

1                   A bill to be entitled  
2     An act relating to emergencies; amending s. 83.63,  
3     F.S.; requiring certain tenants to be given specified  
4     opportunities or notice; amending s. 101.733, F.S.;  
5     removing provisions relating to an elections emergency  
6     contingency plan; creating s. 101.7325, F.S.;  
7     authorizing certain supervisors of elections to take  
8     specified actions under certain circumstances;  
9     requiring such supervisors to use specified methods to  
10    inform affected voters of election changes; creating  
11    s. 101.735, F.S.; requiring the Division of Elections  
12    to develop a statewide election emergency contingency  
13    plan for a specified purpose; requiring such plan to  
14    include certain procedures; requiring supervisors of  
15    elections to develop a local election emergency  
16    contingency plan in consultation with certain  
17    officials; requiring the plan to be submitted to the  
18    division for approval by a certain date; requiring the  
19    division to make a determination by a certain date;  
20    requiring the division to adopt rules; amending s.  
21    101.736, F.S.; defining the term "tabletop exercise";  
22    requiring the Secretary of State, in coordination with  
23    supervisors of elections, to develop an election  
24    emergency training program; requiring the Secretary of  
25    State to convene a workgroup for a certain purpose by

26        a specified date of every odd-numbered year; providing  
27        requirements for the workgroup; requiring the results  
28        of the workgroup to be used in a specified manner;  
29        creating s. 163.31795, F.S.; defining the terms  
30        "cumulative substantial improvement period" and "local  
31        government"; requiring local governments participating  
32        in a specified insurance program to adopt certain  
33        cumulative substantial improvement periods; amending  
34        s. 163.31801, F.S.; prohibiting certain entities from  
35        assessing impact fees for specified replacement  
36        structures; providing an exception; amending s.  
37        252.38, F.S.; requiring county emergency management  
38        plans to include certain policies; creating s.  
39        252.381, F.S.; requiring specified political  
40        subdivisions to provide certain information on their  
41        websites, develop certain procedures, and use their  
42        best efforts to open permitting offices for at least  
43        40 hours per week; requiring specified individuals to  
44        complete certain training every 2 years beginning on a  
45        specified date; creating s. 252.421, F.S.; defining  
46        the term "contract"; requiring the Division of  
47        Emergency Management to establish procedures for  
48        setting maximum rates for certain contracts; requiring  
49        the division to establish such rates by a specified  
50        date and update such rates every 2 years; prohibiting

51        certain contracts from exceeding such rates; requiring  
52        the division to coordinate with certain counties for a  
53        specified purpose; creating s. 252.422, F.S.; defining  
54        the term "impacted local government"; prohibiting  
55        impacted local governments from proposing or adopting  
56        certain moratoriums, amendments, or procedures for a  
57        specified timeframe; authorizing the enforcement of  
58        certain amendments, plans, permits, and orders under  
59        certain circumstances; authorizing any person to file  
60        suit to enforce specified provisions; authorizing  
61        certain entities to request a court to make a  
62        specified determination; prohibiting such entities  
63        from taking certain actions until preliminary or final  
64        judgment; requiring plaintiffs to provide certain  
65        notification before filing suit; requiring impacted  
66        local governments to take certain actions upon receipt  
67        of such notification or a suit may be filed; providing  
68        for reasonable attorney fees and costs; authorizing  
69        the use of a certain summary procedure; requiring the  
70        court to advance the cause on the calendar; creating  
71        s. 252.505, F.S.; requiring certain contracts to  
72        include a specified provision; defining the term  
73        "emergency recovery period"; creating s. 489.1132,  
74        F.S.; providing definitions; requiring a hurricane  
75        preparedness plan to be available for inspection at

76 certain worksites; requiring certain equipment to be  
77 secured in a specified manner no later than 24 hours  
78 before the impacts of a hurricane are anticipated to  
79 begin; providing penalties; requiring the division to  
80 consult with specified entities to develop certain  
81 recommendations and provide a report to the  
82 Legislature by a specified date; authorizing the  
83 division to adopt emergency rules; providing a  
84 directive to the Division of Law Revision; providing  
85 an effective date.

