions Subcommittee; and Rep. Eagle and others (CS/CS/SB 704 by Fiscal Policy Committee; Community Affairs Committee; and Senator Hutson)

In 1974, Florida adopted a state minimum building code law requiring all local governments to adopt and enforce a building code that would ensure minimum standards for public health and safety. Four separate model codes were available that local governments could consider and adopt. In that system, the state's role was limited to adopting all or relevant parts of new editions of the four model codes. Local governments could amend and enforce their local codes as they desired.

In 1996, a study commission was appointed to review the system of local codes and to make recommendations for modernizing the entire system. The 1998 Legislature adopted the study commission recommendations for a single state building code and an enhanced oversight role for the state in local code enforcement. The 2000 Legislature authorized implementation of the Florida Building Code (Code) and that first edition replaced all local codes on March 1, 2002. In 2004, for the second edition of the Code, the state adopted the International Code Council I-Codes. All subsequent Codes have been adopted utilizing the International Code Council I-Codes as the base code. The most recent Code is the fifth edition which is referred to as the 2014 Code. The 2014 Code went into effect June 30, 2015.

The Florida Building Commission (FBC) was statutorily created to implement the Code. The FBC, which is housed within the Department of Business and Professional Regulation, is a 27-member technical body responsible for the development, maintenance, and interpretation of the Code. Most substantive issues before the FBC are vetted through a workgroup process where consensus recommendations are developed and submitted by appointed representative stakeholder groups in an open process with several opportunities for public input. According to the FBC, through this participatory process, the members "strive for agreements which all of the members can accept, support, live with or agree not to oppose;" when the FBC finds that 100 percent acceptance or support is not achievable, "final decisions require at least 75 percent favorable vote of all members present and voting."

The bill makes the following changes to law:

- Makes several adjustments to the training and experience required to take the certification examinations for building code inspector, plans examiner, and building code administrator;
- Exempts employees of apartment communities with 100 or more units from contractor licensing requirements if making minor repairs to existing electric water heaters or existing electric heating, ventilation, and air conditioning (HVAC) systems, if they meet certain training and experience criteria and the repair involves parts costing under $1,000;

- Allows Category I liquefied petroleum gas dealers, liquefied petroleum gas installers, and specialty installers to disconnect and reconnect water lines in the servicing or replacement of existing water heaters;
- Adds Division II contractors to the Florida Homeowners' Construction Recovery Fund section, which would allow homeowners to make a claim and receive restitution from the fund when they have been harmed by a Division II contractor, subject to certain requirements and financial caps;
- Exempts specific low-voltage landscape lighting from having to be installed by a licensed electrical contractor;
- Clarifies that portable pools that are used for swimming lessons that are sponsored or provided by school districts and temporary pools used in conjunction with a sanctioned national or international swimming or diving event are considered private pools and not subject to regulation;
- Provides that a residential pool that is equipped with a pool alarm that, when placed in the pool, will sound if it detects an accidental or unauthorized entrance into the water meets the safety requirements for residential pools;
- Creates the Calder Sloan Swimming Pool Electrical-Safety Task Force to study and report on specific standards, especially with regard to minimizing risks of electrocutions linked to swimming pools;
- Replaces a representative on the Accessibility Advisory Council for a defunct organization with the new organization;
- Revises the panels designated to review interpretations of the Florida Building Code and the Florida Accessibility Code for Building Construction;
- Provides funding for the recommendations made by the Building Code System Uniform Implementation Evaluation Workgroup and provides funding for Florida Fire Prevention Code informal interpretations;
- Allows local boards created to address conflicts between the Florida Building Code and the Florida Fire Prevention Code to combine to create a single local board that must include at least one fire professional;
- Requires the Florida Building Code to mandate having two fire service access elevators in all buildings above a certain height;
- Authorizes local building officials to issue phased permits for construction;
- Subjects certain building officials to discipline if they deny, revoke, or modify a specified permit without providing a reason for the denial, revocation, or modification;
- Requires a contractor and an alarm system monitoring company to provide notice to a property owner regarding the obligation to register their alarm system, if applicable;
- Provides that a contractor or an alarm system monitoring company is not liable for any penalties assessed or imposed by the applicable local government for failure to register the alarm, dispatch to an unregistered user, or excessive false alarms;
- Prohibits local enforcement agencies from requiring payment of any additional fees, charges, or expenses associated with providing proof of licensure as a contractor, recording a contractor license, or providing or recording evidence of workers' compensation insurance covered by a contractor;

