Committee on Community Affairs

CS/CS/HB 133 — Towing and Immobilizing Vehicles and Vessels

by State Affairs Committee; Business and Professions Subcommittee; and Rep. McClain (CS/CS/SB 1332 by Infrastructure and Security Committee; Community Affairs Committee; and Senator Hooper)

The bill makes several changes to current law relating to the towing of vehicles and vessels. Under current law, counties and municipalities may independently regulate many aspects of the towing industry through local ordinances. County and municipal governments may contract with one or more "authorized wrecker operators" to tow or remove wrecked, disabled, or abandoned vehicles from streets, highways, and accident sites within their jurisdiction. Once a contract is established, the county or municipality must create a "wrecker operator system" to apportion towing assignments between the contracted wrecker services.

Some local jurisdictions impose an administrative fee on the registered owner of a vehicle when the vehicle is towed in connection with certain misdemeanors or felonies. Additionally, some local jurisdictions, by ordinance or rule, charge wrecker operators and towing businesses licensing and operating fees for the towing and storage of vehicles.

The bill makes the following changes to the towing regulations provided in current law:

- Prohibits a county or municipality from enacting an ordinance or rule that imposes a fee or charge on authorized wrecker operators or towing businesses for performing towing services;
- Authorizes a county or municipality to impose an administrative fee on the registered owner or lienholder of a vehicle or vessel removed and impounded by an authorized wrecker operator or towing business, as long as the fee does not exceed 25 percent of the local jurisdiction's maximum towing rate. An authorized wrecker operator or towing operator may impose the fee on behalf of the county or municipality, but such fee must only be remitted to the county or municipality after it has been collected;
- Provides that a wrecker operator or towing business who recovers, removes, or stores a vehicle or vessel must have a lien on the vehicle or vessel that includes the value of the administrative fee imposed by a county or municipality;
- Incorporates vessels into the regulatory scheme for the towing of vehicles;
- Defines the term "towing business" to mean a business that provides towing services for monetary gain; and
- Requires tow-away zone notices to be placed within 10 feet from the "road" instead of within 5 feet from the "public right-of-way line."

The bill exempts certain counties with towing or immobilization licensing, regulatory, or enforcement programs as of January 1, 2020, from the prohibition on imposing a fee or charge on an authorized wrecker operator or a towing business. The counties covered by the exemption are Broward, Palm Beach, and Miami-Dade counties.

If approved by the Governor, these provisions take effect October 1, 2020.
Vote: Senate 34-5; House 81-31

Committee on Community Affairs

CS/CS/CS/SB 140 — Fireworks

by Rules Committee; Banking and Insurance Committee; Community Affairs Committee; and Senators Hutson and Bradley

The bill provides an exemption from the prohibition of fireworks usage during designated holidays. The designated holidays are Independence Day, July 4; New Year's Eve, December 31; and New Year's Day, January 1. Currently, the sale and use of fireworks are generally prohibited in Florida, unless used solely and exclusively in frightening birds from agricultural works and fish hatcheries pursuant to s. 791.07, F.S.

The bill is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), ch. 2007-67, L.O.F., or to supersede any local government regulation relating to the use of fireworks. Thus, the bill maintains current prohibitions on the opening of new fireworks permanent retail sales facilities and the issuance of permits for fireworks temporary retail sales facilities in greater numbers than were permitted in 2006, while also preserving the enactment of certain local government ordinances on fireworks.

In addition, the bill is not intended to supersede any fireworks prohibition within executed and recorded covenants or covenants running with the land of a ch. 720, F.S., homeowners' association. However, a homeowners' association, through a board of directors, may not promulgate rules that attempt to abrogate a homeowner's right to use fireworks during a designated holiday or under general law.

If approved by the Governor, these provisions take effect upon becoming law.
Vote: Senate 39-0; House 82-34

Committee on Community Affairs

SB 172 — Florida Drug and Cosmetic Act

by Senator Bradley

The bill expressly preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics, which includes sunscreen. Florida law does not currently preempt the regulation of such products; therefore local governments may pass ordinances regulating products like sunscreen as long as such ordinances do not conflict with state or federal law. The bill's preemption provisions would end this local regulation practice.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 25-14; House 68-47

Committee on Community Affairs

CS/CS/HB 279 — Local Government Public Construction Works

by State Affairs Committee; Oversight, Transparency and Public Management Subcommittee; and Rep. Smith, D. and others (CS/CS/SB 504 by Rules Committee; Governmental Oversight and Accountability Committee; and Senator Perry)

Under Florida law, counties, municipalities, special districts, and other political subdivisions seeking to construct or improve a public building or structure must competitively bid the project if the projected cost is in excess of $300,000. For electrical work, local governments must competitively bid projects estimated to cost more than $75,000. An exemption from the requirement to competitively award these projects exists when the governing board of a local government determines that it is in the public's best interest to use services, employees, and equipment controlled by the government entity.

