



2020 LEGISLATIVE SESSION
FINAL REPORT



INTRODUCTION

The 2020 Legislative Session began on January 14, 2020 and ended a week after its scheduled Sine Die on March 19, 2020. During the 60-day Session, a total of 3,578 bills and 1,634 appropriations projects were filed. Of that, 210 bills passed both the House and Senate chambers.

The Intergovernmental Affairs/Boards Section worked with contract lobby teams to pass County priority legislation and appropriations and lessen the impact of attempts at preemption and unfunded mandates.

Respectfully,

The Intergovernmental Affairs/Boards Section

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Commission Priority Issues

AFFORDABLE HOUSING

SB 374 – Housing Discrimination, by Sen. Rouson | HB 175, by Rep. Davis

House passed: 117-0; Senate passed: 39-0. Governor Approved: September 4th – Chapter No. 2020-164.

This bill amends will allow a person alleging housing discrimination under the Florida Fair Housing Act (FFHA) to file a civil action regardless of whether the aggrieved person has exhausted his or her administrative remedies. Accordingly, the aggrieved person may file a civil action regardless of whether:

- He or she has filed a complaint with the Florida Commission on Human Relations (Commission);
- The Commission has resolved a complaint (if the aggrieved person chose to file one); or
- Any particular amount of time has passed since the aggrieved person filed a complaint with the Commission.

Further, the measure prohibits an aggrieved person from filing a civil action under the FFHA in two instances: (i) if the claimant has consented to a conciliation agreement obtained by the Commission, other than to enforce the terms of the conciliation agreement; or (ii) if an administrative law judge has commenced a hearing.

HB 1339 – Community Development and Housing, by Rep. Yarborough | SB 998, by Sen. Hutson

House passed: 101-10; Senate passed: 39-0. Governor Approved: June 9th – Chapter No. 2020-027.

This bill addresses community development issues related to development zoning and impact fees, the provision of affordable housing, and the regulation, ownership, and tenancy related to mobile homes and parks. Specifically, the measure:

- Authorizes local governments to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use.
- Requires local governments to adopt an ordinance to allow accessory dwelling units in any area zoned for single family residential use, except in an area of critical state concern.
- Requires the reporting of impact fee data within the annual financial audit report submitted to the Department of Financial Services.
- Requires the evaluation of additional local government contribution criteria within applications submitted for the State Apartment Incentive Loan Program funding.
- Transitions the “pilot” features of a workforce housing program into the Community Workforce Housing Loan Program, administered by the Florida Housing Finance Corporation (Florida Housing).
- Establishes biannual regional workshops for local elected officials serving on affordable housing advisory committees to identify and share best affordable housing practices.
- Adds data reporting within a State Housing Initiatives Partnership (SHIP) Program participant’s submissions to Florida Housing about affordable housing applications approved and denied.
- Provides that for purposes of the SHIP Program, affordable housing also includes housing provided by a not-for-profit corporation, that is for low-income persons and households that provides treatment for

persons who suffer from mental health issues, substance abuse, or domestic violence; and provides on-premises social and community support services.

- Permits Florida Housing to withhold specified distributions from the Local Government Housing Trust Fund to fund the construction of transitional housing for persons aging out of foster care.
- Provides that a building official may not audit a project being inspected by a private inspector more than four times a year.

The Senate amended the bill to empower counties and municipalities to impose a linkage fee for affordable housing. Specifically, a linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated based on the number of approved dwelling units, the amount of approved square footage, or otherwise. However, if a linkage fee is imposed on a residential or mixed-use residential development, then the county or municipality imposing the fee must fully offset the cost of the linkage fee through specified incentives or other means. The House concurred with this amendment and passed the bill on the last day of the Session.

COMPREHENSIVE WATER POLICY

SB 712 – Environmental Resource Management, by Sen. Mayfield | HB 1343, by Rep. Payne

House passed: 118-0; Senate passed: 39-0. Governor Approved: June 30th – Chapter No. 2020-151.

The bill has been titled the “Clean Waterways Act,” which addresses several environmental issues including several provisions specifically related to water quality improvement.

Onsite Sewage Treatment and Disposal Systems (Septic Systems)

The Onsite Sewage Program will be transferred 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

Local governments will be required to create wastewater treatment plans for certain BMAPs but authorizes different cost options for projects that meet pollution reduction requirements. A wastewater grant program will be created that allows DEP to provide grants for projects within BMAPs, alternative restoration plans, or rural areas of opportunity that will reduce excess nutrient pollution. In addition, there will be prioritized funding for certain wastewater projects in the grant program, the State Revolving Loan Fund Program, and the Small Community Sewer Construction Assistance Program. Beginning July 1, 2025, the measure prohibits wastewater treatment facilities from discharging into the Indian River Lagoon without providing advanced waste treatment. Finally, new requirements will be imposed on wastewater facilities and DEP to prevent sanitary sewer overflows and underground pipe leaks.

Stormwater

DEP is required to update its stormwater design and operation rules and Environmental Resource Permit Applicant’s Handbook; revise 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.

Biosolids

Enrollment is required 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. Local governments are allowed to keep existing biosolids ordinances.

Fines and Penalties

The measure 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

DEP is required to establish a real-time water quality monitoring program, subject to appropriation.

SB 178 – Public Financing of Construction Projects by Sen. Rodriguez | HB 579, by Rep. Aloupis

House passed: 115-0; Senate passed: 38-0. Governor Approved: June 29th – Chapter No. 2020-119.

This bill requires any public entity that manages or commissions a publicly financed construction within a coastal construction zone to conduct a sea-level impact projection (SLIP) study prior to commencing construction. The results of the study must be submitted to the DEP and posted on their public website for no less than 10 years after receipt, except for any proprietary information protected by constitutional privacy law.

The DEP will be required to adopt rules and standards for the study, which must at minimum:

- Utilize a systematic, interdisciplinary, and scientifically accepted approach in both the natural sciences and construction design;
- Consider, to the extent possible, the contribution of sea level rise vs. land subsidence;
- Assess the risks of flooding, inundation, and wave action over the next 50 years; and
- Provide alternatives for the coastal structure's design and siting, along with discussion of how such alternatives would address the impacts to public safety and the environment assessed in the study, as well as the risks and costs associated with maintaining and constructing the planned coastal structure.

The bill requires developers to begin conducting SLIP studies one year after the adoption of the DEP rules. These rules are to be applied only to projects not yet commenced as of the date the rules are finalized and cannot be applied retroactively. Lastly, the bill gives the DEP authorization to bring a civil action for injunctive relief against any entity not complying with the SLIP study rules, or for recovery of funds expended on any project that proceeds without compliance. However, failure to implement what is contained in the SLIP study itself does not create a cause of action for damages or authorize the imposition of penalties.

LOCAL BILL

HB 989 – Broward County, by Rep. Jacobs | Broward Legislative Delegation

House passed: 114-0; Senate passed: 40-0. Governor Approved: June 9, 2020.

This Special Law, if approved by a majority of voters in Broward County, will maintain the current allocation of duties as between the County and the Clerk regarding the role of the ex officio clerk and custodian and auditor of County funds – meaning that the County will continue performing these functions. The recording duties, which historically have been performed by the County, will transfer to the Clerk of Courts under Amendment 10.

POLICY ISSUES BY DEPARTMERNT

Aviation

HB 915 – Commercial Service Airports, by Rep. Avila | SB 1258, by Sen. Diaz

House passed: 112-0; Senate passed: 36-3. Governor Approved: September 4th – Chapter No. 2020-167.

The bill requires the Auditor General, at least once every seven years, to conduct operational and financial audits of the state’s large-hub commercial service airports and provides minimum requirements for each operational audit. Except for constitutional officers that must comply with detailed financial disclosure requirements (Form 6), the bill requires that the members of a large-hub commercial service airport’s governing body file limited financial disclosure (Form 1) with the Commission on Ethics.

It also requires the governing body of each commercial service airport to establish and maintain a website containing specified information, including meeting notices, agendas, approved budgets, and links to certain documents on the Federal Aviation Administration’s website. The bill requires the posting of all contracts over \$65,000, that purchases of commodities and contractual services exceeding such threshold be competitively procured, and that the airport’s governing body approve, award, or ratify all contracts over \$325,000 as non-consent agenda items.

Further, the Legislature reiterates that members of the governing body and employees of commercial service airports are subject to the Code of Ethics for Public Officers and Employees and requires annual ethics training for members of the governing body. The bill requires the governing body of each commercial service airports to submit specified information to the Department of Transportation (DOT) and requires DOT to annually submit a report to the governor and the legislature. Finally, the bill prohibits DOT from expending funds allocated to a commercial service airport, unless the funds are pledged for debt service, until a commercial service airport demonstrates compliance with the transparency and accountability provisions of the bill.

Budget and Finance and Administrative Services

HJR 369 – Limitation on Homestead Assessments, by Rep. Roth | SJR 146, by Sen. Brandes

House passed: 118-0; Senate passed: 39-0. Signed by the Officers and filed with Secretary of State on April 8th.

The joint resolution proposes an amendment to the Florida 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. The proposed amendment will be submitted to Florida’s electors for approval or rejection at the next general election in November 2020. If approved by at least 60 percent of the electors, the proposed amendment will take effect on January 1, 2021. The implementation bill (HB 371) also passed unanimously.

HB 441 – Public Procurement of Services, by Rep. DiCeglie | SB 506, by Sen. Perry

House passed: 117-0; Senate passed: 40-0. Governor Approved: June 29th – Chapter No. 2020-127.

The legislation increases the maximum limit for continuing contracts covered by the Consultants’ Competitive Negotiation Act (CCNA) from an estimated per project construction cost of \$2 million to \$4 million. Additionally, the legislation also increases the maximum limit for procuring a study using a continuing contract from \$200,000 per study to \$500,000. Currently the CCNA prohibits firms that are parties to a continuing contract from being required to bid against one another. Current law authorizes the use of a continuing contract for construction projects in which the estimated construction cost of each project does not exceed \$2 million, for study activities if the fee for professional services for each study does not exceed \$200,000.