- Excludes roof covering replacement and repair work associated with the prevention of degradation of the residence from the requirement to include the provision of opening protections in any activity requiring a building permit with a cost over $50,000;
- Adds Underwriters Laboratories, LLC, and Intertek Testing Services NA, Inc., to the list of entities that are authorized to produce information on which product approvals are based, related to the Florida Building Code;
- Reinstates a wind mitigation exemption for professional engineer certification of HVAC units being installed;
- Exempts Wi-Fi smoke alarms and those that contain multiple sensors, such as those combined with carbon monoxide alarms, from the 10-year, nonremovable, nonreplaceable battery provision;
- Provides that the mandatory blower door testing for residential buildings or dwellings does not take effect until July 1, 2017, and does not apply to construction permitted before July 1, 2017;
- Requires the local enforcement agency to accept duct and air infiltration tests conducted in accordance with the Florida Building Code if performed by certain individuals;
- Adds provisions to the Fire Prevention Code to:
  - Require new high-rise buildings to comply with minimum radio signal strength for fire department communications set by the local authority with jurisdiction. Existing high-rise buildings must comply by 2022 and existing apartment buildings must comply by 2025;
  - Require areas of refuge to be provided when required by the Accessibility volume of the Florida Building Code;
  - Authorize fire officials to use the Fire Safety Evaluation System to identify low-cost alternatives for compliance; and
  - Require technicians that work on fire pump control panels and drivers to be under contract with a licensed fire protection contractor;
- Requires a restaurant, a cafeteria, or a similar dining facility, including an associated commercial kitchen, to have sprinklers only if it has a fire area occupancy load of over 200 patrons;
- Adds provisions to the Florida Building Code regarding fire separation distance and roof overhang projections;
- Creates the Construction Industry Task Force within the University of Florida Rinker School of Construction;
- Provides exceptions to the residential shower lining requirements in the Florida Building Code;
- Allows a specific energy rating index as an option for compliance with the Energy Conservation volume of the Florida Building Code;
- Requires the Florida Building Commission to continue its current adoption process of the 2015 International Energy Conservation Code and determine by October 1, 2016, whether onsite renewable power generation may be used for compliance and whether onsite renewable power generation may be used for a period longer than 3 years but not more than 6 consecutive years; and

- Effective July 1, 2017, requires counties and local enforcement agencies to post each type of building permit application on its website and allow for the submittal of completed applications to the appropriate building department.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 38-0; House 116-0*

# Committee on Community Affairs

## CS/HB 627 — Community Contribution Tax Credits

by Economic Development and Tourism Subcommittee; and Rep. Moraitis and others
(CS/CS/SB 868 by Appropriations Committee; Finance and Tax Committee; and Senator Smith)

In 1980, the Legislature established the Community Contribution Tax Credit Program (CCTCP) to encourage private sector participation in community revitalization and housing projects. The CCTCP offers tax credits to businesses or persons (donors) that make certain contributions to eligible projects undertaken by approved CCTCP sponsors.

Eligible sponsors under the CCTCP include a wide variety of organizations and entities, including community development agencies, housing organizations, historic preservation organizations, units of state and local government, regional workforce boards, and any other agency that the Department of Economic Opportunity (DEO) designates by rule. There are currently 122 approved sponsors in Florida.

Eligible projects include activities undertaken by an eligible sponsor that are designed to accomplish one of the following purposes:

- To construct, improve, or substantially rehabilitate housing that is affordable to low-income or very-low-income households as defined in s. 420.9071(19) and (28), F.S.;
- To provide housing opportunities for persons with special needs as defined in s. 420.0004, F.S.;
- To provide commercial, industrial, or public resources and facilities; or
- To improve entrepreneurial and job-development opportunities for low-income persons.