The bill reforms how local governments must estimate the projected costs of a public building construction project. Local governments must use a revised cost estimation formula when deciding whether it is in the local government's best interest to perform the project using its own services, employees, and equipment. The bill requires the estimated project cost formula to include employee compensation and benefits, the cost of direct materials to be used in the construction of the project, including materials purchased by the local government, other direct costs, and an additional factor of 20 percent for management, overhead, and other indirect costs. The bill also requires local governments to consider the same formula when determining the estimated cost of road and bridge construction and reconstruction projects performed with proceeds from the constitutional gas tax.

The bill also requires local governments issuing bidding documents or other requests for proposals to provide a list of all other governmental entities that may have additional permits or fees generated by a project.

Finally, a local government constructing a public building using its own services, employees, and equipment must create a report summarizing the project constructed by the local government, which must be publicly reviewed each year by the local government. The Auditor General must also examine the project reports as part of his or her audits of local governments.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 36-1; House 114-1

Committee on Community Affairs

HJR 369 — Limitations on Homestead Assessments

by Rep. Roth and others (SJR 146 by Senator Brandes)

The joint resolution proposes an amendment to the State Constitution to extend by one year the period during which a person may transfer up to $500,000 of accumulated Save Our Homes benefit from a prior homestead property to a new homestead property.

In 1992, Florida voters approved the Save Our Homes amendment to the State Constitution, which limits the amount that the assessed value of a homestead property may increase annually to the lesser of 3 percent or the percentage increase in the Consumer Price Index. The accumulated difference between the assessed value and the just value is the Save Our Homes benefit.

In 2008, Florida voters further amended the State Constitution to provide for the portability of the accrued benefit under the Save Our Homes assessment limitation. To transfer the Save Our Homes benefit, the homestead owner must establish a new homestead within two years of January 1 of the year she or he abandoned the old homestead.

The proposed constitutional amendment provides that the Save Our Homes benefit can be transferred to a new homestead if the new homestead is established by January 1 of the third year subsequent to abandonment of the old homestead.

The amendment proposed in the joint resolution will take effect on January 1, 2021, if approved by at least 60 percent of voters during the 2020 general election.

If approved by the voters, these provisions take effect January 1, 2021.
Vote: Senate 39-0; House 118-0

Committee on Community Affairs

HB 371 — Limitations on Homestead Assessments

by Rep. Roth and others (CS/SB 148 by Community Affairs Committee and Senator Brandes)

The bill is the implementing bill for SJR 369, which proposes an amendment to the State Constitution to extend by one year the period during which a person may transfer up to $500,000 of accumulated Save Our Homes benefit from a prior homestead property to a new homestead property.

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The bill provides that the Save Our Homes benefit can be transferred to a new homestead if the new homestead is established by January 1 of the third year subsequent to abandonment of the old homestead.

If approved by the Governor, this provision first applies to the 2021 tax roll, contingent upon approval by the electors of the proposed amendment to the State Constitution.
Vote: Senate 39-0; House 118-0

Committee on Community Affairs

CS/CS/SB 410 — Growth Management

by Rules Committee; Community Affairs Committee; and Senator Perry

Under current law, local governments create and adopt local comprehensive plans, which control and direct the use and development of property within a county or municipality. The Department of Economic Opportunity (DEO) is the state land planning agency and is tasked with overseeing the comprehensive plan system. However, local governments in the state retain ample independence in the substance of land use regulation of private property within their jurisdictions. The bill amends various sections of Florida law related to the regulation of land, which is commonly referred to as growth management.

Property Rights Element

The bill requires all local governments to incorporate a property rights element into their comprehensive plans by the earlier of a local government's next proposed comprehensive plan amendment or July 1, 2023. A local government may adopt its own property rights element or use the model language provided in the bill. The bill specifies that the property rights element is to ensure local governments consider private property rights in local decisionmaking.

Comprehensive Plans

The bill amends current law to clarify that all local comprehensive plans *effective* (rather than *adopted*) after January 1, 2019, and all land development regulations adopted to implement the plan, must incorporate development orders existing before the plan's effective date.