HB 7097 – Taxation

House passed: 104-8; Senate passed: 36 -2. Governor Approved: April 8th – Chapter No. 2020-10.

Better known as the “Tax Package,” the new law provides for tax reductions and tax-related modifications that will impact both families and businesses. The tax package makes changes to sales tax, corporate income tax, property tax, tourist development tax and the tax rate on surplus lines insurance. This package centers around the \$42 million three-day back-to-school sales tax holiday and the \$5.7 million seven-day disaster preparedness sales tax holiday. The package also provides that a new levy of the Charter County and Regional Transportation System Surtax approved by referendum after July 1, 2020 can only be for thirty years. Additionally, the law includes an exemption of vacant units that are designated for affordable housing from property tax and provides that units do not lose their exemption if the occupant’s income grows beyond the qualifying income thresholds. It also exempts from ad valorem an affordable housing project owned by a limited liability company, which is also owned by an LLC, if the owner of the second LLC is a qualifying non-profit entity.

County Attorney

SB 664 – Verification of Employment Eligibility (E-Verify), by Sen. Lee | HB 1265, by Rep. Byrd

House passed: 73-45; Senate passed: 23-17. Governor Approved: June 30th – Chapter No. 2020-150.

On a party line vote, a delete-all amendment replacing the Senate bill with the House version (HB 1265) was adopted. The amendment addressed public employers, their contractors, and subcontractors. Specifically, as adopted, the amendment:

- Requires all contractors and subcontractors to use E-Verify, rather than only those that meet contract-value and employee-number thresholds in the bill;
- Requires compliance by January 1, 2021, rather than July 1, 2021, as in the bill;
- Expressly requires a party to terminate a contract if it has a good faith belief that a party to the contract knowingly employs an unauthorized alien;
- Requires a public employer to “order” a contractor to terminate its contract with a subcontractor if the public employer has a good faith belief that the subcontractor knowingly employs an unauthorized alien or is not using E-Verify; and
- Provides that a termination of contract for a party’s knowing employment of an unauthorized alien is not a breach of contract; however, a contractor whose contract is terminated is liable for additional costs incurred by the public employer due to the termination of contract.

As it pertains to private employers, the measure now:

- Provides that a private employer is immune from civil and criminal liability for employing an unauthorized alien if the employer used E-Verify or an I-9 and E-Verify or the I-9 showed the person to be authorized. In comparison, the bill provides civil immunity and creates a rebuttable presumption that a person has not knowingly employed an unauthorized alien in violation of criminal law.
- Allows an employer who receives a notice from the DEO regarding the employer’s failure to use E-Verify or the I-9 procedure to avoid further consequences by providing an affidavit stating that it has begun complying with these verification requirements, has fired all unauthorized employees, and will not intentionally or knowingly employ an unauthorized alien.
- Removes authorization of random DEO audits of the employment files of employers who fail to register with E-Verify.
- Removes requirement that a private employer must provide copies of all records that it maintains for the purpose of verifying employment eligibility to any federal or state agency upon request.
- Removes express authorization for a person to file a complaint with DEO if the person has evidence of employment of an unauthorized alien.
- Removes requirement that the DEO request the federal government verify the employment eligibility of any person named in the complaint.
- Removes authorization of a \$500 fine for failure to verify employment eligibility as required in the bill.
- Removes authorization for DEO to randomly audit private employers.
- Removes rulemaking authority to the DEO.

An appropriation for DEO to enforce the requirements for employers to verify the employment eligibility of their employees is not included.

Environmental Protection

HB 73 – Environmental Regulation by Rep. Overdorf | SB 326, by Sen. Perry

House passed: 119-0; Senate passed: 40-0. Governor Approved: June 18th – Chapter No. 2020-041.

This bill touches on two areas relating to environmental regulation: local government recycling programs and environmental resource permits.

Recycling Programs

Current law requires local governments to implement some form of recyclable materials program within their districts. Many local governments have instituted single-stream recycling programs allowing all recyclable materials to be placed within a single container before being trucked to a recycling facility. This streamlined method increases the potential for contamination and rejection of recyclable material that has been mixed with non-recyclable material. Local governments usually contract these duties to private companies, but current public-private contracts are not required to address contamination of recyclable materials. This bill requires each contract, request for proposal, or solicitation for waste collection and disposal services between a residential recycling collector and a local government to include the following:

- Strategies for reducing the amount of contaminated recyclable materials being collected;
- Procedures for identifying, documenting, and rejecting containers, truck loads, carts, or bins containing contaminated recyclable material;
- Remedies to be used if a truckload, container, or other receptacle contains contaminated recyclable material;
- Education and enforcement measures for reducing contaminated recyclable material; and
- A definition of “contaminated recyclable material” appropriate to the local community.

A residential recycling collector will not be required to collect or transport (nor a materials reclamation facility to process) said contaminated materials except pursuant to these contracts. This rule will apply to all contracts executed or renewed after October 1, 2020 and only to materials gathered from residential recycling activities.

Environmental Permits

The DEP and WMDs are authorized to require an Environmental Resource Permit (ERP) of any person or entity undertaking the construction, maintenance, or expansion of a structure that may adversely impact a water body or resource. Under certain statutory circumstances some projects may be exempt from ERP permitting, although under current law a local government may still require an applicant to get verification from the DEP that an activity qualifies for an ERP exemption. One ERP exemption currently exists for docks and piers, allowing these structures to be replaced or repaired in the same location and under specific conditions. The exception allows minor deviations to upgrade the structure to current structural and design standards.

As passed, it prohibits local governments from requiring a person claiming an ERP exemption to provide further verification from the DEP that he or she is exempted. The bill also revises the ERP exemption for docks and piers to allow that exemption to apply so long as the replaced or repaired structure:

- Is within 5 feet of the same location;
- Is no larger in size than the existing dock or pier; and
- There are no additional aquatic resources likely to be adversely and permanently impacted by the replacement or repair.

HB 113 – Florida Drug and Cosmetic Act by Rep. Roach | SB 172, by Sen. Bradley

House passed: 68-47; Senate passed: 25-14. Governor Approved: June 16th – Chapter No. 2020-118.

This bill expressly preempts to the state the regulation of over-the-counter proprietary drugs and cosmetics. Specifically, the bill was filed to target the sunscreen ban enacted by the City of Key West. The city's ordinance was created in response to the suspected harmful effects of certain sunscreens' component ingredients oxybenzone and octinoxate on the coral reef.

SB 680 – Shark Fins, by Sen. Hutson | HB 401, by Rep. Jacobs

House passed: 119-1; Senate passed: 40-0. Governor Approved: June 18th – Chapter Not Yet Assigned.

This bill, titled the "Kristin Jacobs Ocean Conservation Act," removes the import of domestically sourced shark fins by any shark fin processor that obtains fins from a wholesale dealer who holds a valid federal Atlantic shark dealer permit on January 1, 2021 from the prohibition's exceptions. The measure also removes the expiration date of the listed exceptions. As amended, the Act adds additional language to allow the Fish and Wildlife Conservation Commission to review and include any other information in its report that is not explicitly required if it believes it is relevant to the management of shark fisheries and changes the due date of the study's findings from December 31, 2023 to December 31, 2021. Finally, a provision was added that authorizes the legislature to ban the domestic production of shark fins based on the findings of FWC's report.

HB 1047 – Construction Materials Mining Activities, by Rep. Avila | SB 1618, by Sen. Diaz

House passed: 118-0; Senate passed: 38-0. Governor Approved: June 18th – Chapter Not Yet Assigned.

The bill creates a monitoring and reporting pilot program for the use of explosives for construction materials mining activities in Miami-Dade County. The bill requires the State Fire Marshal to hire or contract with seismologists to monitor and report each blast and provides restrictions on who may be hired. The bill requires a person or entity that engages in construction materials mining activities to provide written notice to the State Fire Marshal of the use of an explosive for such activities in Miami-Dade County before detonation.

HB 1091 – Environmental Accountability, by Rep. Fine | SB 1450, by Sen. Gruters

House passed: 115-0; Senate passed: 38-0. Governor Approved: June 17th – Chapter No. 2020-159.

The legislation increases various statutory penalties for violations of environmental laws. For certain violations, each day during any portion of which the violation occurs constitutes a separate offense. Further, it specifies that each day the cause of an unauthorized discharge of domestic wastewater is not addressed constitutes a separate offense until the violation is resolved by order or judgment.

SR 1572 – Climate Change (Resolution), by Sen. Stewart

Adopted by the Senate

This resolution expresses the Legislature’s support for the adoption of policies that will prepare this state for the environmental and economic impact of climate change, sea-level rise, and flooding, and recognizes the important role that resiliency and infrastructure will play in fortifying this state. The resolution states that the Legislature intends to adopt:

- Policies focusing on resiliency efforts and appropriate infrastructure which prepare Florida for the environmental and economic impact of climate change, sea-level rise, and flooding; and
- Policies relating to clean and renewable energy, including the provision of adequate electric vehicle charging stations.

SB 7018 – Essential State Infrastructure, by Infrastructure and Security Committee | HB 7099, by State Affairs Committee

House passed: 97-19; Senate passed: 38-0. Governor Approved: June 9th – Chapter No. 2020-21.

