



# **Buchanan Ingersoll & Rooney**

## **2024 Florida Legislative Summary**

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## 2024 Regular Session Summary

The 2024 Legislative Session ended Friday, March 8<sup>th</sup> in Tallahassee after the traditional handkerchiefs signifying "sine die" were dropped by the House and Senate Sergeant at Arms, concluding the annual sixty-day regular session. Lawmakers passed the constitutionally required balanced budget in the amount of \$117.5 billion, a decrease from the \$119 billion current year state budget, but largely avoiding controversial legislation targeting social "woke" issues supported by the Governor last year. However, lawmakers did pass legislation addressing everything from a "stand your ground" bill related to [shooting bears](#), to keeping children under age 16 off [social media](#), and several bills preempting local governments in various ways.

Below is a brief summary of major legislation passed this year.

### Health Care

A key component of the healthcare discussions this session was the "Live Healthy" [SB 7016](#), which aim to enhance healthcare delivery in Florida. Part of this initiative includes increasing the income eligibility limits for low-income Floridians to access community-based clinics, offering services free of charge to families making up to \$90,000 per year. This move aims to provide a more accessible alternative to Medicaid expansion, leveraging existing healthcare facilities more effectively. The initiative also includes efforts to attract and retain healthcare professionals through workforce training and development programs, as well as loan repayment incentives for those who volunteer in community clinics or health fairs.

One significant effort highlighted was the initiative to guide patients seeking non-emergency care away from emergency rooms to more appropriate settings. It involves creating or identifying alternative care sites adjacent to or near hospitals where patients can receive timely and effective care for non-emergency issues. Additionally, the proposal seeks to establish a 'medical home' for patients without primary care providers, ensuring they receive follow-up care and build ongoing healthcare relationships.

Lawmakers also explored innovative healthcare delivery models, such as permitting Medicaid patients to receive hospital care at home, which is part of a broader effort to address healthcare personnel shortages and improve service accessibility, especially in rural areas.

### Education

[House Bill 1291](#), passed during the 2024 Florida legislative session, focuses on Educator Preparation Programs. The bill prohibits the courses and curriculum of teacher preparation programs, postsecondary educator preparation institutes, professional learning certification programs, and school leader preparation programs from distorting certain events and including certain curriculum and instruction or including a curriculum or instruction that teaches identity politics, violates the Florida Educational Equity Act, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

Also approved was a bill ([HB 931](#)) to allow volunteer chaplains in public schools and a plan, [SB 7002](#), to ease state regulations on local school districts which was a Senate priority.

## Transportation

A variety of significant issues related to public transportation were passed this session. [House Bill 1301](#), passed this session, is a comprehensive piece of legislation or Florida Department of Transportation (FDOT) package. This bill encompasses several key changes and updates to the operations and responsibilities of FDOT and how it oversees infrastructure development, funding mechanisms, project implementations, and public transit providers.

- HB 1301 include modifications to the DOT's authority, the introduction of new rules and responsibilities, and the delineation of responsibilities between FDOT and local transit agencies. For example, the bill specifies:
- Provides that lane repurposing for public transit must be approved by a supermajority vote of the transit authority's board.
- Requires any action of eminent domain for public transit facilities must be discussed at a public meeting of the transit provider's board.
- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System for a two-year period.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires specified increases in administrative costs by a public transit provider must be reviewed and approved by FDOT.

Another FDOT bill, [HB 287](#), passed the Legislature, which in part, caps the revenues derived from state fuel taxes and motor vehicle license-related fees deposited into the State Transportation Trust Fund for public transit projects at twenty percent. Currently, funding from these sources adds up to about ten percent of the trust fund, so it is unlikely funds will max out anytime in the near future. However, this provision was vigorously debated throughout the sixty-day session by transit interests, opposing placing an artificial cap in statute.

## Tax Package

The tax relief legislation [HB 7073](#), along with provisions of the state budget, delivers over \$1.5 billion in broad-based tax savings across the state, with a focus on reducing taxes on property insurance as well as other key items.

*Back-to-School Sales Tax Holiday*

The legislation creates a 14-day “back-to-school” sales tax holiday from July 29 – August 11, 2024, for clothing, footwear, and backpacks costing \$100 or less, school supplies costing \$50 or less, learning aids costing \$30 or less, and personal computers or computer-related accessories, including non-recreational software, costing \$1,500 or less.