Contributions to eligible projects may only be in the form of cash or other liquid assets, real property, goods or inventory, or other physical resources as identified by DEO. If the donation is of real property, it must be made directly from the donor to the eligible sponsor via a deed.

Donors wishing to participate in the program must submit an application for a tax credit to DEO. Once DEO approves a taxpayer's application for a community contribution tax credit under the program, the donor must claim the credit from the Department of Revenue. The credit is calculated as 50 percent of the donor's annual contribution, but a taxpayer may not receive more than $200,000 in credits in any one year. The donor may use the credit against corporate income tax, insurance premium tax, or as a refund against sales tax. Unused credits against corporate income taxes and insurance premium taxes may be carried forward for 5 years. Unused credits against sales taxes may be carried forward for 3 years.

The bill provides that a donation of real property under the Community Contribution Tax Credit Program includes the transfer of a 100-percent ownership interest of a real property holding company. The bill defines "real property holding company" to mean a Florida entity, such as a Florida limited liability company, which:

- Is wholly owned by the person making the contribution;
- Is the sole owner of real property located in this state;

- Is disregarded as an entity separate from its owner for federal income tax purposes; and
- At the time of the contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 40-0; House 108-0*

# Committee on Community Affairs

## CS/HB 773 — Special Assessments on Agricultural Lands

by State Affairs Committee; and Rep. Albritton and others (CS/SB 1664 by Fiscal Policy Committee and Senator Stargel)

Counties and municipalities use special assessments as a home rule revenue source to fund certain services and to construct and maintain capital facilities. As established by case law, two requirements exist for the imposition of a valid special assessment: 1) the property assessed must derive a special benefit from the improvement or service provided; and 2) the assessment must be fairly and reasonably apportioned among the properties that receive the special benefit. Special assessments which have been upheld by courts as providing the requisite special benefit include assessments for garbage disposal, fire protection, fire and rescue services, and stormwater management services.

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

The bill requires special assessments that are levied to be based solely on the special benefit that accrues to the dwelling, including the curtilage, or the nonresidential farm building. The bill excludes "agricultural pole barns" from the imposition of the special assessment and defines agricultural pole barns as nonresidential farm buildings in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

If approved by the Governor, these provisions take effect November 1, 2017.
*Vote: Senate 37-0; House 114-0*

# Committee on Community Affairs

## CS/HB 971— Community Development Districts

by Local Government Affairs Subcommittee and Rep. Sullivan (CS/SB 1156 by Community Affairs Committee and Senator Hutson)

Community Development Districts (CDDs) are special-purpose units of local government established to help Florida development and growth "pay for itself" by providing infrastructure and services for new and existing communities when such infrastructure and services would not otherwise be available from other local, general-purpose governments like counties and municipalities. Community Development Districts serve as an alternative means of financing, constructing, acquiring, operating, and maintaining public infrastructure improvements to communities throughout Florida such as roads, utilities, hardscaping, landscaping, streetlights, stormwater infrastructure, conservation and mitigation areas, recreation facilities, and various other improvements allowed by statute.

Current law provides two different tracks for the establishment of a CDD. Community Development Districts of 1,000 acres or more are reviewed at a state and local level and are established by administrative rule. Smaller CDDs of less than 1,000 acres are reviewed at a local level and established by ordinance, though local governments may refer a petition for a smaller CDD to the state for processing. The bill revises the 1,000 acre threshold to 2,500 acres so that CDDs of 2,500 acres or more are now reviewed at the state level and are established by administrative rule, and CDDs of less than 2,500 acres are reviewed at a local level and established by ordinance.

The bill makes explicit that a CDD is empowered to contract with a towing operator to remove a vehicle or vessel from a CDD-owned facility or property with the same notice and procedural requirements as provided in s. 715.07, F.S. The bill also provides a new process for the merger of CDDs—permitting up to five CDDs to combine into one surviving CDD, providing the composition for the surviving CDD board of supervisors, and providing other requirements for merger.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 37-0; House 112-3*

# Committee on Community Affairs

## CS/SB 1004 — Public Records/Security System Plans

by Community Affairs Committee and Senator Hays

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. This applies to the official business of any public body, officer or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.