The bill authorizes the Department of Transportation (FDOT) to plan, design, and construct staging areas for emergency response on the turnpike system. These areas are for the staging of emergency supplies, equipment, and personnel to facilitate the prompt provision of emergency assistance to the public in response to a declared state of emergency. The legislation as passed further:

- Directs the FDOT, in consultation with the Division of Emergency Management (DEM), to consider certain factors when selecting a proposed site, and the FDOT is authorized to acquire property necessary for such staging areas;
- Requires the FDOT to give priority consideration to placement of such staging areas in counties with a population of 200,000 or less in which a multi-use corridor of regional significance is located;
- Grants the FDOT power to authorize other uses of a staging area and requires that staging area projects be included in the FDOT’s work program;
- Provides that a permit application by a county or municipality to use the right-of-way for a utility must be processed and acted upon within the expedited time frames of the “Advanced Wireless Infrastructure Deployment Act,” s. 337.401(7)(d)7.,8., and 9., F.S.;
- Requires the Public Service Commission (PSC), in coordination with the FDOT and the Department of Agriculture and Consumer Services, to develop and recommend a plan for the development of electric vehicle (EV) charging station infrastructure along the State Highway;
- Requires the recommended plan to be developed and submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2021. The plan must include recommendations for legislation and may include other recommendations as determined by the PSC. The bill also requires the PSC, by December 1, 2020, to file a status report containing any preliminary recommendations, including recommendations for legislation; and
- Clarifies that ss. 570.71 and 704.06, F.S., not be interpreted to prohibit lands traditionally used for agriculture that are subject to a conservation easement from being utilized for the construction of any public or private linear facility and right of access, if such rights are voluntarily negotiated.

Growth Management

SB 1066 – Impact Fees, by Sen. Gruters | HB 637, by Rep. DiCieglio

House passed: 81-37; Senate passed: 36-0. Governor Approved: June 20th – Chapter No. 2020-58.

During the last week of Session, the House amended this bill to add a provision that would allow certain local governments to impose both a contribution requirement related to public education facilities and an education-related impact fee without any offsetting credit. The final bill was significantly narrowed in scope by the Senate, and the County’s proposed amendments to add affordable housing to the definition of “public facility” as defined in section 163.3134(39), F.S., were not accepted.

HB 133 – Towing and Immobilizing Vehicle and Vessels, by Rep. McClain | SB 1332 by Sen. Hooper

House passed: 81-31; Senate passed: 34-5. Governor Approved: June 18th – Chapter Not Yet Assigned.

The bill requires counties to establish maximum rates for the towing and immobilization of vessels and prohibits a county or municipality from enacting a rule or ordinance that imposes a fee or charge on authorized wrecker operators. However, the bill provides that an authorized wrecker operator may impose and collect an administrative fee, which must only be remitted to the county or municipality after it has been collected. The bill prohibits counties and municipalities from adopting or enforcing ordinances or rules that impose fees on the registered owner or lienholder of a vehicle or vessel removed and impounded by an authorized wrecker operator. The bill provides that a wrecker operator who recovers, removes, or stores a vehicle or vessel has a lien on the vehicle or vessel that includes the value of the reasonable administrative fee or charge imposed by a county or municipality.

The bill exempts the towing or immobilization licensing, regulatory, or enforcement programs in Broward, Miami-Dade, and Palm Beach counties from the prohibition on imposing fees or charges on authorized wrecker operators, towing business, or vehicle or vessel owners that violate parking regulations. The bill also prohibits a municipality or county from enacting an ordinance or rule requiring an authorized wrecker operator or towing business to accept credit cards as a form of payment but exempts county and municipal ordinances enacted before January 1, 2020. Lastly, the bill requires that tow-away zone notices be placed within 10 feet from the “road” instead of within 5 feet from the “public right-of-way line.”

HB 1039 – Transportation Network Companies, by Rep. Rommel | SB 1352, by Sen. Brandes

House passed: 117-0; Senate passed: 36-1. Governor Approved: June 23rd – Chapter No. 2020-87.

The bill allows a motor vehicle compliant with the Americans with Disabilities Act, a limousine, and a luxury for-hire vehicle to be operated as a TNC. The bill defines “luxury ground transportation network company” to mean a company that uses its digital network to connect riders exclusively to drivers who operate for-hire vehicles, including limousines and luxury sedans.

The bill requires luxury ground TNCs to comply with all of the requirements applicable to a TNC and requires maintenance of specific insurance coverage at all times. The bill authorizes TNC drivers to contract for the

installation of TNC digital advertising devices on the TNC vehicle. The bill defines “transportation network company digital advertising device” to mean a device no larger than 20 inches tall and 54 inches long that is fixed to the roof of a TNC vehicle that displays advertisements on a digital screen only while the TNC vehicle is turned on. The bill provides additional requirements for the use and display of a TNC digital advertising device.

The bill provides that a luxury ground TNC is not considered a for-hire vehicle and that the regulation of luxury ground TNCs, luxury ground TNC drivers, and luxury ground TNC vehicles is preempted to the state.

HB 1193 – Deregulation of Professions and Occupations, by Rep. Ingoglia | SB 474, by Sen. Albritton
House passed: 103-11; Senate passed: 38-0. Governor Approved: June 30th – Chapter No. 2020-163.

The bill, cited as the “Occupational Freedom and Opportunity Act,” will deregulate hair braiders, hair wrappers, body wrappers, nail polishers and makeup artists, and Boxing announcers and timekeepers. Further, it partially deregulates labor organizations, while maintaining civil and criminal causes of action. The bill also eliminates the additional business license required for architects, interior designers, landscape architects, and geologists. It reduces the hours of training required to obtain a license for barbers, nail, and facial specialists.

The legislation also adds new ways for out-of-state professionals to obtain a license in the state for veterinarians, construction contractors, electrical contractors, landscape architects, geologists, engineers, certified public accountants, home inspectors, building code professionals, cosmetologists, and barbers. The bill replaces the current licensing scheme for interior designers with a registration for certain local permitting activities, reduces the number of members on the Florida Building Commission, and authorizes an unlicensed individual to provide compensated dietary and nutritional services if they do not use certain titles or provide services to people with certain medical needs.

Finally, the bill preempts food truck regulation to the state, with certain exceptions, waives certain requirements to obtain a commercial driver license for military veterans, and prohibits any state agency from disciplining a professional licensee based solely on a student loan default.

Health and Human Services

HB 81 – Health Care for Children, Rep. Andrade | SB 190, Sen. Montford
House passed: 113-0; Senate passed: 38-0. Governor Approved: June 23rd – Chapter No. 2020-79.

As passed, the legislation aligns Florida law with the 2014 CMS guidance by eliminating the requirement that Medicaid recipients receiving services through the Florida Medicaid Certified School Match Program qualify for Part B or H of the IDEA, or for exceptional student services, or have an IEP or IFSP. Further, the legislation requires the Florida Department of Health (DOH) to create and make available electronically an informational pamphlet with information on the screening for, and treatment of, preventable infant and childhood eye and vision disorders. Hospitals, birth centers, and health care practitioners attending out-of-hospital births must provide the pamphlet to the parents of a newborn child.

It also amends the statutory definition of an auditory-oral education program to indicate that such a program must use faculty and supervisors certified as listening and spoken language specialists each day a participating child is in attendance. An auditory-oral education program is a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication. Students in public and private schools may enroll in such a program if they meet certain criteria. The bill stipulates that a certified listening and spoken language specialist be included as a

member of family support plan team and play a role in determining the level of services provided to each enrolled child.

HB 163 – Homelessness, by Rep. Altman | SB 68, by Sen. Book

House passed: 118-0; Senate passed: 38-0. Governor Approved: June 18th – Chapter No. 2020-44.

The legislation revises the state’s approach to homelessness by adopting the federal definition for “homeless” and aligning other state requirements with HUD requirements. It also included changes to the roles of the State Office and the requirements for its award of grants. For example, the measure reduces the amount of matching funds or in-kind support required for a challenge grant recipient from 100% to 25%, increases the maximum percentage of grant funds that a Continuum of Care lead agency may spend on its administrative costs from 8% to 10%, and changes preference for funding to be to lead agencies for continuums of care that have a demonstrated ability to move households out of homelessness.

The 17-member Council on Homelessness develops recommendations on how to reduce homelessness statewide and advises the State Office. An additional representative from the Florida Housing Coalition and the Department of Elder Affairs is added to the council. In addition, the measure amends sections of law outlining two approaches to housing services, Rapid ReHousing and Housing First. It requires that individuals and families being considered for Rapid ReHousing assistance be assessed and prioritized through the continuum of care’s coordinated entry system. Finally, the program element indicating a benefit for an individual to have a background check and complete rehabilitation for any addiction to substances when participating in Housing First services is removed.

SB 752 – Emergency Sheltering of Persons with Pets, Sen. Bean | SB 752, Sen. Bean

House passed: 115-0; Senate passed: 39-0. Governor Approved: June 29th – Chapter No. 2020-132.

As passed, counties maintaining designated shelters are required to designate a shelter that can accommodate persons with pets and requires the shelter to be in compliance with applicable FEMA Disaster Assistance Policies and Procedures and with safety procedures regarding the sheltering of pets established in the shelter component of both local and state comprehensive emergency management plans. It also requires the Department of Education to assist the Division of Emergency Management in determining strategies for the evacuation of persons with pets for the shelter component of the state comprehensive emergency management plan.

Public Works

HB 101 – Retainage, Rep. Andrade | SB 246 by Sen. Hooper

House passed: 118-1; Senate passed: 40-0. Governor Approved: June 18th – Chapter Not Yet Assigned.

Retainage is a common practice in the construction industry whereby an entity contracting for construction services is permitted to “retain” a certain percentage of its regularly scheduled progress payments until completion, thus ensuring the project is completed on schedule. Under current statute, public entities are permitted to retain up to 10% of each regularly scheduled progress payment until the project is 50% completed, and then 5% thereafter until final completion.

This bill reduces the retainage a public entity or local government can withhold from a private contractor from 10% to 5%. This amount may be withheld throughout the entirety of the project until final completion. This bill does not apply retroactively to any service contracts executed, pending approval, or for which bids have been

advertised by public entities or local governments before October 1, 2020. Nor does it apply to contracts executed under Ch. 337, F.S.