86  
87 Be It Enacted by the Legislature of the State of Florida:

88  
89 **Section 1. Section 83.63, Florida Statutes, is amended to**  
90 **read:**

91 83.63 Casualty damage.—If the premises are damaged or  
92 destroyed other than by the wrongful or negligent acts of the  
93 tenant so that the enjoyment of the premises is substantially  
94 impaired:7

95 (1) The tenant may terminate the rental agreement and  
96 immediately vacate the premises. The tenant may vacate the part  
97 of the premises rendered unusable by the casualty, in which case  
98 the tenant's liability for rent shall be reduced by the fair  
99 rental value of that part of the premises damaged or destroyed.  
100 If the rental agreement is terminated, the landlord shall comply

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with s. 83.49(3).

(2) The tenant must be given:

(a) The opportunity to collect his or her belongings from the premises when it is safe to do so; or

(b) Notice of the date by which the tenant will be able to collect his or her belongings from the premises, which must occur within a reasonable time.

**Section 2. Subsection (3) of section 101.733, Florida Statutes, is amended to read:**

101.733 Emergency suspension or delay of an election  
~~emergency; purpose; elections emergency contingency plan.-~~  
 Because of the existing and continuing possibility of an emergency or common disaster occurring before or during a regularly scheduled or special election, and in order to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to exercise their right to vote, generally to minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and to protect the integrity of the electoral process, it is hereby found and declared to be necessary to designate a procedure for the emergency suspension or delay and rescheduling of elections.

~~(3) The Division of Elections of the Department of State shall adopt, by rule, an elections emergency contingency plan, which shall contain goals and policies that give specific~~

~~direction to state and local elections officials when an election has been suspended or delayed due to an emergency. The contingency plan shall be statewide in scope and shall address, but not be limited to, the following concerns:~~

~~(a) Providing a procedure for state and local elections officials to follow when an election has been suspended or delayed to ensure notice of the suspension or delay to the proper authorities, the electorate, the communications media, poll workers, and the custodians of polling places.~~

~~(b) Providing a procedure for the orderly conduct of a rescheduled election, whether municipal, county, district, or statewide in scope; coordinating those efforts with the appropriate elections official, and the members of the governing body holding such election, if appropriate; and working with the appropriate emergency management officials in determining the safety of existing polling places or designating additional polling places.~~

~~(c) Providing a procedure for the release and certification of election returns to the department for elections suspended or delayed and subsequently rescheduled under the provisions of ss. 101.731-101.74.~~

**Section 3. Section 101.7325, Florida Statutes, is created to read:**

101.7325 Election emergency.—

(1) If the Governor declares a state of emergency for a

151 natural emergency, as defined in s. 252.34, fewer than 60 days  
152 before an election, the supervisor of a county designated as  
153 affected by such declaration may take any of the following  
154 actions necessary while the declaration continues to designate  
155 the area as an affected area:

156 (a) Notwithstanding the designation deadline in s.  
157 101.657(1) (b), change the location of designated early voting  
158 sites. The supervisor must immediately notify the division of  
159 the new address of each early voting site and the hours during  
160 which early voting will occur at each site.

161 (b) Request approval from the Secretary of State to  
162 designate early voting sites at locations not specifically  
163 authorized under s. 101.657(1). The request must set forth  
164 sufficient facts to establish that a sufficient number of early  
165 voting sites that were designated, or that may be designated  
166 under paragraph (a), are unavailable due to the emergency. For  
167 purposes of this paragraph, reasons that early voting sites may  
168 be unavailable include, but are not limited to, the site is no  
169 longer safe for occupancy, the site is located in an area that  
170 is currently dangerous to travel to and from, or the site does  
171 not have adequate utilities. The Secretary of State must approve  
172 or deny the request within 36 hours after receipt. An early  
173 voting site designated under this paragraph must, to the maximum  
174 extent practicable, be geographically located so as to provide  
175 all voters in the area with an equal opportunity to cast a

176 ballot.