*Disaster Preparedness Sales Tax Holiday*

The legislation creates two 14-day “disaster preparedness” sales tax holidays from June 1 – 14, 2024 and August 24 – September 6, 2024, for disaster preparedness supplies.

Freedom Month: A Month-Long Sales Tax Holiday on Recreational Items from July 1 – July 31, 2024, purchases of admissions to music, sporting, and cultural events; tickets to movies and museums; single admission or season tickets to theatre and dance performances; state park admission and annual passes; and use of fitness facilities will be tax free.

*Skilled Worker Sales Tax Holiday on Tools*

The legislation creates a seven-day sales tax holiday from September 1 – 7, 2024, for certain tools used by skilled trade workers. Tax-free items include certain hand tools costing \$50 or less and power tools costing \$300 or less, work boots costing \$175 or less and many other pieces of safety equipment, as well as certain shop lights, toolboxes and belts, and plumbing and electrical equipment.

*Property Insurance Tax Relief*

HB 7073 includes a one-year relief for residential property insurance policyholders, covering the cost of insurance premium tax and the State Fire Marshal assessment for residential property insurance policies written between October 1, 2024, and September 30, 2025, for a twelve-month coverage period.

The bill also includes a one-year insurance premium tax relief on flood insurance policies, reducing the cost of flood insurance policies written between October 1, 2024, and September 30, 2025.

*Toll Relief*

HB 5001, the General Appropriations Act, accounts for \$450 million for a statewide toll relief program to be developed by the Department of Transportation. Toll relief will be provided for certain high-use customers from April 2024 until March 2025. Customers using a Florida-issued transponder who use Florida’s Turnpike System and other toll facilities in the state are eligible. Customers who engage in 35 or more toll transactions in a month will receive a 50 percent credit.

*Small Business Tax Relief*

HB 7073 provides a \$5 million credit for three years against the corporate income tax for businesses employing persons with unique abilities of \$1,000 per employee. Additionally, the bill provides for a \$5 million credit for three years for businesses for childcare expenses incurred on behalf of employees.

The bill also increases the annual cap for the Strong Families Tax Credit Program from \$20 million to \$40 million. The Strong Families Tax Credit Program was created in 2021 to provide tax credits for businesses that make monetary donations to certain eligible charitable organizations focused on child welfare and well-being.

Property Tax Relief

- Provides an assessment limitation for eligible biogas equipment.
- Delays the date on which tangible personal property of an electric utility is placed on the tax roll.
- Extends the time from 3 years to 5 years for an owner to begin rebuilding his or her homestead property after a disaster and continue to retain homestead tax benefits.
- Provides to taxing authorities an option to “opt-out” of the Live Local Act’s property tax exemption for affordable housing units where the income of the person renting is between 80 and 120 percent adjusted gross income, when certain data shows a surplus of such units and the taxing authority takes certain actions.
- Provides for relief from back taxes imposed on homestead property when a clerical mistake or omission results in an error in the assessment of the property, if the property owner voluntarily discloses that she or he is not entitled to the benefit. Otherwise, back taxes may be due for up to 5 years (instead of 10 years).
- Provides for a new property tax exemption for developments that dedicate at least 70 units for affordable housing. The project must be subject to an agreement with the Florida Housing Finance Corporation and agree to a land use restriction for 99 years and to be subject to penalty if the property no longer serves the income limited people as originally agreed to

[House Joint Resolution 7017](#) proposes an amendment to the Florida Constitution requiring the current \$25,000 homestead exemption, which is applied to all ad valorem taxes other than school district taxes, be adjusted annually for positive inflation growth. The amendment will be considered by Florida voters at the 2024 general election and, if approved by 60 percent of the electors voting on the measure would take effect on January 1, 2025.

Regulatory Issues

HB 1 Social Media Use for Minors which required social media platforms to perform reasonable age verification before permitting users to access their platforms, passed the Legislature only to be vetoed by Governor DeSantis. However, during the latter stages of session, the subject matter was revised in [HB 3](#) and passed by lawmakers in an attempt to gain the Governor's support. All indications are he will sign it into law this time around.