HB 279 – Local Government Public Construction Works | SB 504, by Sen. Perry

House passed: 114-1; Senate passed: 37-2. Governor Approved: June 30th – Chapter No. 2020-154.

As passed the legislation specifies the manner in which the estimated cost of a public building construction project must be determined when a governing board is deciding whether it is in the local government’s best interest to perform the project using its own services, employees, and equipment. The legislation requires the estimated project cost to fully account for all costs associated with performing and completing the work, including employee compensation and benefits; the cost of direct materials to be used in the construction of the project including materials to be purchased by the local government; and other direct costs, plus a factor of 20 percent for management, overhead, and other indirect costs.

Local governments are also required to consider the same costs when determining the estimated cost of road and bridge construction and reconstruction projects performed utilizing proceeds from the constitutional gas tax. The bill requires local governments issuing bidding documents or other requests for proposals to include a listing of all other governmental entities that may have additional permits or fees generated by the project.

Finally, a local government performing a public building construction project using its own services, employees, and equipment is required to create a report summarizing completed projects constructed by the local government, which must be publicly reviewed each year by the governing body. The Auditor General must review the report as part of his or her audits of local governments.

Regional Emergency Services & Communications

SB 118 – Security in Trial Court Facilities, Sen. Gruters; HB 131, Rep. McClain

House passed: 118-0; Senate passed: 39-0. Governor Approved: June 27th – Chapter No. 2020-100.

The bill amends s. 30.15, F.S., to require each county sheriff to coordinate with the board of county commissioners and the chief judge of the judicial circuit to develop a comprehensive security plan for trial court facilities. The sheriff retains authority over the implementation of security, and the chief judge retains decision-making authority to protect due process rights. Additionally, the bill clarifies that sheriffs and their deputies, employees, and contractors are officers of the court when providing security for court facilities.

SB 402 – Assisted Living Facilities, Sen. Harrell

House passed: 119-0; Senate passed: 39-0. Governor Approved: June 20th – Chapter No. 2020-68.

An assisted living facility (ALF) is a residential establishment, or part of a residential establishment, that provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. ALFs are licensed and regulated by the Agency for Health Care Administration (AHCA) under part I of Ch. 429, F.S., and part II of Ch. 408, F.S., and rule 59A-36. The legislation as passed amends various provisions in Ch. 429 regulating ALFs specifically, it now:

- Requires AHCA to conduct a full inspection instead of an abbreviated biennial licensure inspection to review key quality-of-care standards for a facility that has a history of class I, class II, or uncorrected class III violations resulting from complaints referred by the State Long-Term Care Ombudsman Program.

- Codifies current rule requirements to law relating to training and education of facility staff.
- Allows ALFs to admit or retain residents that require the use of assistive devices, which are defined as any device designed or adapted to help a resident perform an action, task, an activity of daily living, a transfer, prevention of a fall, or recovery from a fall.
- Allows ALFs to admit residents that require 24-hour nursing care, or residents that are receiving hospice services, if the arrangement is agreed to by the facility and the resident, additional care is provided by a licensed hospice, and the resident is under the care of a physician who agrees that the physical needs of the resident can be met at the facility.
- Allows ALFs to admit residents who are bedridden if they are bedridden for no more than 7 days, or for an ALF licensed as extended congregate care, no more than 14 days.
- Allows the use of certain physical restraints in ALFs, including, full-bed rails and geriatric chairs.
- Amends the Resident Bill of Rights to allow the State Long-Term Care Ombudsman Program to aid a resident who needs to be relocated due to the closure of the facility.
- Removes the requirement for ALF staff assisting with the self-administration of medication to read the label of the medication to the resident. Instead, the bill requires staff to, in the presence of the resident, confirm the medication is correct and advise the resident of the medication name and purpose.
- Authorizes rules to address technological advances in the provision of care, safety, and security, including the use of devices, equipment and other security measures for wander management, emergency response, staff risk management, and for the general safety and security of residents, staff, and the facility.

SB 538 – Emergency Management, Sen. Diaz | HB 865, by Rep. Rodriguez, Ant.

House passed: 115-0; Senate passed: 38-0. Governor Approved: June 20th – Chapter No. 2020-053

The bill directs the State Watch Office (SWO) to create and maintain a list of emergency related reportable incidents. The list must include, but is not limited to the following: major fire incidents; search and rescue operations; bomb threats; natural hazards and severe weather; public health and population protective actions; animal or agricultural events; environmental concerns; nuclear power plant events; major transportation events; major utility or infrastructure events; and certain military events. Additionally, political subdivisions must notify the SWO of incidents occurring within their geographic boundaries. The SWO may develop guidelines for reporting and must annually provide the list of reportable incidents to political subdivisions.

In the last days of the Legislative Session, IA staff successfully added a provision allowing meetings or calls by emergency management agencies related to any response to a declared disaster to not be a public meeting requiring public notice when two or more members of a county or municipality governing body that exercises local emergency management powers attend within 14 days of the date that the declaration is issued by either the Governor or the Federal Government, provided they do not discuss or undertake any official action. Unfortunately, that language was removed for the bill to pass out of the House chamber.

HB 755 – Pub. Rec. and Meetings/Public Safety Communication Systems, Rep. DuBose | SB 1060, by Sen. Thurston, Jr. (Chapter No. 2020-013)

House passed: 116-0; Senate passed 40-0; Governor Approved: April 8th – Chapter 2020-013.

This is a county policy proposal, which was successfully approved by the Governor in April. The new law creates a public record exemption for specific records that identify the design, scope, and location of 911, E911, or public safety radio communication system infrastructure. It also creates a public meeting exemption for any portion of a meeting that would reveal these records. Specifically, a public record exemption is created for:

- Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, or public safety radio communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911, E911, or public

safety radio communication services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency; and

- Geographical maps indicating the actual or proposed locations of 911, E911, or public safety radio communication system infrastructure, including towers, antennae, equipment or facilities used to provide 911, E911, or public safety radio services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency.

The law identifies specific circumstances in which these records may be disclosed. Further, all portions of a public meeting exempted must be recorded and transcribed and the recordings and transcripts are confidential and exempt from disclosure as public records except to the extent that any portion of the recording or transcript is determined by a court to reveal nonexempt data.

BILLS THAT FAILED AND GOVERNOR VETOES

ADMINISTRATION

SB 306 – State Funds, by Sen. Mayfield | HB 381, by Rep. Silvers

The bill would have exempted the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature, in the General Appropriations Act, to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and General Revenue Fund. Unfortunately, the bill died in Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

SB 364 – Independent Living Task Force, by Sen. Rader | HB 39, by Rep. Gottlieb

While the Senate unanimously supported the measure, it failed to get on 3rd Reading in the House and died in messages in the last hours of Session. The measure would have created a 26-member Independent Living Task Force (the task force) within the Florida Housing Finance Corporation (FHFC). The main objective was to develop and evaluate policy proposals that incentivize building contractors and developers to create low-cost, supportive, and affordable housing for individuals who need such housing and who have a developmental disability or a mental illness. The task force would have been required to give special consideration to the needs of individuals with a developmental disability or a mental illness when developing policy proposals; to submit a written report containing findings, conclusions, and recommendations to the governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 15, 2022.

SB 7040 – Implementation of the Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission | HB 7065, Education Committee

The proposed legislation would have provided additional safeguards for Florida's students and schools by building upon the school safety and security foundation established in the Marjory Stoneman Douglas High School Public Safety Act and the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission (commission). In addition, the proposal would have improved school safety planning and reporting; enhanced the safe school officer position and the role of the county sheriff; strengthened school mental health coordination and implementation; strengthened school safety oversight and accountability; and expanded representation on the commission to include superintendents, principals, or teachers. The measure ultimately failed as time whittled away the last day of Session and died in messages.

BUDGET AND FINANCE AND ADMINISTRATIVE SERVICES

HB 223 – Homestead Exemption, by Rep. Buchanan | SB 514, by Sen. Gruters

The legislation classified certain title transfers by joint tenants with rights of survivorship as transfers that do not constitute a change of ownership for purposes of claiming a homestead exemption. The legislation also provided that a person receiving a homestead ad valorem tax exemption in Florida and simultaneously receiving, in another state, a similar exemption that requires permanent residency in that state is entitled to the Florida homestead exemption if that person or family unit can demonstrate, to the property appraiser's satisfaction, that they did not apply for the exemption or credit and that they are no longer receiving or will no longer receive the exemption or credit in the other state. HB 223 unanimously passed the House, but it was not considered by the Senate. SB 514 died in the Appropriations Committee.

SB 856 – Affordable Housing Tax Reductions, by Sen. Pizzo

The legislation provided a method for the reduction of specified property taxes to incentivize certain workforce housing projects. The reduction was conditioned upon taxpayer application and only available to projects located in a county with a population greater than 825,000 that have not received an existing property tax discount for charitable-purpose affordable housing. It also allowed a local government to waive impact fees for the

construction of supportive housing developed by a not-for profit corporation under certain circumstances. The bill died in the Finance and Tax Committee. The House version (HB 1459) was not considered by any Committee.

COMMUNITY AFFAIRS/LOCAL GOVERNMENT

HB 1149 – Local Government Fiscal Transparency, Rep. DiCeglie | SB 1702, by Sen. Diaz

The bill would have created the Local Government Fiscal Transparency Act (Act), providing for increased fiscal transparency for local governments by requiring:

- Easy public access to voting records of local governing body members related to tax increases and the issuance of tax-supported debt;
- Easy online access to truth-in-millage notices and a four-year history of property tax rates and total revenue generated by each local government;
- Additional public meetings and expanded public notice requirements for local option tax increases and the issuance of new long-term, tax-supported debt;
- Local governments to conduct a debt affordability analysis prior to issuance of new long-term, tax supported debt;
- The chair of the local governing body to sign an affidavit of compliance with the Act; and
- The Auditor General to request evidence of corrective action from local governments found not to follow the Act and to report those who fail to do so to the Legislative Auditing Committee.