In addition to the Florida Constitution, the Florida Statutes provide that the public may access legislative and executive branch records. Chapter 119, F.S., constitutes the main body of public records laws, and is known as the Public Records Act. The Public Records Act states that "…it is the policy of this state that all state, county and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency."

A security system plan for any property owned by or leased to the state or any of its political subdivisions, or any privately owned or leased property held by an agency, is confidential and exempt from disclosure under ch. 119, F.S., and the Florida Constitution. Records designated as confidential and exempt may be released by the records custodian only under the circumstances defined by the Legislature.

The bill provides additional circumstances under which information regarding security system plans which is otherwise confidential and exempt may be disclosed. Such information may now be disclosed to the property owner or leaseholder; in furtherance of the official duties and responsibilities of the agency holding the information; to another local, state, or federal agency in the furtherance of that agency's official duties and responsibilities; or upon a showing of good cause before a court of competent jurisdiction.

If approved by the Governor, these provisions take effect upon becoming law.
*Vote: Senate 36-0; House 115-1*

# Committee on Community Affairs

## CS/HJR 1009 — Tax Exemption for Totally and Permanently Disabled First Responders

by Local and Federal Affairs Committee; and Rep. Metz and others (CS/SJR 1194 by Finance and Tax Committee and Senator Negron)

An ad valorem tax or property tax is an annual tax levied by counties, cities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year. To determine the ad valorem tax of a property, a property appraiser determines the just value of a property and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's taxable value. The Legislature may only grant property tax exemptions that are authorized in the Florida Constitution, and any modifications to existing property tax exemptions must be consistent with the constitutional provision authorizing the exemption.

The joint resolution proposes an amendment to the Florida Constitution to allow the Legislature to provide ad valorem tax relief to a first responder who is totally permanently disabled as a result of an injury or injuries sustained in the line of duty. The amount of tax relief may equal the total amount or a portion of the ad valorem tax otherwise owed on homestead property. A causal connection between a disability and service in the line of duty may not be presumed, but must be determined as provided by general law. The term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.

If approved by voters, the amendment takes effect January 1, 2017.
*Vote: Senate 39-0; House 114-0*

# Committee on Community Affairs

## CS/SB 1174 — Residential Facilities

by Community Affairs Committee; and Senators Diaz de la Portilla and Sobel

A community residential home is a home consisting of 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. A community residential home may not be constructed within a radius of 1,200 feet of another such home or within a radius of 500 feet of an area of single-family zoning. Similarly, a home of six or fewer residents which otherwise meets the definition of a community residential home may not be constructed within a radius of 1,000 feet of another such home.

The law is silent as to which zoning requirement applies when determining the proper distance between a community residential home licensed for 7 to 14 residents and a home licensed for 6 or fewer residents which otherwise meets the definition of a community residential home.

The bill requires a radius of 1,200 feet between a community residential home licensed for 7 to 14 residents and a home licensed for 6 or fewer residents which otherwise meets the definition of a community residential home.

The bill does not impact community residential homes already licensed and in operation prior to July 1, 2016.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 37-0; House 117-0*

# Committee on Community Affairs

## CS/HB 1297 — Discretionary Sales Surtaxes

by State Affairs Committee and Reps. Cummings, Ray, and others (CS/CS/SB 1652 by Finance and Tax Committee; Community Affairs Committee; and Senators Bradley, Bean, Hutson, and Gibson)

In addition to the 6 percent state sales tax, the Florida Statutes authorize counties to charge discretionary sales surtaxes, which must be specifically designated by statute. Eight different types of local discretionary sales surtaxes (also referred to as local option sales taxes) are currently authorized and represent potential revenue sources for county and municipal governments and school districts. The local discretionary sales surtaxes apply to all transactions subject to the state tax imposed on sales, use, services, rentals, admissions, and other authorized transactions authorized pursuant to ch. 212, F.S., and communications services as defined for the purposes of ch. 202, F.S.