The bill also provides that, after January 1, 2020, a county may not:

- Adopt any comprehensive plan, land development regulation, or another form of restriction that limits the use of property located within a municipality, unless the municipality adopts such land use policies through its own ordinances; or
- Limit a municipality from deciding the land uses, density, and intensity allowed on lands annexed into a municipality.

However, this prohibition on counties does not apply to charter counties with a population in excess of 750,000 as of January 1, 2020.

Municipal Annexation

The bill provides that, except as otherwise provided in current law governing municipal annexation of geographic areas, a municipality may not annex a territory within another municipal jurisdiction without the other municipality's consent.

DEO Technical Assistance Grants

The bill directs DEO, when selecting applications for Community Planning Technical Assistance Grants, to give preference to certain small counties and municipalities located near a proposed multi-use corridor interchange. Such grants may be used to assist those local governments in

amending or developing its comprehensive plan to implement appropriate land uses around a proposed multi-use corridor interchange.

Altering a Development Agreement
The bill provides that a development agreement between a local government and a party, or its designated successor in interest, may be amended or canceled without securing the consent of the parcel owners that were originally subject to the development agreement, unless the amendment directly modifies the land uses of an owner's property.

Department of Transportation; Surplus Property
The bill requires the Florida Department of Transportation, when disposing of surplus real property, to give the prior owner of the property the right of first refusal to purchase the property.

Utility Right-of-Way Permitting
The bill provides that all permit applications to a county or municipality to use the public right-of-way for any utility must be processed within the expedited timeframe that currently applies to permit applications submitted for communications facilities.

Development of Regional Impact Amendments
The bill allows for the amendment of any Development of Regional Impact agreement previously classified as (or officially determined to be) essentially built out, and entered into on or before April 6, 2018. Any such amendment may authorize the developer to exchange approved land uses, so long as the exchange will not increase impacts on public facilities.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 23-16; House 71-43

Committee on Community Affairs

CS/CS/SB 712 — Environmental Resource Management

by Appropriations Committee; Community Affairs Committee; and Senators Mayfield, Harrell, Albritton, and Bradley

The "Clean Waterways Act" addresses a number of environmental issues including several provisions specifically related to water quality improvement.

Onsite Sewage Treatment and Disposal Systems (Septic Systems)
The bill transfers the Onsite Sewage Program from the Department of Health (DOH) to the Department of Environmental Protection (DEP) starting in 2021. The bill creates a temporary septic technical advisory committee within DEP.

The bill requires local governments to create septic remediation plans for certain basin management action plans (BMAPs). The bill also requires DEP to implement a fast track-approval process for NSF/ANSI 245 nutrient reducing septic systems and revises provisions relating to septic system setback rules.

Wastewater Treatment
The bill requires local governments to create wastewater treatment plans for certain BMAPs but authorizes different cost options for projects that meet pollution reduction requirements.

The bill creates a wastewater grant program that allows DEP to provide grants for projects within BMAPs, alternative restoration plans, or rural areas of opportunity that will reduce excess nutrient pollution. The bill prioritizes funding for certain wastewater projects in the grant program, the State Revolving Loan Fund Program, and the Small Community Sewer Construction Assistance Program.

The bill prohibits, beginning July 1, 2025, wastewater treatment facilities from discharging into the Indian River Lagoon without providing advanced waste treatment. The bill imposes new requirements on wastewater facilities and DEP to prevent sanitary sewer overflows and underground pipe leaks.

Stormwater
The bill requires DEP to: update its stormwater design and operation rules and Environmental Resource Permit Applicant's Handbook; make revisions to its local pollution control staff training; evaluate the self-certification process for the construction, alteration, and maintenance of a stormwater management system; and revise the model stormwater management program.

Agriculture
The bill requires the Department of Agriculture and Consumer Services (DACS) to perform onsite inspections at least every 2 years of agricultural producers enrolled in best management practices (BMPs). DACS must prioritize inspections for producers in the BMAPs for Lake Okeechobee, the Indian River Lagoon, the Caloosahatchee River and Estuary, and Silver Springs.

The bill creates a cooperative agricultural regional water quality improvement element as part of a BMAP in areas where agriculture is a significant source of pollution. Projects under the element could include conservation easements and dispersed water management. The bill authorizes legislative budget requests to fund these projects and requires DEP to allocate at least 20 percent of the funds it receives for projects in areas with the highest nutrient concentrations.

The bill requires DACS, in coordination with the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) and other academic institutions, to annually develop research plans and legislative budget requests to address agricultural runoff.