Proposed revisions for reporting requirements for local government economic development incentives were included in the proposal, as well as requiring counties and municipalities to report to the Office of Economic and Demographic Research on economic incentives provided directly to an individual business or by another entity on behalf of the local government, as well as the source of all funds obligated for the incentive. While the house version was heard in all committees of reference; the senate version never made it out of committee. We can expect the proposal to reappear next Session.

SB 7048 – Public Records/Public Shelter Space, by Infrastructure and Security

The proposal would have created s. 252.385(5), to exempt from public inspection and copying the name, address, and telephone number of a person which are held by an agency, providing shelter or assistance to such person during an emergency. The proposal was unanimously approved by the Senate; however, died in House messages.

CRIMINAL JUSTICE

SB 346 – Criminal Justice, Sen. Bradley

This proposal was considered the Senate’s comprehensive criminal justice package. With no House companion, the bill died in messages during the final days of Session. It would have reduced the punishment for possessing, purchasing, or possessing with the intent to purchase less than two grams of most controlled substances. The proposal would have authorized a court to depart from most mandatory minimum terms of imprisonment and mandatory fines, if the court finds that specified circumstances exist. Additionally, it required electronic recording of a custodial interrogation at a place of detention in connection with certain offenses; and revised the circumstances under which a wrongfully incarcerated person is eligible for compensation for wrongful incarceration.

SB 468 – Mandatory Sentences, Sen. Brandes

The proposed bill would have authorized a court to impose a sentence and fine “other than” the mandatory minimum for a drug trafficking offense if the court finds on the record that the offender (1) did not engage in a continuing criminal enterprise (2) did not use or threaten violence or use a weapon during the commission of the offense, and (3) did not cause death or serious bodily injury. Presently, the law requires mandatory minimum prison sentences for certain drug trafficking offenses. That section provides that possession of more than certain

specified amounts of cannabis, cocaine, certain narcotic opioids, sedatives, stimulants, hallucinogens, and other illicit substances constitutes “trafficking,” with increasing mandatory prison terms and fines for possession of amounts beyond certain thresholds. The bill was heard once in the Senate Judiciary committee and was unsuccessful moving forward.

HB 615 – Juvenile Diversion Program Expunction, Rep. Watson (C) | SB 700, Sen. Perry

The proposed bill authorized FDLE to expunge a juvenile’s nonjudicial arrest record following the successful completion of a diversion program for any offense, including a felony. A juvenile seeking to have his or her arrest record expunged is still required to submit certification from the state attorney that the juvenile meets the qualifications for expunction. Moreover, the decision to refer a juvenile to a diversion program remains at the discretion of either the law enforcement officer who interacts with the juvenile at the time of the offense or the state attorney who is referred the case. Under the bill, a juvenile who successfully completes a diversion program for any offense, including a felony or subsequent misdemeanor, may lawfully deny or fail to acknowledge his or her participation in a diversion program and the expunction of the nonjudicial arrest record, except when the inquiry is made by a criminal justice agency for specified purposes. This proposal, as well as the Senate companion (SB 700) died in messages.

SB 700 – Juvenile Diversion Program Expunction, by Sen. Perry | HB 615, by Rep. C. Watson

This bill would have allowed a person who has had a prior expunction granted for an offense that was committed when he or she was a minor to have another eligible record expunged. If the prior expunction was for an offense in which the minor was charged as an adult, the person is not eligible for a subsequent expunction. Additionally, SB 700 proposed to amend s. 985.126, F.S., to allow a juvenile who completes a diversion program for any offense to lawfully deny or fail to acknowledge his or her participation in the program. Both proposals died in Senate returning Messages.

SB 1292 – Public Records/Nonjudicial Arrest Record of a Minor, Sen. Perry

House passed: 117-0; Senate passed: 39-0. GOVERNOR VETOED

This is the public records exemption linked to SB 700. This bill provided that the nonjudicial records of arrest of minors who have successfully completed a diversion program and are eligible for expunction are made confidential and exempt from public disclosure, except that the record must be made available only to criminal justice agencies for specified purposes. It was unanimously approved; however, SB 700 ultimately vetoed by the Governor.

SB 1144 – Department of Juvenile Justice, Sen. Brandes | HB 1361 – Juvenile Justice, Rep. Robinson

This bill would have amended s. 20.316 F.S., to establish a new program entitled “Accountability and Program Support” within the DJJ, which would permit the secretary to appoint an assistant secretary to administer the program. This the proposal would have modified s. 985.6865, F.S., to ensure that a non-fiscally constrained county that does not provide for its own detention care contributes 50 percent of the detention cost. Language related to detention cost-sharing that is no longer relevant as well as certain sections of law formerly providing for a detention cost sharing plan between the DJJ and counties would have been removed, as this cost sharing plan is now governed by s. 985.6865, F.S. Like most legislation this year, it failed in its last committee of reference – Appropriations. The House companion (HB 1361) was unanimously approved in all its committees yet failed to be approved by either chamber.

SB 1308 – Criminal Justice, Sen. Brandes

This proposal was considered the Senate’s comprehensive criminal justice reform package for the 2020 Legislative Session; however, it died in the Senate Appropriations Committee. As written, it would have made changes that included:

Driving While License Suspended or Revoked (DWLSR)

- Providing for the retroactive application of the changes to section 322.34, F.S., related to the offense of driving while license suspended or revoked (DWLSR).
- Requiring offenders convicted of DWLSR who have not been sentenced as of October 1, 2020, to be sentenced in accordance with the new penalties found in section 322.34, F.S..
- Providing procedures for the resentencing of eligible persons previously convicted of DWLSR and requires the court of original jurisdiction, upon receiving an application for sentence review from the eligible person, to hold a sentence review hearing to determine if the eligible person meets the criteria for resentencing.
- Providing that a person is eligible to expunge a criminal history record of a conviction that resulted from former section 322.34, F.S., in specified circumstances.

Mandatory Minimums

- Removing various mandatory minimum terms of imprisonment for specified offenses. Reducing the mandatory minimum penalties imposed upon a prison releasee reoffender (PRR), a category of repeat offenders, under section 775.082(9), F.S., and expressly applying such changes retroactively.
- Providing a process for resentencing certain prison releasee reoffenders and removing a provision of law that prohibits a prison releasee reoffender from any form of early release.
- Authorizing a court to depart from the imposition of a mandatory minimum sentence in drug trafficking cases if certain circumstances are met.
- Clarifying that a court is only required to modify or continue an offender’s probationary term if all the enumerated specified factors apply.

Juvenile Offenses and Young Adult Offenders

- Modifying the list of prior offenses that exclude juvenile offenders convicted of capital murder from a sentence review hearing in accordance with section 921.1402, F.S., enacted subsequent to the *Graham v. Florida* and *Miller v. Alabama* cases, to only murder and applying this modification retroactively.
- Providing that juvenile offenders who are no longer barred from a sentence review hearing due to the modified list of enumerated prior offenses and who have served 25 years of the imprisonment imposed on the effective date of the bill must have a sentence review hearing conducted immediately.
- Providing all other juvenile offenders who are no longer barred from a sentence review hearing due to the modified list of enumerated prior offenses must be given a sentence review hearing when 25 years of the imprisonment imposed have been served.
- Establishing a sentence review process like that created for juvenile offenders pursuant to section 921.1402, F.S., for “young adult offenders.”; and defining the term “young adult offender.”
- Allowing certain young adult offenders to request a sentence review hearing with the original sentencing court if specified conditions are met, specifically:
 - A young adult offender convicted of a life felony offense, or an offense reclassified as such, who was sentenced to 20 years imprisonment may request a sentence review after 20 years; and
 - A young adult offender convicted of a first-degree felony offense, or an offense reclassified as such, who was sentenced to 15 years imprisonment may request a sentence review after 15 years.

Forensic Analysis

- Expanding the types of forensic analysis available to a petitioner beyond DNA testing.
- Requiring a petitioner to show that forensic analysis may result in evidence material to the identity of the perpetrator of, or an accomplice to, the crime that resulted in the person’s conviction, rather than having to show the evidence would exonerate the person or mitigate his or her sentence.
- Authorizing a private laboratory to perform forensic analysis under specified circumstances at the petitioner’s expense.

- Requiring the Florida Department of Law Enforcement (FDLE) to conduct a search of the statewide DNA database and request the National DNA Index System (NDIS) to search the federal database if forensic analysis produces a DNA profile.
- Authorizing a court to order a governmental entity that is in possession of physical evidence claimed to be lost or destroyed to search for the physical evidence and produce a report to the court, the petitioner, and the prosecuting authority regarding such lost evidence.

Conditional Medical Release (CMR) and Conditional Aging Inmate Release (CAIR)

- Repealing section 947.149, F.S., which establishes the conditional medical release (CMR) program within the Florida Commission on Offender Review (FCOR) and creates section 945.0911, Florida Statutes, to establish a CMR program within the Department of Corrections (DOC).
- Providing definitions and eligibility criteria for the CMR program.
- Providing a process for the referral, determination of release, and revocation of release for the CMR program.
- Establishing a conditional aging inmate release (CAIR) program within the DOC.
- Providing eligibility criteria for the CAIR program.
- Providing a process for the referral, determination of release, and revocation of release for the CAIR program.