177 (c) Notwithstanding s. 101.657(1)(d), allow early voting  
178 to occur the day before an election.

179 (d) Notwithstanding ss. 101.657 and 101.71, request  
180 approval from the Secretary of State to allow election day  
181 voting at early voting sites. The request must set forth  
182 sufficient facts to establish that a sufficient number of early  
183 voting sites that were designated, or that may be designated  
184 under paragraph (a), are unavailable due to the emergency. For  
185 purposes of this paragraph, reasons that a polling place may be  
186 unavailable include, but are not limited to, the polling place  
187 is no longer safe for occupancy, the polling place is located in  
188 an area that is currently dangerous to travel to and from, or  
189 the polling place does not have adequate utilities. The  
190 Secretary of State must approve or deny the request within 36  
191 hours after receipt. An early voting site designated as a  
192 polling place under this paragraph must, to the maximum extent  
193 practicable, be geographically located so as to provide all  
194 voters in the area with an equal opportunity to cast a ballot.

195 (e) Notwithstanding the designation deadline in s.  
196 101.69(2)(b), designate additional secure ballot intake  
197 stations. The supervisor must immediately notify the division of  
198 the location of the additional secure ballot intake stations.

199 (f) Send a vote-by-mail ballot to a voter who has  
200 requested such ballot:



201       1. By forwardable mail or to an address other than the  
202 address listed for the voter in the statewide voter registration  
203 system.

204       2. Notwithstanding s. 101.62(1)(a) and (b), without the  
205 voter's written request or if a written request is not signed.

206       3. Notwithstanding s. 101.62(3)(c), as soon as  
207 practicable.

208       (g) If the supervisor determines that a poll worker  
209 shortage exists, appoint poll workers who have not met the  
210 training requirements in s. 102.014. However, such poll workers  
211 must have received the required training within the previous 2  
212 years.

213       (h) Notwithstanding s. 102.012(2), appoint inspectors and  
214 clerks who are registered qualified electors of this state but  
215 who are not registered qualified electors of the applicable  
216 county.

217       (2) The supervisor shall use print and broadcast media,  
218 social media, Internet websites, polling place signage, and any  
219 other method necessary to inform affected voters of any changes  
220 to elections made under this section.

221       **Section 4. Section 101.735, Florida Statutes, is created**  
222 **to read:**

223       101.735 Election emergency contingency plans.—

224       (1) The division shall adopt by rule a statewide election  
225 emergency contingency plan to provide specific direction in the

226 event an emergency occurs preceding or during an election. The  
227 contingency plan shall include, at minimum, procedures to:

228 (a) Ensure that necessary parties are notified of any  
229 changes impacting an election that has been suspended, delayed,  
230 rescheduled, or otherwise affected by an emergency. As used in  
231 this paragraph, necessary parties include proper authorities,  
232 the electorate, the media, poll workers, and polling place  
233 custodians.

234 (b) Ensure that an election that has been suspended,  
235 delayed, rescheduled, or otherwise affected by an emergency is  
236 conducted in a safe and orderly manner. The procedures must  
237 include a plan to coordinate the actions of the division,  
238 supervisors, county canvassing boards, and, if appropriate,  
239 members of the governing body holding such election.

240 (c) Determine the safety of existing polling places or  
241 designate additional polling places in coordination with the  
242 appropriate emergency management officials.

243 (d) Release and certify returns to the division for  
244 elections suspended, delayed, rescheduled, or otherwise affected  
245 by an emergency.

246 (e) Coordinate efforts between supervisors in affected and  
247 unaffected counties to ensure voting opportunities for affected  
248 voters, including ensuring the delivery of vote-by-mail ballots  
249 to law enforcement officers, military personnel, first  
250 responders, and utility line workers.

251       (2) Each supervisor shall develop, in consultation with  
252       local emergency management officials, a local election emergency  
253       contingency plan. The contingency plan must be submitted to the  
254       division for approval by May 1 of every odd-numbered year. The  
255       division must determine whether the local election emergency  
256       contingency plan is sufficient no later than May 30. The  
257       division shall adopt rules to implement this subsection,  
258       including the creation of standard criteria for determining the  
259       sufficiency of local election emergency contingency plans.