The eight types of local discretionary sales surtaxes are:

- The Charter County and Regional Transportation System Surtax in s. 212.055(1), F.S.;
- The Local Government Infrastructure Surtax in s. 212.055(2), F.S.;
- The Small County Surtax in s. 212.055(3), F.S.;
- The Indigent Care and Trauma Center Surtax in s. 212.055(4), F.S.;
- The County Public Hospital Surtax in s. 212.055(5), F.S.;
- School Capital Outlay Surtax in s. 212.055(6), F.S.;
- The Voter-Approved Indigent Care Surtax in s. 212.055(7), F.S.; and
- The Emergency Fire Rescue Services and Facilities Surtax in s. 212.055(8), F.S.

The bill provides that a county may levy a new local discretionary sales surtax, the pension liability surtax, to fund underfunded defined benefit retirement plans or systems at a rate up to 0.5 percent. The county may not impose a pension liability surtax unless the underfunded defined benefit retirement plan or system is below 80 percent of actuarial funding at the time the ordinance or referendum is passed. The pension liability surtax terminates at the end of the year when the actuarial funding level of the plan or system for which the tax was levied reaches or exceeds 100 percent, or December 31, 2060, whichever occurs earlier.

The county may levy the pension liability surtax only if:

- An employee who enters employment on or after the date that the local government closes an underfunded defined benefit retirement plan or system is prohibited from enrolling in a defined benefit retirement plan or system that will receive the surtax proceeds;
- The local government and the collecting bargaining representative for the members of the underfunded defined benefit retirement plan or system or, if there is no representative, a majority of the members of the plan or system, mutually consent to requiring each member to make an employee retirement contribution of at least 10 percent of each member's salary for each pay period beginning with the first pay period after the plan or system is closed;

- The pension board of trustees for the retirement plan or system, if such board exists, is prohibited from participating in the collective bargaining process and engaging in the determination of pension benefits; and
- The county currently levies a local government infrastructure surtax which is scheduled to terminate and is not subject to renewal.

The Department of Revenue is authorized to retain an administrative fee from the surtax proceeds. Proceeds of the tax must be distributed to an eligible defined benefit retirement plan or system if the proceeds have been actuarially recognized; if the proceeds have not been actuarially recognized the local government may borrow against the anticipated revenue and use the proceeds to repay these debts, reimburse itself for borrowing costs, and make distributions to an eligible defined benefit retirement plan or system.

The bill limits to 1 percent the combined rate of the Pension Liability Surtax, the Local Government Infrastructure Surtax, the Small County Surtax, the Indigent and Trauma Center Surtax, and the County Public Hospital Surtax.

The surtax must be enacted by ordinance and approved by a majority of electors of the county voting in a referendum.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 35-1; House 86-23*

# Committee on Community Affairs

## CS/CS/HB 1361 — Growth Management

by Economic Affairs Committee; Local Government Affairs Subcommittee; and Rep. La Rosa (CS/CS/SB 1190 by Rules Committee; Community Affairs Committee; and Senator Diaz de la Portilla)

The bill makes several changes to the state's growth management programs. Specifically, the bill:

- Adds that a county governing board may hold joint public meetings with the governing body or bodies of one or more adjacent municipalities or counties to discuss matters regarding land development or other multi-jurisdictional issues at any appropriate public place within the jurisdiction of any participating municipality or county;
- Provides that an ex officio, nonvoting representative of a military installation is not required to file an annual statement of financial interests (CE Form 1) due solely to service on a local land planning or zoning board;
- Establishes a timeframe for issuing a final order if the state land planning agency fails to take action;
- Amends the minimum acreage for application of a sector plan from 15,000 to 5,000 acres;
- Changes the acreage for annexation of enclaves under certain circumstances from 10 to 110 acres;
- Replaces the Administration Commission with the state land planning agency as the reviewing entity for modifications and proposed changes dealing with plans and regulations for the Apalachicola Bay Area of Critical State Concern;
- Authorizes a developer, the Department of Economic Opportunity, and a local government to amend a development of regional impact (DRI) agreement when a project has been determined to be essentially built out;
- Authorizes a local government to approve the exchange of one approved DRI land use for another so long as there is no increase in impacts to public facilities;
- Specifies that persons do not lose the right to complete DRIs upon certain changes to those developments;
- Clarifies that certain proposed developments which are currently consistent with the local government comprehensive plan are not required to be reviewed pursuant to the State Coordinated Review Process for comprehensive plan amendments;
- Revises conditions under which the DRI aggregation requirements do not apply; and
- Establishes procedures relating to rights, duties, and obligations related to certain development orders or agreements if a development elects to rescind a development order.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 34-2; House 113-0*