Incarceration and Wrongful Incarceration

- Deleting and modifying terms related to the “Victims of Wrongful Incarceration Compensation Act.”
- Eliminating specified factors barring from consideration for certain persons from compensation for wrongful incarceration.
- Extending the time for a person who was wrongfully incarcerated to file a petition with the court to determine eligibility for compensation from 90 days to two years.
- Authorizing certain persons who were previously barred from filing a petition for wrongful compensation to file a petition with the court by July 1, 2021.
- Requiring the DOC and county detention facilities to provide documentation to inmates upon release specifying the total length of the term of imprisonment at the time of release.
- Allowing the time spent incarcerated in a county detention facility or state correctional facility to apply towards satisfaction of residing for a specified amount of time in Florida for designation as a resident for tuition purposes.
- Requiring the time spent incarcerated in a county detention facility or state correctional facility to be credited toward the residency requirement, with any combination of documented time living in Florida before or after incarceration.
- Requiring the Office of Program Policy and Governmental Accountability (OPPAGA) to conduct a study to evaluate the various opportunities available to persons returning to the community from imprisonment and submit a report by November 1, 2020.

ECONOMIC DEVELOPMENT

SB 334 – Tourist Development Tax, Sen. Stewart

The proposed bill would have allowed counties imposing a tourist development tax to use the tax revenues to promote or incentivize film or television production in the state. It also specified that the term “production” is to have the same meaning as provided in s. 288.1254(1), F.S. Also, productions receiving county tax revenues must include “Created in Florida” or “Filmed in Florida” in the production credits. There was no House companion filed and the bill died in its final committee of reference – Appropriations.

HB 1203 – Pathways to Career Opportunities, Rep. Mariano | SB 866, by Sen. Diaz

The proposed legislation would have modified the economic security report to include the employment and earning outcomes for degrees or certificates earned at private postsecondary institutions as well as technical

colleges and career centers. The report would have included the average cost of tuition for each institution, the average graduation rate, and the average student loan default rate by institution. Additionally, it would have amended s. 446.052, F.S.; encouraging certain boards of trustees to cooperate in developing and establishing certain apprenticeship and pre-apprenticeship programs; encouraging such boards and boards of trustees to cooperate with certain degree programs and certificate programs to ensure that certain individuals may be eligible to receive certain college credit. While the Board supports pre-apprenticeship and apprenticeship programs, this set of bills failed to pass the Legislature this Session.

SB 1580 – Minority Businesses, Sen. Braynon II | HB 1233, Rep. DuBose

The proposed bill would have required the Department of Economic Opportunity (DEO) to establish a revolving loan guarantee program modeled after the revolving loan guarantee program created by an agreement between the DEO and the Urban League of Broward County, Inc. The intent was to expand the benefits offered under the current loan guarantee program to assist and support minority-owned small businesses in urbanized areas. The Senate bill was heard in one committee – Commerce and Tourism, then died as the 2020 Session ended. The House companion was never heard in committee. We expect this proposal to be brought up again next year.

SB 1600 – Black Business Loan Program, Sen. Powell

Under current law, an existing recipient must submit to the Department of Economic Opportunity (DEO) an annual financial audit performed by an independent certified public accountant. The proposed legislation amended s. 288.7102(4)(b), F.S., requiring recipients to submit a financial audit performed by an independent certified public accountant to be eligible to receive funds; existing recipients must annually submit such an audit. The bill specified that existing recipients must also meet the eligibility requirements currently required of new recipients found in s. 288.7102(4)(c), F.S.

The proposal also would have amended s. 288.7102, F.S., to require that the application and annual certification process for the Program be two separate and distinct processes. The DEO would be required to consider an applicant’s need, ability, and past performance providing similar business development services when assessing applications. Further, the proposal required the following in the loan application indicate the maximum possible score an applicant may achieve for each required section of the application; and:

- Indicate that the required cash match funds may be funds that were provided by a public agency;
- Require an applicant to document his or her past performance under any similar business development program; and
- Require an applicant indicate whether he or she previously provided loans, loan guarantees, or investments to black business enterprises as an employee of a public agency, and, if so, identify the programs for which such services were performed.

The Senate proposal did not have a House companion and failed to get through its remaining committees by the end of Session.

ENVIRONMENTAL PROTECTION

SB 200 – Advanced Well Stimulation by Sen. Montford | HB 547, by Rep. Fitzenhagen

The proposed legislation would have prohibited high-pressure well stimulation and matrix acidization in the state. It further clarified that a permit for drilling or operating a well does not authorize the performance of high-pressure well stimulation or matrix acidization. The prohibition only applies to oil and gas wells. Finally, the proposal defined:

- “High-pressure well stimulation” as “all stages of a well intervention performed by injecting fluids into a rock formation at a pressure that equals or exceeds the fracture gradient of the rock formation and the purpose or effect is to fracture the formation to increase production or recovery from an oil or gas well, such as in hydraulic fracturing or acid fracturing.”
- “Matrix Acidization” as “all stages of a well intervention performed by injecting fluids into a rock formation

at a pressure below the fracture gradient of the rock formation and the purpose or effect is to dissolve the formation to increase production or recovery from an oil or gas well. The term does not include techniques used for routine well cleanout work, well maintenance, removal of formation damage due to drilling or production, or acidizing techniques used to maintain or restore the natural permeability of the formation near the wellbore.”

SB 332 – Land Acquisition Trust Fund by Sen. Stewart | HB 879, by Rep. Altman

The bill would have created a statutory distribution from the Land Acquisition Trust Fund requiring \$100 million to be appropriated annually to the Florida Forever Trust Fund. Funds appropriated into the Florida Forever Trust Fund are required to be distributed in accordance with the Florida Forever Act. The bill also would have specified that the Land Acquisition Trust Fund may not be used to fund any costs within the budget entities that provide administrative support for the four state entities receiving these funds.

HB 639 – Displacement of Private Waste Companies, by Rep. McClure | SB 996, by Sen. Albritton

The bill would have removed the discretion for the local government to pay a displaced company in lieu of providing a 3- year notice period. The bill would have made mandatory the 3 years’ notice requirement before local governments may provide actual service and requires local governments to pay displaced private waste companies an amount equal to the company’s gross receipts for the preceding 18 months after the 3-year waiting period ends.

SB 668 – Recreation Programs, by Sen. Book | HB 83, by Rep. Duran

The bill would have revised the definition of the term “child care facility” to exclude government-sponsored recreation programs. The bill would have allowed counties, municipalities, and school districts to create and operate recreation programs for children at least five years old and requires such programs to offer four programming hours per day and to adopt standards of care specifying staffing ratios, minimum staff qualifications, health and safety standards, and level 2 background screening requirement for all staff and volunteers.

The bill also would have required such programs to notify parents of all children participating in the program that the program is not state-licensed, and the program may not advertise itself as a childcare facility. The bill would have required the program to provide all parents with the county or municipality’s standards of care. The bill provides definitions for the terms “summer day camp” and “summer 24-hour camp.” Finally, the proposal would have added “government-sponsored recreation program” to the list of entities to whom notification of the presence of a sexual predator must be given under the Florida Sexual Predators Act.

HB 1073 – Statewide Office of Resiliency, by Rep. Stevenson | SB 7016, by Infrastructure and Security Committee

The proposed legislation would have established the Statewide Office of Resiliency within the Executive Office of the Governor and requires the office to be headed by a Chief Resilience Officer, who is appointed by and serves at the pleasure of the Governor. It would have created the Statewide Sea-Level Rise Task Force (task force) whose purpose is to recommend consensus projections of the anticipated sea-level rise and flooding impacts along Florida’s coastline and provided for task force membership and requires all appointments to be made no later than August 1, 2020.

The proposal would have required the task force to develop official scientific information necessary to recommend consensus baseline projections, or a range of projections, of the expected rise in sea level along the state’s coastline for planning horizons designated by the task force. The bill further would have authorized the task force to designate technical advisory groups, as it deems necessary, to assist in the gathering of scientific data to inform the task force’s decision-making.

HB 1199 – Environmental Protection Act, by Rep. Ingoglia | SB 1382, by Sen. Albritton

The proposal would have amended the Florida Environmental Protection Act to prohibit, unless otherwise authorized by law or specifically granted in the Florida Constitution, a local government regulation, ordinance, code, rule, comprehensive plan, charter, or any other provision of law:

- From recognizing or granting any legal right to a plant, animal, body of water, or any other part of the natural environment that is not a person or political subdivision; or
- From granting a person or political subdivision any specific rights relating to the natural environment. The bill provides that the prohibition on granting rights to nonpersons may not be interpreted to limit the:
- Power of an adversely affected party to challenge the consistency of a development order with a comprehensive plan, or to file an action for injunctive relief to enforce the terms of a development agreement or to challenge compliance of the agreement with the Florida Local Government Development Agreement Act; or
- Standing of the Department of Legal Affairs, a political subdivision or municipality of the state, or a citizen of the state to maintain an action for injunctive relief as otherwise provided by the EPA.

GROWTH MANAGEMENT

HB 3 – Preemption of Local Occupational Licensing, by Rep. Grant (M) | SB 1336, by Sen. Perry

The bill would have expressly preempted the licensing of occupations to the state and supersedes any local government licensing of occupations. However, any licensing of occupations adopted prior to July 1, 2020, will continue to be effective until July 1, 2022, at which time it will expire. Any licensing of occupations authorized by general law would have been exempt from the preemption.

The bill specifically would have prohibited local governments from requiring a license for a person whose job scope does not substantially correspond to that of a contractor or journeyman type licensed by the Construction Industry Licensing Board, within the Department of Business and Professional Regulation, and specifically precluded local governments from requiring a license for: painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, canvas awning installation, and ornamental iron installation. The bill also expressly authorizes counties and municipalities to issue journeyman licenses in the plumbing, pipe fitting, mechanical and HVAC trades, as well as, the electrical and alarm system trades, which is the current practice by counties and municipalities.

SB 410 – Growth Management, by Sen. Perry | HB 203, by Rep. McClain

House passed 71-43; Senate passed: 23-16. GOVERNOR VETOED

This bill would have amended various sections of Florida law concerning growth management. In particular, the bill would have required a local comprehensive plan to have a property rights element, which requires the local government to consider certain private property rights in its decision-making process. Local governments would have been required to adopt this element during their next plan amendment process, or by July 1, 2023. The bill also would have provided that all municipal comprehensive plans effective, rather than adopted, after January 1, 2019, must incorporate development orders existing before the plan's effective date.