Biosolids
The bill requires enrollment in DACS's BMP program and prohibits the application of Class A or Class B biosolids within 6 inches of the seasonal high water table, unless a nutrient management plan and water quality monitoring plan provide reasonable assurances that the application will not cause or contribute to water quality violations. Permits will have to comply with the statute within two years and with DEP's biosolids rule within two years of it becoming effective. The bill allows local governments to keep existing biosolids ordinances.

Fines and Penalties
The bill doubles the fines for wastewater violations and increases the cap on total administrative penalties that may be assessed by DEP from $10,000 to $50,000 and the cap per violator from $5,000 to $10,000.

Water Quality Monitoring
The bill requires DEP to establish a real-time water quality monitoring program, subject to appropriation.

Bottled Water
The bill requires DEP to conduct a study on the bottled water industry in the state.

Rights of Nature
The bill prohibits local governments from providing legal rights to any plant, animal, body of water, or other part of the natural environment unless otherwise specifically authorized by state law or the State Constitution.

Golf Courses
The bill requires DEP to work with UF/IFAS and regulated entities to consider the adoption by rule of BMPs for nutrient impacts from golf courses.

The bill requires DEP to complete rulemaking to implement several provisions and imposes numerous reporting requirements.

If approved by the Governor, these provisions take effect, except as otherwise expressly provided, July 1, 2020.
Vote: Senate 39-0; House 118-0

Committee on Community Affairs

SB 716 — County Boundaries

by Senator Mayfield

The bill alters the boundary lines of Indian River County and St. Lucie County. These alterations will move a 0.65 acre parcel from St. Lucie County to Indian River County and transfer 5.56 acres of land from Indian River County to St. Lucie County. Owners of the affected parcels indicated their support for the boundary change and each county passed a resolution requesting the Legislature to enact legislation altering the legal descriptions of both counties.

The bill shifts revenues and expenditures between Indian River County and St. Lucie County and the respective school districts. The bill has no impact on state revenues and expenditures.

If approved by the Governor, these provisions take effect upon becoming law.
Vote: Senate 38-0; House 116-0

Committee on Community Affairs

HB 1009 — Special Neighborhood Improvement Districts

by Rep. Newton (SB 1424 by Senator Gruters)

The bill revises provisions relating to the board of directors of Special Neighborhood Improvement Districts (SNIDs). SNIDs are created by county or municipal governing bodies to reduce crime through environmental design, environmental security, or defensible space techniques, or through community policing innovations.

The ordinance creating a SNID must provide for specific features including a referendum before the SNID can be implemented, authorization for the SNID to levy an ad valorem tax, and the appointment of a three-member board of directors.

The bill authorizes the appointment of a three-, five-, or seven-member board and requires the board members to be landowners in the district. The bill also requires counties or municipalities to specify the number of directors in the ordinance creating the SNID.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 38-0; House 113-0

Committee on Community Affairs

CS/CS/CS/SB 1066 — Impact Fees

by Appropriations Committee; Finance and Tax Committee; Community Affairs Committee; and Senator Gruters

The bill imposes new requirements related to impact fees. Impact fees are charges imposed by local governments against new development to pay for the cost of capital facilities made necessary by such growth. Impact fees must have a reasonable connection, or rational nexus, between 1) the proposed new development and the need and the impact of additional capital facilities, and 2) the expenditure of funds and the benefits accruing to the proposed new development.

Provisions in the bill prohibit the application of a new or increased impact fee to pending permit applications unless the result is to reduce the total impact fees or mitigation costs imposed on the applicant. In addition, the bill provides that impact fee credits are assignable and transferable at any time after establishment within the same impact fee zone or impact fee district, or an adjoining zone or district within the same local jurisdiction that receives benefits from the improvement or contribution that generated the credits.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 36-0; House 81-37

Committee on Community Affairs

CS/CS/HB 1249 — Transfer of Tax Exemption for Veterans

by State Affairs Committee; Local, Federal and Veterans Affairs Subcommittee; and Rep. Sullivan and others (CS/SB 1662 by Community Affairs Committee and Senators Albritton and Broxson)

The State Constitution defines homestead property as one's principal place of residence, including specific amounts of adjoining land. Under the Constitution, Florida provides homestead property owners protection from forced sale by creditors and some ad valorem tax exemptions. Beyond these constitutional provisions, Florida law grants a full ad valorem property tax exemption for homestead property owned by a veteran who sustained a total and permanent service-connected disability. This complete tax exemption for homestead property inures to a qualifying veteran's surviving spouse as long as the property remains the homestead property of the spouse, and the spouse is unmarried.