The bill is drawn to keep children under the age of 16 off social media. HB 1 and HB 3 were a priority for House Speaker Paul Renner believing social media harms children’s mental health.

The Legislature passed [SB 280](#) which deals with the recurring issue of regulating vacation rental properties in Florida. The bill includes preempting regulation to the state, while local governments could have local vacation rental registration programs. The bill was passed over the objections of local governments.

Lawmakers passed [HB 49](#) that loosens work restrictions on 16- and 17-year-old children. The bill removes restrictions concerning the number of work hours per day and per week for minors 16 and 17 years-of-age and specifies that minors 16 and 17 years-of-age may work the same number of hours as a person who is 18 years-of-age or older. It also maintains a 30-hour-a-week limit for the teens when school is in session but would allow parents or school superintendents to waive the limit.



The Legislature passed a bill aimed at addressing homelessness by restricting sleeping and camping in public places. [HB 1365](#), was approved and is backed by Governor Ron DeSantis. The bill prohibits cities and counties from allowing people to sleep at places such as public buildings and in public rights of way without a permit. There is a concern that without additional state funding, the requirements to create designated sleeping or camping areas that meet specific standards—such as access to restrooms, running water, security, and being alcohol- and drug-free—could place a financial strain on local governments.

## Budget

The Legislature passed a new state budget totaling \$117.46 billion, which will be in effect on July 1, 2024. It is slightly lower than the current fiscal year's budget of \$119.1 billion. The budget includes significant funding allocations, such as a \$1.8 billion increase for the Florida Education Finance Program, which is the main funding source for public schools, and an 8% increase in Medicaid funding for nursing homes. Additionally, it ensures that there will be no tuition increases for state college and university students.

The budget addressed red tide mitigation with proposed funding changes to research and continued grants. The plan also includes resources towards resiliency efforts that combat risks of flooding and sea level rise. Wastewater and Drinking Water Revolving Loan Programs were funded that contribute to Florida's clean water infrastructure, along with local water infrastructure improvements in communities across the state.

The budget appropriates funding for clean water infrastructure and the Wildlife Corridor, including land management efforts that will expand public access to state recreation and game lands.

In terms of housing, the budget proposals showed a commitment to affordable housing through allocations to the State Housing Trust Fund and the Local Government Housing Trust Fund, although specific appropriations to the Florida Housing Finance Corporation (FHFC) as recommended by the governor's proposal were not included. The proposals underscored the importance of transparency in funding flows for affordable housing, especially with the introduction of the Live Local Act.

The budget includes an across the board salary increase in the Department of Corrections (DOC), Department of Juvenile Justice, and our Court System and \$100 million was provided to fund both long-term construction projects and the repair of an aging prison infrastructure. Funding is included for additional teachers and IT Infrastructure, equipment, and educational materials for correctional facilities intended to help address inmate educational deficits and reduce the problem of inmate idleness in our institutions.

[HB 5001](#) includes K-12 teacher pay raises, the highest to date per student funding, and expanded school choice vouchers through the Family Empowerment Scholarship. There are no tuition hikes in higher education spending. Each university can spend tuition and fee revenue collected without having to seek legislative authorization to increase spending authority. Funding is also provided to support performance and excellence initiatives in state universities.

The following sections include major legislation that passed the 2024 Regular Session organized by issue area. Bills are subject to gubernatorial review and status may change depending on date received. Also included are bill statistics and team bios.

Please do not hesitate to contact our Florida Government Affairs team (850-681-4269) with any questions regarding information included in this report or visit us at [www.bjpc.com](http://www.bjpc.com).

