

Broward SLI

State Legislative Information

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House and Senate Take Different Approaches to Amendment 1

The passage of Amendment 1 requires 33 percent of documentary stamp tax revenues to go to the Land Acquisition Trust Fund (LATF) for environmental and land conservation purposes. Quickly following passage, legislative leaders began to signal that dedicating large amounts to the LATF could have unintended consequences. Since funds will be diverted away from other trust funds, most notably affordable housing and transportation, certain programs are facing cuts under the Senate's approach (CS/SB 586 and SB 584). By directing funding to LATF purposes after affordable housing and transportation receive their documentary stamp funding, the House package (HB 1291) holds harmless both affordable housing and transportation programs. Both House and Senate legislative packages are headed to their respective appropriations committees next week. However, it is likely the differences will remain largely unresolved until budget negotiations begin later in Session.

Transportation Network Company Preemption Moves in House

HB 817 – Transportation Network Companies, by Rep. Gaetz, preempts regulation of transportation network companies and sets statewide standards for insurance, background checks of drivers, and vehicle safety. Although the Florida Association of Counties, the Florida League of Cities, and individual counties (including Broward) opposed the bill, it still passed the House Transportation and Ports Subcommittee with a 9 to 3 vote. With one remaining committee of reference, stakeholders believe HB 817 will pass the House with the preemption language intact. Opponents of the measure expect the bill to have a harder time passing in the Senate.

Senate Advances Alternative Medicaid Expansion Plan

On Tuesday, March 10th, the Senate Health Policy Committee passed SPB 7044 – Health Insurance Affordability Exchange which would draw down billions of dollars in federal money for health services. The bill creates a state-run private insurance exchange where persons who do not qualify for Medicaid, but do not exceed 138 percent of the federal poverty level (less than \$16,000 in annual income, or about \$33,000 for a family of four may choose health insurance plans.

The proposal includes an eligibility work requirement. In order to be eligible to access the exchange, childless adults must work 30 hours a week and parents of children under 18 must work 20 hours a week. Unemployed adult beneficiaries could satisfy these requirements by searching for employment, participating in job-training activities or

furthering their education. SB 7044 exempts disabled adults and their caregivers from the work requirements.

Additionally, the bill requires enrollees to pay a monthly premium. The premium for an eligible enrollee earning at or below 22 percent of the federal poverty level (less than \$2,589 in annual income) would be \$3 per month. Enrollees with incomes greater than 100 percent of the federal poverty level would pay \$25 per month.

While the bill's unanimous passage was proudly heralded by members of both parties in the Senate, major hurdles remain. It is unclear if the Centers for Medicare & Medicaid Services would issue a waiver in order for federal funds to be available. More importantly, the House has stated that it is unlikely to take up the issue.

Revision of Film Incentive Program Passes Senate Committee

SB 1046 – Entertainment Industry, by Sen. Detert, completely restructures the current film and entertainment incentive program. Specifically, the bill splits incentives into three new programs (tax credit, tax exemption and a quick action fund), increases the percentage of Florida residents that must be employed for qualified productions, sets aside 20 percent of funds available for underutilized counties, creates a tax credit bonus for productions that make at least a \$2 million investment, and allows for competitive awards from a new “Entertainment Industry Quick Action Fund.” SB 1046 next goes to the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. The house companion bill, HB 451, By Rep. Miller, is expected to be heard in the House Economic Development and Tourism Subcommittee next Wednesday.

Civil Citation Bill Passes Senate Committee

After being postponed last week, SB 378 – Juvenile Justice, by Sen. Garcia finally passed the Senate Criminal Justice Committee. Midway through the committee hearing, Chair Sen. Evers temporarily pulled the bill from consideration for roughly an hour. With only minutes remaining, the bill was reintroduced, amended and voted up unanimously. The amended bill now provides that law enforcement “may” issue a civil citation to an offending youth. The original bill version required mandatory issuance of a civil citation to a youth who committed a misdemeanor. The bill also clarifies that a civil citation is not limited to first time offenses, and law enforcement may simply issue warnings in certain circumstances. SB 378 next goes to the Senate Children, Families, and Elder Affairs Committee.