# Committee on Community Affairs

## CS/SB 1534 — Housing Assistance

by Appropriations Committee and Senator Simmons

There are a number of government programs and public-private partnerships that seek to provide affordable housing and reduce homelessness. The State Office on Homelessness (SOH) within the Department of Children and Families (DCF) serves as the central point of contact within state government for homelessness. The SOH coordinates resources and programs across all levels of government and with private providers that serve individuals who are homeless. The DCF is required to establish local coalitions to plan, network, coordinate, and monitor the delivery of services to the homeless.

The Florida Housing Finance Corporation (FHFC) is a public corporation that provides affordable housing through a number of programs, including the State Apartment Incentive Loan (SAIL) and State Housing Initiatives Partnership (SHIP) programs. The SAIL program provides low-interest loans on a competitive basis to affordable housing developers each year. The SHIP program provides funds to local governments to create partnerships that produce and preserve affordable homeownership and multifamily housing for very low, low and moderate-income families.

The bill provides greater flexibility and increases accountability for programs receiving public funds to address housing assistance and homelessness. Specifically, the bill:

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

  - Clarify that the office may distribute appropriated funds to the 28 local homeless assistance continuums of care designated by the Department of Children and Families.
- Expresses legislative intent to encourage homeless continuums of care to adopt the Rapid ReHousing approach to preventing homelessness for individuals and families who do not require the intense level of support provided in the permanent supportive housing model and requires Rapid ReHousing to be added to the components of a continuum of care plan.
- Amends the SHIP Program to:
  - Provide exceptions to the restriction on counties and eligible municipalities related to expenditures of SHIP Program distributions for ongoing rent subsidies;
  - Provide that up to 25 percent of the SHIP Program funds made available in a county or municipality may be reserved for rental housing;
  - Clarify monitoring requirements when SHIP program funds are used for rental housing developments;
  - Revise the composition of local Affordable Housing Advisory Committees;
  - Extend the time period for the FHFC to review local housing assistance plans from 30 to 45 days;
  - Require local governments to use a minimum of 20 percent of SHIP program distributions to serve persons with special needs, with first priority given to serving persons with developmental disabilities; and
  - Authorize local governments to create regional partnerships and pool appropriated funds to address homeless housing needs identified in local housing assistance plans.
- Authorizes the FHFC to:
  - Forgive indebtedness for SAIL loans for small properties serving homeless persons in certain underserved counties or rural areas and make loans exceeding 25 percent of the cost for those projects; and
  - Ban developers for misrepresentations or fraud related to a program application from participating in FHFC programs for any appropriate time period, including a permanent ban, rather than for only up to 2 years.
- Requires the FHFC to reserve a minimum of 5 percent of the annual appropriation from the State Housing Trust Fund for housing projects designed and constructed to serve persons with a disabling condition, with first priority given to projects serving persons with a developmental disability.
- Makes several changes to laws relating to housing authorities, which include:
  - Prohibiting housing authorities, regardless of when they were created, from applying to the federal government to acquire through the exercise of the power of eminent domain any projects, units, or vouchers of another established housing authority;
  - Exempting housing authorities from the provisions of s. 215.425, F.S., which addresses extra compensation, bonuses and severance pay; and
  - Removing the requirement that housing authorities must submit a copy of the biennial financial reports submitted to the federal government to the governing body and the Auditor General.