260       **Section 5. Section 101.736, Florida Statutes, is created**  
261       **to read:**

262       101.736 Election emergency training; best practices.—

263       (1) As used in this section, the term "tabletop exercise"  
264       means a session in which participants are guided through  
265       possible scenarios and discuss their roles and responsibilities  
266       if such a scenario occurs, as well as how they would respond to  
267       such a scenario.

268       (2) The Secretary of State, in coordination with  
269       supervisors, shall develop an election emergency training  
270       program. The training is required for newly elected or appointed  
271       supervisors and any critical staff, as determined by a  
272       supervisor. The Secretary of State shall update such training at  
273       least once every 4 years.

274       (3) By June 1 of every odd-numbered year, the Secretary of  
275       State shall convene a workgroup to create a list of best

practices for conducting an election during an emergency.

(a) The workgroup must include at least 10 current supervisors.

(b) The workgroup must participate in tabletop exercises involving election emergencies.

(4) Using the list created in subsection (3), the Secretary of State must:

(a) Incorporate practices applicable to all counties into the statewide election emergency contingency plan under s. 101.735(1).

(b) Recommend practices applicable to specific counties to the applicable supervisor for inclusion in the supervisor's local election emergency contingency plan under s. 101.735(2).

**Section 6. Section 163.31795, Florida Statutes, is created to read:**

163.31795 Participation in the National Flood Insurance Program.—

(1) For purposes of this section, the term:

(a) "Cumulative substantial improvement period" means the period during which an aggregate of improvements or repairs are considered for purposes of determining substantial improvement as defined in s. 161.54(12).

(b) "Local government" has the same meaning as in s. 163.2514.

(2) A local government that is participating in the

301 National Flood Insurance Program may not adopt a cumulative  
302 substantial improvement period that is longer than 1 year.

303 **Section 7. Subsection (14) is added to section 163.31801,**  
304 **Florida Statutes, to read:**

305 163.31801 Impact fees; short title; intent; minimum  
306 requirements; audits; challenges.—

307 (14) A local government, school district, or special  
308 district may not assess an impact fee for the reconstruction or  
309 replacement of a previously existing structure if the  
310 replacement structure is of the same land use as the original  
311 structure. However, a local government, school district, or  
312 special district that uses a tiered scale to assess may assess  
313 an impact fee equal to the impact fee for the original structure  
314 less the impact fee for the replacement structure.

315 **Section 8. Paragraph (f) is added to subsection (1) of**  
316 **section 252.38, Florida Statutes, to read:**

317 252.38 Emergency management powers of political  
318 subdivisions.—Safeguarding the life and property of its citizens  
319 is an innate responsibility of the governing body of each  
320 political subdivision of the state.

321 (1) COUNTIES.—

322 (f) County emergency management plans must include  
323 policies for coordination with private entities to relocate  
324 large items such as shipping containers and dumpsters that are  
325 located near roadways before a hurricane to prevent possible

326 damage and debris caused by such items.

327 **Section 9. Section 252.381, Florida Statutes, is created**  
328 **to read:**

329 252.381 Information related to natural emergencies.—

330 (1) Each county and municipality must post on its publicly  
331 accessible website:

332 (a) A frequently asked questions web page related to  
333 natural emergency response, emergency preparedness, and public  
334 relief for residents following an emergency. The web page must  
335 answer questions concerning resident evacuations; safety tips;  
336 generator, food and drinking water, and wastewater and  
337 stormwater safety; damage assessment; debris cleanup; accessing  
338 assistance through the Federal Emergency Management Agency and  
339 this state; building recovery; natural emergency guidance;  
340 applicable laws; and what to do before, during, and after an  
341 emergency.

342 (b) A disaster supply list and a list of emergency  
343 shelters.

344 (c) Links to information about flood zones.

345 (d) A checklist for residents explaining next steps to  
346 take during postdisaster recovery.