**Commerce and Tourism**

**HB 49**      **Employment and Curfew of Minors-** *Effective Date July 1<sup>st</sup>, 2024; approved by Governor; Chapter No. 2024-25*

The bill (Chapter 2024-25, L.O.F.):

- Clarifies that minors 15 years old or younger may not work more than 15 hours in any one week, when school is in session.
- Provides an exception for minors 16 and 17 years to work for more than 8 hours in any one day when school is scheduled the following day and the day of work is a holiday or a Sunday.
- Provides that the cap of 30 hours per week when school is in session for minors 16 and 17 years old may be waived by a minor's parent or custodian or by the school superintendent or designee.
- Allows minors 16 and 17 years old to work more than 6 consecutive days in any one week by lowering the age limitation to minors 15 years old or younger.
- Requires that minors 16 and 17 years old who work for 8 hours or more in any one day may not work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period. The bill retains the limitation that minors 15 years old or younger may not work more than 4 hours continuously without an interval of at least 30 minutes for a meal period.
- Provides that the work restrictions do not apply to:
  - Minors enrolled in any educational institution, not just public schools, who qualify on a hardship basis and receive a waiver on hours from the school superintendent.
  - Minors 16 and 17 years old who are in a home education program or are enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only.
- Clarifies that the DBPR may grant a waiver of these restrictions.
- Clarifies that a violation by an employer of this section of law is punishable by fine and as a second degree misdemeanor as provided in s. 450.141, F.S.

**HB 141**      **Economic Development-** *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor*

The bill amends the Regional Rural Development Grants Program to:

- Eliminate the requirement that grant funds received by a regional economic development organization must be matched each year by nonstate resources in an amount equal to 25 percent of the state contributions;



- Remove the requirement that the Department of Commerce must consider the demonstrated need of the applicant for assistance when approving participants for the program; and
- Remove the requirement that an applicant must show proof that each local government and the private sector made a financial or in-kind commitment to the regional organization to receive funding.

Additionally, the bill allows Triumph Gulf Coast, Inc., to retain interest earned on the funds in its trust account rather than having those funds revert to the Triumph Gulf Coast Trust Fund. The funds are required to make awards or pay for administrative costs.

**HB 433**      **Employment Regulations-** *Effective Date July 1<sup>st</sup>, 2024; Approved by Governor; Chapter No. 2024-80*

#### *Workplace Heat Exposure Requirements*

A political subdivision is prohibited from:

- Requiring an employer or contractor to meet or provide heat exposure requirements that are not required under state or federal law;
- Giving preference in solicitations based upon employer heat exposure requirements; and
- Considering or seeking information relating to an employer's heat exposure requirements.

The bill does not limit the authority of a political subdivision to provide heat exposure requirements not otherwise required under state or federal law for direct employees of the political subdivision. These heat exposure provisions do not apply if compliance will prevent the political subdivision from receiving federal funds.

#### *Restrictions on Wage and Employment Benefits Requirements by Political Subdivisions*

Starting September 30, 2026, a political subdivision is prohibited from preferring one contractor over another based on the wages or employment benefits provided by the contractor.

Starting September 30, 2026, a political subdivision cannot require or try to control a minimum wage or employment benefits for certain employees under the terms of a contract or otherwise through the purchasing power of the political subdivision.

The above provisions do not impair any contract entered into before September 30, 2026.

#### *Preemption of Employee Scheduling Regulation*

Local governments are prohibited from adopting or enforcing any regulation relating to scheduling, including predictive scheduling, by a private employer except as expressly authorized or required by state or federal law, rule, or regulation or pursuant to federal grant requirements.

**SB 998**      **Sale of Liquid Petroleum Gas- *Effective Date July 1, 2024; if approved by Governor***

The bill makes a number of changes with regard to the regulation of liquefied petroleum (LP) gas by the Department of Agriculture and Consumer Services (DACS). Specifically, the bill:

- Provides that a category I liquefied petroleum gas dealer license must include one licensed location, and may include up to two remote bulk storage locations, and that remote bulk storage locations must be located within 75 miles of the licensed location and included in the category I liquefied petroleum gas dealer license application;
- Specifies that a competency exam must be completed within 90 days after the application has been accepted by the DACS;
- Requires that category I or category V qualifiers must have one year of verifiable LP gas experience;
- Clarifies that a qualifier for a business must actually function in a position with authority to monitor and enforce safety provisions at the licensed location, and that a separate qualifier is required for every 10 employees performing LP gas activities;
- Provides that a person may not act as a master qualifier for more than one licensee;
- Empowers the DACS to revoke the license of a qualifier or master qualifier who demonstrates a lack of trustworthiness;
- Gives the DACS the authority to condemn unsafe equipment and issue an immediate final order requiring the immediate removal of LP gas that is deemed a threat to public health;
- Adjusts language relating to aggregate capacity of containers;
- Requires LP gas technicians to provide their name and qualifier number on all work orders;
- Prohibits anyone other than those authorized from adding or removing gas from a customer's tank, and gives the DACS the authority to adopt rules to provide exceptions for emergencies; and
- Revises and clarifies the minimum storage requirement to account for aggregate storage.