If approved by the Governor, these provisions take effect July 1, 2016.
*Vote: Senate 40-0; House 114-0*

# Committee on Community Affairs

## SB 7002 — OGSR/Audit Report and Certain Records/Local Government

by Community Affairs Committee

The Open Government Sunset Review Act requires the Legislature to review each public record and each public meeting exemption 5 years after enactment. If the Legislature does not reenact the exemption, it automatically repeals on October 2 of the 5th year after enactment. Current law provides a public record exemption for audit or investigative reports prepared for or on behalf of a unit of local government. The exemption also applies to audit workpapers and notes and information received, produced, or derived from an investigation. The exemption expires when the audit or investigation is final or the investigation is no longer active.

The bill reenacts the public record exemption, which will repeal on October 2, 2016, if this bill does not become law.

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

If approved by the Governor, these provisions take effect October 1, 2016.
*Vote: Senate 36-0; House 111-3*

# Committee on Community Affairs

## HB 7023 — Ad Valorem Tax Exemption for Deployed Servicemembers

by Finance and Tax Committee and Rep. Trumbull and others (CS/CS/SB 160 by Fiscal Policy Committee; Community Affairs Committee; and Senator Gaetz)

The Florida Constitution grants an exemption for military servicemembers who have Florida homesteads and are deployed on active duty outside the United States, Alaska, or Hawaii in support of military operations designated by the Legislature. The exemption is equal to the taxable value of the qualifying servicemember's homestead on January 1 of the year in which the exemption is sought multiplied by the number of days that the servicemember was on a qualifying deployment in the preceding calendar year and divided by the number of days in that year.

The bill adds 13 unclassified military operations for which deployed servicemembers may qualify for the exemption. These 13 operations include the following operations:

- Operation Joint Task Force Bravo, which began in 1995;
- Operation Joint Guardian, which began on June 12, 1999;
- Operations in the Balkans, which began in 2004;
- Operation Nomad Shadow, which began in 2007;
- Operation U.S. Airstrikes Al Qaeda in Somalia, which began in January 2007;
- Operation Copper Dune, which began in 2009;
- Operation Georgia Deployment Program, which began in August 2009;
- Operation Spartan Shield, which began June 2011;
- Operation Observant Compass, which began in October 2011;
- Operation Inherent Resolve, which began on August 8, 2014;
- Operation Atlantic Resolve, which began in April 2014; and
- Operation Freedom's Sentinel, which began on January 1, 2015.
- Operation Resolute Support, which began in January, 2015.

The bill also provides that the exemption is available to servicemembers who were deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of a subordinate operation to a main operation listed in s. 196.173 (2), F.S.

The bill changes the application deadline for qualifying deployments during the 2014 and 2015 calendar years to June 1, 2016, for the military operations added by the bill. A servicemember may include in the application for the exemption for the 2016 calendar year the number of days that he or she was on a qualifying deployment during the 2014 and 2015 calendar years. If the number of days that a servicemember was on qualifying deployments in the 2014 and 2015 calendar years exceeds 365 days, the servicemember may receive a refund of taxes paid for the 2015 tax year. The amount of the 2015 tax year refund is equal to the number of days in excess of 365 that the servicemember was on qualifying deployments in the 2014 and 2015 calendar years divided by 365.

If approved by the Governor, these provisions take effect upon becoming law.
*Vote: Senate 40-0; House 114-0*

# Committee on Community Affairs

## HB 7033 — OGSR/Emergency Notification Information

by Government Operations Subcommittee and Rep. Taylor (CS/SB 7004 by Governmental Oversight and Accountability Committee and Community Affairs Committee)

The bill saves from repeal the current public records exemption for any information furnished by a person to an agency for the purpose of being provided with emergency notifications from the agency. Sheriffs' offices, universities, public utilities, and many other governmental entities throughout Florida have emergency notification systems in place. The governmental entities send warnings on a variety of topics, including boil water orders, severe weather, sexual predator notification, missing persons, hazardous materials, flood warning, evacuations, terrorist activities, mass shootings, utility outages, school closures, and road closures. Thus, information provided by a person to these agencies is exempt from public records requirements.

If approved by the Governor, these provisions take effect October 1, 2016.
*Vote: Senate 36-0; House 118-0*