347 (2) Each county and municipality must provide an online  
348 option for receiving, reviewing, and accessing substantial  
349 damage and substantial improvement letters. The county or  
350 municipality must allow homeowners to provide an e-mail address

351 where they can receive digital copies of such letters.

352 (3) As soon as reasonably possible, each county and  
353 municipality that has experienced a direct impact from a natural  
354 emergency must use its best efforts to open a permitting office  
355 at which residents can access government services for at least  
356 40 hours per week.

357 (4) Beginning October 1, 2025, emergency management  
358 personnel of a county or municipality, and individuals who  
359 perform key roles in postdisaster response for a county or  
360 municipality, must complete the training provided pursuant to s.  
361 252.35 every 2 years.

362 **Section 10. Section 252.421, Florida Statutes, is created**  
363 **to read:**

364 252.421 Management of debris related to natural  
365 emergencies.—

366 (1)(a) As used in this subsection, the term "contract"  
367 means an agreement for the provision of debris removal services  
368 after a natural emergency.

369 (b) The division must establish by rule procedures for  
370 setting maximum rates for contracts. The procedures may  
371 establish different rates based on geographic location. The  
372 division must consult with local governments to establish such  
373 procedures.

374 (c) The division must establish maximum rates for  
375 contracts by June 1, 2025, and must update such rates every 2

376 years. The division must publish the maximum rates on its  
377 website. Any contract amended or established after June 1, 2025,  
378 may not exceed such rates.

379 (2) The division shall coordinate with fiscally  
380 constrained counties, as described in s. 218.67(1), included in  
381 a declared state of emergency for a natural emergency and the  
382 Department of Transportation to provide such counties with state  
383 resources to remove debris from roadways, including roadways  
384 that are publicly accessible but not maintained by the county.

385 **Section 11. Section 252.422, Florida Statutes, is created**  
386 **to read:**

387 252.422 Rebuilding and repairing structures after  
388 hurricanes.—

389 (1) As used in this section, the term "impacted local  
390 government" means a county or municipality located entirely or  
391 partially within 100 miles of the track of a storm declared to  
392 be a hurricane by the National Hurricane Center. The term only  
393 includes such local governments within 100 miles of the track  
394 while the storm was categorized as a hurricane.

395 (2) For 2 years after a hurricane makes landfall, an  
396 impacted local government may not propose or adopt:

397 (a) A moratorium on construction, reconstruction, or  
398 redevelopment of any property.

399 (b) A more restrictive or burdensome amendment to its  
400 comprehensive plan or land development regulations.



401        (c) A more restrictive or burdensome procedure concerning  
402 review, approval, or issuance of a site plan, development  
403 permit, or development order, to the extent that those terms are  
404 defined in s. 163.3164.

405        (3) Notwithstanding paragraph (a), a comprehensive plan  
406 amendment, land development regulation amendment, site plan,  
407 development permit, or development order approved or adopted by  
408 an impacted local government before or after the effective date  
409 of this act may be enforced if:

410        (a) The associated application is initiated by a private  
411 party other than the impacted local government.

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

414        (4) (a) Any person may file suit against any impacted local  
415 government for declaratory and injunctive relief to enforce this  
416 section.

417        (b) A county or municipality may request a determination  
418 by a court of competent jurisdiction as to whether such action  
419 violates this section. Upon such a request, the county or  
420 municipality may not enforce the action until the court has  
421 issued a preliminary or final judgment determining whether the  
422 action violates this section.

423        (c) Before a plaintiff may file suit, the plaintiff shall  
424 notify the impacted local government by setting forth the facts  
425 upon which the complaint or petition is based and the reasons

the impacted local government's action violates this section.  
Upon receipt of the notice, the impacted local government shall  
have 14 days to withdraw or revoke the action at issue or  
otherwise declare it void. If the impacted local government does  
not withdraw or revoke the action at issue within the time  
prescribed, the plaintiff may file suit. The plaintiff shall be  
entitled to entry of a preliminary injunction to prevent the  
impacted local government from implementing the challenged  
action during pendency of the litigation. In any action  
instituted pursuant to this paragraph, the prevailing plaintiff  
shall be entitled to reasonable attorney fees and costs.