**SB 1420**      **Department of Commerce – *Effective Date July 1, 2024, if approved by the Governor***

The bill makes the following changes that impact the Department of Commerce (DCM):

- Specifies that a citizen-led county charter amendment not required to be approved by the board of county commissioners which preempts certain land development

decisions are prohibited, unless expressly authorized in the county charter that was lawful and in effect on January 1, 2024. This provision is effective upon becoming a law.

- Provides that if the local government doesn't hold a second public hearing and adopt a comprehensive plan amendment within 180 days after the DCM provides comments, the amendment is deemed withdrawn; and provides that comprehensive plan amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendment to the DCM within 10 working days after the final adoption hearing.
- Deletes an outdated requirement that the Florida Sports Foundation must continue amateur sports programs previously conducted by the Florida Governor's Council on Physical Fitness and Amateur Sports.
- Extends the repayment period of the Local Government Emergency Revolving Bridge Loan Program from 5 to 10 years and directs the DCM to amend existing loans executed before February 1, 2024, to increase the loan term to a total of 10 years from the original date of execution. This provision is effective upon becoming a law.
- Requires the DCM to establish a direction-support organization (DSO) to take over the duties of the Florida Defense Support Task Force; provides for organizational composition; revises the mission of the DSO; requires the DSO to operate under a contract with the DCM; revises the due date for the annual report; and provides a repeal date of October 1, 2029.
- Creates a Supply Chain Innovation Grant Program within the DCM; requires the DCM to jointly select grants with the Florida Department of Transportation; provides that priority must be given to projects with innovative plans, advanced technologies, and development strategies that focus on future growth and economic prosperity; requires the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to review the program by January 1, 2027, and every three years thereafter; and provides the program expires June 30, 2034. Neither the bill nor the General Appropriations Act provides funding for this program.
- Revises the term "businesses" in the Incumbent Worker Training Program to include healthcare facilities and allied health care opportunities and revises the funding priority to provide that health care facilities, in addition to hospitals, operated by nonprofit or local government entities that provide opportunities in health care, are eligible for the funding.
- Provides that specified members of the state workforce development board are voting members.
- Specifies that a homeowner's association's proposed revived declaration of covenants and articles of incorporation and bylaws must be submitted to the DCM within 60 days after obtaining valid written consent from a majority of the affected parcel owners, or within 60 days after the date the documents are approved by affected parcel owners by a vote at a meeting.

## Community Affairs

**HB 113**      **Tax Collection and Sales** – *Effective Date July 1, 2024, Approved by Governor; Chapter No. 2024-91*

The bill makes various clarifying changes to local governments' annual tax collection administration to reflect current best practices related to errors and insolvencies reports and tax certificate sales. Specifically, the bill:

- Removes a defunct \$10 processing fee associated with partial payment of current year taxes which have not been collected in recent years;
- Requires that tax collectors include properties subject to federal bankruptcies, properties in which the taxes are below the minimum tax bill, and properties assigned to the list of lands available for taxes in their report on tax collections submitted annually to the board of county commissioners; and
- Clarifies the status of a tax certificate following cancellation of a tax deed application. Upon cancellation of a tax deed application due to failure to pay costs to bring the property to sale, the tax certificate on which the canceled tax deed application was based shall earn interest at the original bid rate of that certificate and remain inclusive of other taxes and costs paid associated with bringing the application.