In its final committee – Senate Rules – the bill was amended to provide that a county charter provision or comprehensive plan goal, objective, or policy adopted after January 1, 2020, may not impose a limitation on lands within a municipality unless the municipality, by referendum or local ordinance, adopts and imposes the provision, goal, objective, or policy, and also provide that a county charter provision or comprehensive plan may not restrict a municipality from deciding the land uses, density, and intensity allowed on lands annexed into a municipality as long as the municipality's comprehensive plan complies with the Community Planning Act. The County, however, worked with the bill sponsor to limit the applicability of these provisions to counties with population under one million. The House later reduced this threshold to 750,000 to ensure Duval and Pinellas counties were not affected.

On June 30th, the Governor vetoed the proposal, stating that the broad provision prohibiting charter counties from amending their comprehensive plans, unless a municipality adopts the change, preempts a charter county's power.

HB 459 – Building Designs, by Rep. Overdorf | SB 954, by Sen. Perry

The bill would have prohibited local governments from applying land development regulations that require specific building design elements to single- and two- family dwellings unless certain conditions are met. In addition, the bill would have:

- Provided that local governments may apply land development regulations requiring certain building design elements to single- and two- family dwellings when:
 - The dwelling is a historic property or is located in a historic district;
 - The regulations are adopted in order to implement the National Flood Insurance Program;
 - The regulations are adopted in accordance with and in compliance with the procedures for adopting local amendments to the Florida Building Code; or
 - The dwelling is in a community redevelopment area.
- Defined the term “building design elements” to mean exterior color, type or style of exterior cladding, style or material of roof structures or porches, exterior nonstructural architectural ornamentation, location or architectural styling of windows or doors, and number, type, and layout of rooms.
- Provided that the term “building design elements” does not include a dwelling’s height, bulk, orientation, location on a zoning lot, or the use of buffering or screening to minimize potential adverse physical or visual impacts or protect the privacy of neighbors.

The bill also would have allowed a substantially affected person to petition the Commission for a non-binding advisory opinion on whether a local government regulation is an amendment to the Building Code and establishes a process for such.

HB 723 – Peer-to-Peer Car Sharing, by Rep. Fischer | HB 377, by Rep. Latvala | SB 478, by Sen. Perry

The bill would have established statutory requirements for peer-to-peer car-sharing, including liabilities and insurance obligations among participants. Specifically, the bill:

- Defined the term “peer-to-peer car-sharing” as the authorized use of a motor vehicle by an individual other than the vehicle’s owner through a peer-to-peer car-sharing program. The term does not include the renting of a motor vehicle through a rental company, the use of a for-hire vehicle, joint use of motor vehicles (such as ridesharing or carpooling) or a program that might otherwise be considered a peer-to-peer car-sharing program, if it is not used to process payment for use of a shared vehicle.
- Established insurance requirements for each party involved in peer-to-peer car-sharing. During the period that the owner is sharing the car with another driver, the peer-to-peer car-sharing program (e.g., Turo, Drift, and Getaround) is responsible for providing motor vehicle insurance at or above the statutory minimums for private passenger motor vehicles. It coordinates coverage if there are multiple insurance policies involved and depending on the circumstances. If the owner’s or driver’s policy lapses or is inadequate, the program is responsible for the insurance requirements.
- Allowed motor vehicle insurers providing insurance of the shared vehicle owner to exclude coverage for use of the vehicle in car-sharing.
- Provided that the peer-to-peer car-sharing program and vehicle owner are not vicariously liable for the actions and damages of the driver during periods of peer-to-peer car-sharing use.
- Specified recordkeeping requirements and retention periods.
- Included requirements for consumer protection notifications.
- Addressed the repair, use, and non-use of motor vehicles under a safety recall notice.

- Provided that the bill does not limit the liability of the peer-to-peer car-sharing program for its acts or omissions that cause bodily harm during peer-to-peer car-sharing; nor, the owner or driver to the peer-to-peer car-sharing program for economic losses due to a breach of contract.

HB 775 – Everglades Protection Area, by Rep. Avila | SB 1390, by Sen. Simmons

The bill would have required plans and plan amendments that apply to any land within, or within two miles of, the Everglades Protection Area to follow the State Coordinated Review process. Additionally, plans and amendments would have to:

- Be reviewed by the Department of Environmental Protection (DEP), in consultation with all federally recognized Indian tribes in the state, within 30 days of receipt, which must determine whether the plan or plan amendment adversely impacts the Everglades Protection Area or statutory Everglades restoration and protection objectives; and
- Include written notice from DEP stating the plan or plan amendment does not adversely impact the Everglades Protection Area or Everglades protection and restoration. The bill prohibits property that is the subject of the proposed amendment located within, or within two miles of, the Everglades Protection Area from being considered a small-scale amendment.

SB 834 – Emergency Alerts, by Sen. Simmons

The bill would have established conditions and processes for activation of the Emergency Alert System and issuance of an authorized Lockdown Alerts to public and private schools and childcare facilities by local, jurisdictional law enforcement agencies; and would require Imminent Threat Alerts to the public by the Florida Department of Law Enforcement and display of such alerts on dynamic message signs along the State Highway System.

SB 890 – Local Licensing, by Sen. Perry | HB 1161, by Rep. Plakon

The bill would have allowed an individual with a valid local license required by a municipality or county (local government) in Florida to work within the scope of a noncontractor local license throughout the state with no geographic limitation, and without obtaining an additional local license, taking an examination, or paying additional fees. Under this proposal, local governments would have had disciplinary authority over licensees who are licensed by another local government. The expanded authorization for local licensees to work anywhere in Florida did not include performance of construction contracting work in regulated trade categories, such as roofing or plumbing. The type of work authorized in the bill for local licensees working outside their original license area included, in part, the performance or installation of cabinetry, drywall, fencing and decks, rain gutters, interior remodeling, masonry, painting, paving, stuccoing, vinyl siding, and decorative tile and granite.

HB 1011 – Vacation Rentals, by Rep. Fischer | SB 1128, by Sen. Diaz

Local regulations adopted before June 1, 2011, would not have been subject to this prohibition. The bill would have:

- Preempted to the state the regulation of advertising platforms for vacation rentals.
- Authorized certain enforcement mechanisms relating to unlicensed activities.
- Clarified the scope of the state preemption of vacation rentals.
- Specified that local regulations which apply uniformly to all residential properties, without regard to whether the property is offered for rent, are not subject to preemption.
- Specified that the bill does not supersede the statutory authority of condominiums, cooperatives, or homeowners’ associations to govern the use of their properties.
- Required vacation rental operators to display licensing and tax information under certain circumstances.
- Authorized the Department of Revenue to adopt emergency rules for the purpose of implementing the changes made by the bill relating to the collection of the transient rental tax.

- Required advertising platforms to adopt an antidiscrimination policy and inform all users of their services that it is illegal to refuse accommodation to an individual based on race, creed, color, sex, pregnancy, physical disability, or national origin pursuant to s. 509.092, F.S.
- Required sexual offenders and sexual predators who stay in a vacation rental to register with the local sheriff's office under certain circumstances.

HB 1137 – Consumer Protection, by Rep. Clemons | SB 1492, by Sen. Wright

The bill would have made the following changes to the laws governing the divisions under the Florida Department of Financial Services (DFS):

- Motor Vehicles-Certificates of Title and Destruction–The bill updates the electronic signature requirements for salvage certificates of title.
- Consumer Credit Scores and Security Freezes–The bill prohibits consumer reporting agencies from charging a fee for a personal identification number used to place a security freeze. It requires that insurers notify applicants of the availability of DFS's financial literacy resources at certain times.
- Consumer Services–The bill requires that licensees provide documents when responding to written requests from DFS or the Office of Insurance Regulation and it eliminates obsolete penalties.
- Professions–The bill establishes insurance adjusting firms' licensure requirements and penalties, adds grounds upon which DFS may revoke or suspend licenses, and permits suspension of a title insurance agent's license for two years.
- Agency Names–This bill provides the specific authority for DFS to disapprove agency names containing the words "Medicaid" and "Medicare."
- Industrial Class Insurers–The bill amends the laws regarding industrial life insurance, small policies written upon individual lives, so that no such policies may be sold in Florida after July 1, 2020.
- Policyholder Rights–The bill extends the time that a policyholder must cancel a contract with a public adjuster, and amends the Homeowners Claim Bill of Rights and property insurer claim's handling requirements, including policyholder notification of a change in adjuster.
- Company Employee Adjuster–The bill adds adjusters employed by an insurer's affiliate to the definition of public company adjuster.
- Export to Surplus Lines–The bill mandates that the notification regarding the export of a policy to the surplus lines market, currently given only to commercial policyholders, be given to all policyholders.
- Unfair or Deceptive Acts–The bill adds two grounds, based upon effectuating an entire insurance policy without consent, to the list of acts that constitute sliding.
- Foreign Venue Clauses Prohibited–The bill requires dispute resolution for policies sold in Florida, and insuring property in Florida, on the admitted or surplus lines markets, occurs in Florida.
- Florida Insurance Guaranty Association (FIGA) Deductible–Currently, a policyholder whose claim is covered by FIGA must pay a \$100 deductible on that claim. The bill eliminates that deductible.
- Unclaimed Property–Florida law provides a detailed framework for the recovery of unclaimed property held by DFS. The bill creates uniform forms for use by claimants' representatives involved in the recovery process and caps the fees such representatives may charge.