(d) In any case brought under this section, any party is  
entitled to the summary procedure provided in s. 51.011, and the  
court shall advance the cause on the calendar.

**Section 12. Section 252.505, Florida Statutes, is created  
to read:**

252.505 Breach of contract during emergency recovery  
periods for natural emergencies.—Each state or local government  
contract for goods or services related to emergency response for  
a natural emergency entered into, renewed, or amended on or  
after July 1, 2025, must include a provision that requires a  
vendor or service provider that breaches such contract during an  
emergency recovery period to pay actual and consequential  
damages and a \$5,000 penalty. As used in this section, the term  
"emergency recovery period" means a 1-year period that begins on

451 the date that the Governor initially declared a state of  
452 emergency for a natural emergency.

453 **Section 13. Section 489.1132, Florida Statutes, is created**  
454 **to read:**

455 489.1132 Regulation of hoisting equipment used in  
456 construction, demolition, or excavation work during a  
457 hurricane.—

458 (1) As used in this section, the term:

459 (a) "Hoisting equipment" means power-operated cranes,  
460 derricks, and hoists used in construction, demolition, or  
461 excavation work that are regulated by the Occupational Safety  
462 and Health Administration under 29 C.F.R. 66 parts 1910.66 and  
463 1926.66.

464 (b) "Mobile crane" means a type of hoisting equipment  
465 incorporating a cable-suspended latticed boom or hydraulic  
466 telescoping boom designed to be moved between operating  
467 locations by transport over a roadway. The term does not include  
468 a mobile crane with a boom length of less than 25 feet or a  
469 maximum rated load capacity of less than 15,000 pounds.

470 (c) "Tower crane" means a type of hoisting equipment using  
471 a vertical mast or tower to support a working boom in an  
472 elevated position if the working boom can rotate to move loads  
473 laterally either by rotating at the top of the mast or tower or  
474 by the rotation of the mast or tower itself, whether the mast or  
475 tower base is fixed in one location or ballasted and moveable

476 between locations.

477 (2) (a) When a tower crane or mobile crane is located on a  
478 worksite, a hurricane preparedness plan for the crane must be  
479 available for inspection at the worksite.

480 (b) In preparation for a hurricane, hoisting equipment  
481 must be secured in the following manner no later than 24 hours  
482 before the impacts of the hurricane are anticipated to begin:

483 1. All hoisting equipment must be secured in compliance  
484 with manufacturer recommendations relating to hurricane and  
485 high-wind events, including any recommendations relating to the  
486 placement, use, and removal of advertising banners and rigging.

487 2. Tower crane turntables must be lubricated before the  
488 event.

489 3. Fixed booms on mobile cranes must be laid down whenever  
490 feasible.

491 4. Booms on hydraulic cranes must be retracted and stored.

492 5. The counterweights of any hoists must be locked below  
493 the top tie-in.

494 6. Tower cranes must be set in the weathervane position.

495 7. All rigging must be removed from hoist blocks.

496 8. All power at the base of tower cranes must be  
497 disconnected.

498 (3) A person licensed under this part who intentionally  
499 violates this section is subject to discipline under ss. 455.227  
500 and 489.129.

**Section 14.** The Division of Emergency Management shall consult with local governments, the Department of Business and Professional Regulation, the Department of Environmental Protection, and any other appropriate agencies to develop recommendations for statutory changes necessary to streamline the permitting process for repairing and rebuilding structures damaged during natural emergencies. By July 1, 2026, the division shall provide a report containing such recommendations to the President of the Senate and the Speaker of the House of Representatives.

**Section 15.** The Division of Emergency Management is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of establishing maximum rates for contracts under s. 252.421(1), Florida Statutes. Notwithstanding any other law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules. This section expires July 1, 2026.

**Section 16.** The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

**Section 17.** This act shall take effect upon becoming a law.