The house companion, HB 99, by Rep. Clarke-Reed, includes the mandatory issuance of a civil citation to a youth who committed a misdemeanor, has two committees of references remaining.

Sober Homes Voluntary Certification Program Goes to House Floor

HB 21 – Substance Abuse, by Rep. Hager, requires the Department of Children and Families create a voluntary certification program for recovery residences, also known as “sober homes”. In recent years, there has been substantial public debate over the existence, location and regulation of recovery residences across the state. Members of Congress along with state and local elected officials have held hearings and public forums to discuss local issues with sober homes, usually located in residential neighborhoods. However,

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protections afforded under the Americans with Disabilities Act, the Fair Housing Act, and numerous cases reversing local government regulations make significant policy changes difficult. Due to the legal implications of mandatory registration with the state, the bill's sponsor has opted for an optional certification/credentialing process.

This week, the bill passed unanimously in the House Health and Human Services Committee, and is now ready to be heard and voted on the House floor. SB 326 – Substance Abuse Services, by Sen. Clemens, passed the Senate Health and Human Services Appropriations Subcommittee and now heads to the full Senate Appropriations Committee for consideration.

Bill Requires Local Governments to Reduce Park Entrance Fees

HB 721 – County and Municipal Parks, by Rep. McGhee, passed unanimously through the Local Government Affairs Subcommittee. The bill requires local governments that charge park fees to determine an appropriate amount of discount for veterans, military families and service members, and first responders in accordance with its financial circumstances. Within the definition, parks do not include camp grounds, aquatic facilities, stadiums, or arenas. The bill has now goes to the Local Affairs Committee before heading to the House floor. A similar bill by Sen. Abruzzo, SB 1430 – Relating to Discounts on Public Park Entrance Fees and Transportation Fares, has yet to be heard in the Senate.

Solar Joint Resolutions Passes In Both Chambers

CS/SJR 400 – Renewable Energy Sources Device/Taxation, by Sen. Brandes, proposes to amend the Florida Constitution to exempt the assessed value of a renewable energy source from tangible personal property tax and prohibit consideration of the installation of a renewable energy source in determining the assessed value of a property for ad valorem taxation. The bills passed through the Communications, Energy, and Public Utilities committee on Tuesday, March 10th along with its implementing bill, SB 402. The House companion measures HB 865 and HB 867 passed through the House Energy and Utilities Subcommittee on March 12th.

House Releases General Revenue Budget Allocations

General revenue funding allocations were released Friday, March 13th and totaled approximately \$28.5 billion. \$11.2 billion would go to education, \$8.3 billion to health care, \$4 billion to the justice system, and \$3.9 billion to higher education.

Public Works Contract Condition Prohibition Moves

SB 934 and HB 527 – Public Works Projects, by Sen. Brandes and Rep. Van Zant respectively, prohibit the state and political subdivisions that contract for construction, maintenance, repair, or improvement of public works from placing certain conditions on a contractor, subcontractor or materials supplier. The bill applies to all projects which include state money.

Political subdivisions may not require contractors to: pay employees a predetermined amount of wages or wage rate; provide employees a specified type, amount, or rate of employee benefits; control or limit staffing; recruit, train, or hire employees from a designated or single source; designate any particular assignment of work for employees;

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participate in proprietary training programs unless such training is a condition or a product warranty or guarantee; or enter into any type of project labor agreement.

SB 934 passed the Senate Governmental Oversight and Accountability Committee and moves to the Senate Community Affairs Committee. HB 527 is in the State Affairs Committee, its last committee of reference.

Public Records Exemption for Point-in-Time Count Survey

HB 535 – Public Records/Homelessness Surveys and Databases, by Rep. Latvala, creates a public records exemption for individual identifying information contained within a Point-In-Time Count survey in a Homeless Management Information System. The bill unanimously passed the House Economic Development and Tourism Subcommittee this week. It now goes to the Government Operations Subcommittee.

In the Senate, SB 552, by Sen. Hays has passed its first committee and is scheduled to be heard March 17th in the Senate Governmental Oversight and Accountability Committee.

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