A veteran or surviving spouse who meets the criteria for the total and permanent disability property tax exemption may claim the exemption if they hold legal title to the homestead on January 1 and file an application requesting the exemption with the county property appraiser on or before March 1. Failure to submit this application by March 1 constitutes a waiver of the exemption for that tax year and the November property tax bill will not reflect a tax exemption. In this tax calendar system, tax-exempt veterans may incur some tax liabilities when selling homestead property and purchasing new homestead property.

The bill allows a totally and permanently disabled veteran, or his or her surviving spouse, who acquires legal or beneficial title to a homestead property between January 1 and November 1 of a given tax year to receive a prorated refund for homestead property taxes paid on the newly acquired property. To qualify for the refund, the veteran or surviving spouse must have received a homestead tax exemption for totally and permanently disabled veterans on another property in the same tax year.

To effectuate the tax refund, the bill requires veterans and surviving spouses claiming the tax exemption to submit an application to the property appraiser of the county in which the new homestead property is located. Upon finding an applicant is entitled to the homestead exemption, a property appraiser must immediately make entries on the tax rolls of the county to allow the prorated refund of taxes for the previous tax year. Veterans and spouses who qualify for the refund will receive the reimbursement in the tax year following the acquisition of a new property.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 39-0; House 108-0

Committee on Community Affairs

CS/CS/CS/HB 1339 — Community Affairs

by Commerce Committee; Ways and Means Committee; Local, Federal and Veterans Affairs Subcommittee; and Rep. Yarborough and others (CS/CS/CS/SB 998 by Appropriations Committee; Infrastructure and Security Committee; Community Affairs Committee; and Senators Hutson and Hooper)

The bill addresses several issues affecting development zoning; bonding activities; impact fees; building inspections; affordable housing; and the regulation, ownership, and tenancy related to mobile homes, mobile home parks, and related homeowners' associations.

With respect to development zoning, bonding activities, and building inspections, the bill includes provisions that:

- Authorize local governments to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use;
- Authorize counties and municipalities to adopt affordable housing linkage fee ordinances for residential or mixed-use developments contingent on incentives that fully offset these costs to developers;
- Expand existing bonding activities of the Florida Interlocal Cooperation Act to include making loans to private entities of self-liquidating projects, regardless of where the entities are located;
- Require the reporting of local government impact fee data; and
- Establish that a local government may not audit a private building inspector more than four times a month.

With respect to affordable housing, the bill includes provisions that:

- Require the reporting of local government expenditures for affordable housing;
- Authorize the Florida Housing Finance Corporation (FHFC) to preclude an applicant from further participation in FHFC programs if that applicant made a material misrepresentation or engaged in fraudulent action in connection with program applications;
- Eliminate prior experience with FHFC as a qualifying criterion for financing under the State Apartment Incentive Loan (SAIL) Program;
- Permit FHFC to prioritize a portion of SAIL to provide funding for the development of newly constructed permanent rental housing for persons in foster care or persons aging out of foster care;
- Transition the "pilot" features of a workforce housing program into the Community Workforce Housing Loan Program, administered by FHFC;
- Establish biannual regional workshops for locally elected officials serving on affordable housing advisory committees to identify and share best affordable housing practices;

- Require a State Housing Initiatives Partnership (SHIP) Program participant to include in its annual program report to FHFC the number of affordable housing applications approved and denied; and
- Expand the definition of affordable housing in the SHIP Program to include certain nonprofits who provide affordable supportive housing and community-based coordination services for persons with challenges related to mental health, substance abuse, or domestic violence.

With respect to issues related to mobile homes, mobile home parks, and related homeowners' associations, the bill includes provisions that:

- Allow a mobile home dealer to display a model manufactured home, rather than all homes offered for sale;
- Exempt a recreational vehicle dealer from the garage liability insurance requirements if it only sells park trailers;
- Clarify provisions exempting mobile home park owners from the jurisdiction of the Public Service Commission when the park owners provide water and wastewater;
- Revise when a mobile home park owner can require a mobile home owner to make improvements;
- Require a mobile home park owner to amend the prospectus and increase shared facilities when adding mobile home lots;
- Create a strict prohibition to prevent the park owner from passing on to mobile home owners taxes in an amount in excess of what is actually paid to the tax collector;
- Allow a mobile home park owner to give notice of lot rental increases for multiple anniversary dates at the same time;
- Permit a mobile home park damaged or destroyed by wind, water, or other natural force to be rebuilt on the same site with the same density as was approved, permitted, and built before being damaged or destroyed;
- Allow a mobile home buyer to assume the seller's prospectus or be offered a new prospectus by the park owner;
- Require a mobile home owner to receive written permission from park owner before exterior modifications or additions;
- Require a mobile home park owner to notify the Department of Business and Professional Regulation, who in turn notifies the Florida Mobile Home Relocation Company, when tenants will be evicted due to a change in land use;
- Revise numerous rights, obligations, and record retention requirements of a mobile home park homeowners' association, including how elections are conducted; and
- Require certain disputes between the homeowners' association and a member to be resolved via mandatory binding arbitration at the Department of Business and Professional Regulation.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 39-0; House 101-10

Committee on Community Affairs

CS/SB 1398 — Community Planning

by Rules Committee and Senator Flores

Regional Planning Councils

The bill addresses quorum requirements for meetings of Regional Planning Councils (RPCs) by authorizing RPC members to participate via communications media technology under certain circumstances. The state's 10 RPCs plan for and coordinate intergovernmental solutions to growth-related problems on greater-than local issues. Each RPC consists of anywhere from 3 to 12 counties. The voting membership of a regional planning council must consist of representatives living within the geographical area covered by the council.

While current law allows state agencies and certain entities created by an interlocal agreement to conduct meetings and vote by means of communications media technology, there has been a question over whether or not local boards or agencies may conduct meetings in the same fashion.

The bill provides requirements for establishing a quorum for meetings of regional planning councils when a voting member appears via telephone, real-time video conferencing, or similar real-time electronic or video communication. The member must provide oral, written, or electronic notice of her or his intent to appear via communications media technology to their respective planning council at least 24 hours before the scheduled meeting.

DEO Technical Assistance Grants

The Department of Economic Opportunity (DEO) manages the Community Planning Technical Assistance Grant Program. Under the program, the DEO awards grant funds to assist local governments in developing economic development strategies and in addressing critical local planning issues.

Enacted during the 2019 Regular Session, the Multi-use Corridors of Regional Economic Significance (M-CORES) Program is designed to advance the construction of regional corridors that will accommodate multiple modes of transportation and multiple types of infrastructure. The Florida Department of Transportation has assembled task forces to study M-CORES and to make recommendations regarding the potential local economic and environmental impacts of the corridors.

The bill requires the DEO, when selecting applicants for technical assistance grants, to give preference to certain small local governments located near a proposed M-CORES interchange. Such grants will be used to assist a local government in amending or developing its comprehensive plan to implement appropriate land uses around the proposed interchange.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 39-0; House 113-0

Committee on Community Affairs

CS/SB 1466 — Government Accountability

by Governmental Oversight and Accountability Committee and Senators Baxley and Broxson

Abuse of Public Office; Special Districts and Community Development Districts

The Florida Code of Ethics contains standards of ethical conduct and disclosures applicable to public officers, employees, candidates, lobbyists, and others in state and local government, with the exception of judges. The Code of Ethics contains several exceptions to what is otherwise considered prohibited conduct. Many of these exceptions apply to board members and employees of special districts and community development districts.

Effective December 31, 2020, Amendment 12 of the 2018 Constitution Revision Commission amended Article II, s. 8, State Constitution, to prohibit a public officer or public employee from abusing his or her public position in order to obtain a "disproportionate benefit." Pursuant to Amendment 12, the Florida Commission on Ethics adopted Rule 34-18.001, Florida Administrative Code, to define disproportionate benefit and prescribe the requisite intent for finding a violation of the prohibition against abuse of public position.

The bill amends current law to exclude certain acts or omissions by board members or employees of special districts or community development districts from being considered abuse of public position under Article II, s. 8, State Constitution, if such acts or omissions are authorized under specific provisions of the Code of Ethics.

Special District Websites

The bill alters certain information reporting requirements on a special district's official website. Each special district is required to maintain an official website containing essential information about the district including the posting of its most recent audit report, a public facilities report, and special district meeting or workshop materials.

The bill allows a special district to satisfy the required posting of its most recent audit report on its own website by providing a link to the most recent audit report maintained on the Auditor General's website. Additionally, the bill removes the requirement for online posting of a special district's public facilities report and meeting or workshop materials. Required posting of a special district meeting or workshop agenda remains.

If approved by the Governor, these provisions take effect July 1, 2020.
Vote: Senate 38-0; House 117-0