HEALTH AND HUMAN SERVICES

SB 154 – Human Trafficking Education in Schools, by Sen. Thurston | HB 105, by Rep. Williams

Again, the proposal to require information regarding the dangers and signs of human trafficking be included in the comprehensive health education instruction in the public school system failed to make it to the finish line. The House bill never made it out of its first committee of reference and while the Senate was successful, it died in messages.

LOCAL BILLS

HB 983 – Broward County, by Rep. Stark

This bill would have created an independent special district to provide & fund senior services throughout Broward County. The bill was not heard in the House and died in the Local Administration Subcommittee.

HB 987 – Broward County, by Rep. Gottlieb

This bill would have created the Broward County Affordable Housing Improvement Act. The act would have authorized the county to levy a 45-cent discretionary documentary surtax to establish and finance affordable housing projects within Broward County. The bill was not heard in the House and died in the Local Administration Subcommittee.

PUBLIC WORKS

SB 150 – Sanitary Sewer Laterals, by Sen. Brandes

The bill would have required sellers of real property to disclose to purchasers any known defects in the property’s “sanitary sewer lateral,” which is the privately owned pipeline connecting a property to the public sewer system. The bill also encouraged counties and municipalities to establish programs to evaluate and rehabilitate private sewer laterals and to establish publicly accessible databases of known lateral defects.

HB 207 – Acquisition of Water and Wastewater Systems, by Rep. McClain | SB 658, by Sen. Albritton

Current law allows for the creation of intergovernmental utility authorities (IGUAs), which are not regulated by the PSC. The law prohibits an IGUA from acquiring a water or wastewater utility system that was previously acquired through eminent domain by a local government. The bill would have created an exception to the law by allowing an IGUA to acquire a utility system that was acquired through eminent domain at least 10 years prior.

HB 715 – Reclaimed Water, by Rep. Maggard | SB 1656, by Sen. Albritton

The bill would have required the Department of Environmental Protection (DEP) to adopt rules to create and implement a potable reuse program. The bill requires the rules to include certain procedures for the treatment of reclaimed water. The bill requires DEP to initiate rulemaking by December 31, 2020 and specified that the rules could not take effect until ratified by the Legislature. The proposal specified that potable reuse projects developed as qualifying public-private partnerships are eligible for expedited permitting beginning January 1, 2025 and are eligible for priority funding from the Drinking Water State Revolving Fund and water management district cooperative funding.

Further, the proposal would have required each domestic wastewater utility that disposes of effluent, reclaimed water, or reuse water by surface water discharge to submit to DEP a plan for eliminating nonbeneficial surface water discharges within five years. The bill also would have required each plan to be reviewed by DEP and, if approved, would have required the plan to be incorporated into the utility’s operating permit.

Finally, has the proposal been successful, a county, municipality, or special district would be required to authorize the use of residential graywater technologies that comply with the Florida Building Code and applicable requirements of the Department of Health in their respective jurisdictions if such technologies have received all applicable regulatory permits or authorizations. The bill further would have required such entities to provide incentives to developers and homebuilders to use such technologies.

SB 724 – Local Government Recycling Programs, by Sen. Albritton | HB 1031, by Rep. Killebrew

The bill would have provided an exemption for fiscally constrained counties from recycling goals required for county recycling programs. The bill would have also created within the Department of Environmental Protection (DEP) the Florida Recycling Working Group, consisting of members from eleven public and private organizations.

APPROPRIATIONS REQUESTS

County Appropriations Requests



Nancy J. Cotterman Center – Crisis Intervention Programs | Amount Requested: \$500,000

Amount Received: \$175,000 – GOVERNOR APPROVED

Sponsors: Rep. LaMarca | Sen. Book

Full funding will support two essential Nancy J. Cotterman Center (NJCC) programs that serve child and adult victims of abuse, sexual assault, and human trafficking in Broward County. Monies will be spent solely for project operations and direct services. The Advocate Program will affect a minimum of 300 victims of sexual assault and abuse; and the Anti-Human Trafficking Program will provide direct and intensive services for up to 25 victims. Both programs seek to empower at-risk individuals, victims (survivors), and county residents to get be aware, get involved, and report these horrifying incidents so the offender may be fully prosecuted. The programs also provide a comprehensive array of direct and intensive intervention services to victims for them to maneuver through the criminal justice system and everyday life. Both programs have received state funding in the past given the need for such services in the community and both programs received a significant reduction in funding this past fiscal year, severely impacting services received by victims.

Broward HIV Test and Treat Program | Amount Requested: \$1 million

Amount Received: \$800,000 – GOVERNOR VETOED

Sponsors: Rep. Jones | Sen. Braynon

The Test and Treat program will provide same day linkage to HIV medical treatment and supportive services (i.e. counseling, case management) for an individual that is newly diagnosed or was previously diagnosed with HIV but has fallen out of care. Specifically, funding will be used to supplement the purchase of anti-retroviral medications specifically prescribed for Test and Treat clients. Test and Treat covers the cost of medications prior to an individual being eligible for coverage under benefit assistance programs such as the AIDS Drug Assistance Program because the cost of medications and the number of individuals engaged in Test and Treat has outpaced the available funding.

In Broward County, Test and Treat was implemented as of May 2017 as a goal of the 2017 – 2021 Broward County Integrated HIV Prevention and Care Plan to address the prevalence of HIV in the community. It has been a collaborative partnership between the Ryan White Part A program and the local Florida Department of Health (FDOH). Since its launch Test and Treat has rapidly expanded. It has also grown in other counties as FDOH has incorporated Test and Treat as a key component in its strategy to reduce rates of new infections in Broward and statewide. Also, as noted in the President’s State of the Union speech (January 2019) the federal government is in the planning phase of Ending the HIV Epidemic initiatives which will include the expansion of rapid engagement (i.e. Test and Treat) – signaling that implementation of this model will continue in other locales that are disproportionately impacted by HIV.

Injectable Buprenorphine – Pilot Program | Amount Requested: \$158,814

Amount Received: \$158,184 – GOVERNOR VETOED

Sponsors: Rep. DuBose | Sen. Braynon

The Broward County Addiction Recovery Center (BARC) seeks to implement a pilot program making long-acting injectable buprenorphine available to individuals suffering from severe opioid use disorders. The target population are the largely indigent, without health insurance, and typically lack enough housing and social supports to

manage daily dosing of oral buprenorphine. This program will also address the need to provide effective treatment for individuals who suffer from severe opioid use disorder by using long-acting injectable Buprenorphine instead of a daily dose of oral Buprenorphine.

Funding this program will assist in reducing the costs and services related to emergency room visits, medical examiners, detoxification, and first responders' functions. The program will provide medication assisted treatment services to 45 clients. Specifically, clients served will receive: 2 months of extended release injectable buprenorphine medication at a cost of \$1,680 per injection. An initial assessment and education services at a cost of \$155.19 per 1-hour session.

Other Appropriations Requests

APPROPRIATIONS THAT FAILED

Broward Behavioral Health Coalition's Zero Suicide Initiative | Amount Requested: \$500,000

Sponsor: Rep. Jenne

Funding would have been utilized to support a coordinated system of suicide prevention through specifically identified evidence-based practices that will be outlined in the Psychological Autopsy of Broward County. The Broward Behavioral Health Coalition (BBHC) will conduct the Psychological Autopsy of Broward County in partnership with key community stakeholders and build a Community-wide Suicide Prevention Action Plan with specific recommendations to reduce suicide rates in Broward County. This appropriation was not funded in the 2020-21 General Appropriations Act.

General Appropriations Act 2020-21 Highlights

AFFORDABLE HOUSING

Program	FY 2020-21	
State Apartment Incentive Loan (SAIL)	\$ 115,000,000	
State Housing Initiatives Partnership (SHIP)	\$ 225,000,000	VETOED
Hurricane Housing Recovery Program	\$ 30,000,000	
Total	\$ 145,000,000	

** Note: The Governor appropriated \$250 million in CARES Act funding for rental and mortgage assistance for Florida families that have been negatively impacted by the COVID-19 pandemic. Details for how funding will be disbursed will be released at a later date.*

ENVIRONMENT

Program	FY 2020-21
Florida Forever / Land Acquisition DEP	\$ 100,000,000
Everglades Restoration	\$ 322,000,000
Beach Management Program	\$ 50,000,000
Alternative Water Supply Grants	\$ 40,000,000
Water Quality Improvement Grants	\$ 25,000,000
Florida Resilient Coastal Initiative	\$ 10,000,000
Coral Reef Disease Response	\$ 10,000,000
Reef Protection and Tire Abatement	\$ 2,500,000
Drinking Water State Revolving Loan Program	\$ 215,058,594

Wastewater Revolving Loan Program \$ 274,344,346

HEALTH AND HUMAN SERVICES

Program	FY 2020-21
Homeless Challenge Grant	\$ 3,181,500
Federal Emergency Shelter Grant	\$ 7,211,973
Homeless Housing Assistance Grants	\$ 4,611,000
Additional Community Action Treatment (CAT) Teams	\$ 2,250,000
Community Care for the Elderly	\$ 4,219,444
Home Care for the Elderly	\$ 600,000
Alzheimer's Respite Care	\$ 2,839,911
Community Substance Abuse & Mental Health	\$ 850,798,814

Note: Additional CAT Teams have not been identified.

TRANSPORTATION

Program	FY 2020-21
Aviation Development/Grants	\$ 395,521,413
Public Transit Development/Grants	\$ 405,951,983
Seaport – Economic Development	\$ 15,000,000
Seaport – Access Program	\$ 10,000,000
Seaport Grants	\$ 88,110,883
Seaport Security Grants	\$ 2,000,000 VETOED
Seaport Investment	\$ 10,095,000
Rail Development Grants	\$ 81,767,430
Intermodal Development Grants	\$ 74,438,222

CULTURAL AFFAIRS & LIBRARIES

Program	FY 2020-21
Cultural and Museum Grants	\$ 13,600,000
Libraries	\$ 20,500,000