**HB 267**      **Building Regulations-** *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor*

*Building Permit Processing Timeframes*

The bill provides a number of revisions to current law to adjust the statutory time frames for local governments to process building permit applications and to notify permit applicants of any deficiencies. Specifically, the bill requires local governments to approve, approve with conditions, or deny a complete and sufficient permit application within the following time frames:

- 30 business days for the following permits for structures that are less than 7,500 square feet: single-family residential unit or dwelling, accessory structure, alarm, electrical, irrigation, landscaping, mechanism, plumbing, or roofing.
- 60 business days for the above-mentioned permits for structures more than 7,500 square feet.
- 60 business days for signs and nonresidential buildings less than 25,000 square feet.
- 60 business days for multifamily residential not exceeding 50 units, certain site-plan approvals and subdivision plats, and lot grading and site alteration.
- 12 business days for master building permits for site-specific building permit.
- 10 business days for single-family dwellings utilizing the Community Development Block Grant-Disaster Recovery Program.

If a local government fails to meet a deadline provided in the bill, it must reduce the building permit fee by 10 percent for each business day that it fails to meet the deadline, with certain exceptions. The bill also revises the time frame for local governments to provide written notice to an applicant specifically stating the reasons the permit application is deficient and to provide the applicant an opportunity to resubmit revisions.

*Private Providers*

Current law allows property owners and contractors to hire licensed building code officials, engineers, and architects, referred to as private providers, to review building plans, perform

building inspections, and prepare certificates of completion. The bill makes the following changes concerning private providers:

- Requires local governments to process a building permit application associated with a private provider who is a licensed engineer or architect within 10 days.
- Requires local governments to create standard operating private provider audit procedures to be able to audit the performance of building code inspection services by private providers.
- Reduces the number of times a local government can audit a private provider from four times per month to four times per year.
- Removes a provision requiring a private provider to notify a local government by a specified day and time when performing an inspection.

#### *Window and Door Replacements*

The bill directs the Florida Building Commission to modify the Florida Building Code to state that sealed drawings by a design professional are not required for the replacement of windows, doors, or garage doors in an existing one-family or two-family dwelling or townhouse, if all the following conditions are met:

- The replacement windows, doors, or garage doors are installed in accordance with the manufacturer's instructions for the appropriate wind zone.
- The replacement windows, doors, or garage doors meet the design pressure requirements in the most recent version of the Florida Building Code, Residential.
- A copy of the manufacturer's instructions is submitted with the permit application in a printed or digital format.
- The replacement windows, doors, or garage doors are the same size and are installed in the same opening as the existing windows, doors, or garage doors.

#### *Unvented Attic Requirements*

The bill creates a new section of law to provide thermal efficiency standards for unvented attic and unvented enclosed rafter assemblies. The Florida Building Commission must review these provisions and consider any technical changes thereto and report such findings to the Legislature by December 31, 2024.

#### *Building Code Inspector and Plans Examiner Licensure*

The bill allows an internship program for residential inspectors to satisfy the internship requirement to qualify an applicant to sit for the building code inspector or plans licensure exam.

**SB 328**      **Affordable Housing** – *Effective upon becoming a law, if approved by the Governor*

The bill amends the 2023 Live Local Act's land use and zoning provisions for affordable multifamily rental developments to:

- Preempt a local government's floor area ratio for qualifying developments.
- Specify that a local government must reduce parking requirements for qualifying developments by at least 20 percent if the development is located within one-half mile of certain transportation facilities and has available parking within 600 feet.
- Modify the building height entitlement to address situations where a qualifying development is adjacent to single family parcels.
- Prohibit qualifying developments within one-quarter mile of a military installation from being approved administratively.
- Exempt certain airport-impacted areas from the zoning and land use entitlements.
- Make clarifying changes pertaining to the density, height, and floor area ratio entitlements for qualifying developments.
- Require qualifying developments be treated as a conforming use.
- Require local governments to publish procedures and expectations for the administrative approval of qualifying developments.
- Clarify that only the affordable units in a qualifying development must be rental units.
- Impose special qualifiers for developments within a transit-oriented development or area.

The bill makes a special provision to allow an applicant of a qualifying development who applied to the local government prior to the effective date of the bill to proceed under the applicable land use and zoning provisions of the Live Local Act as they existed as the time of submittal of the application.

The bill also amends the ad valorem tax exemptions of the Live Local Act, established to incentivize development of multifamily rental units for individuals and families at specified household income levels. The bill clarifies administrative procedures for the exemptions, allows developments in the Florida Keys to set aside fewer rent-restricted units to qualify for the exemption in s. 196.1978, F.S., and prohibits owners from using exempt units as vacation rentals.

The bill appropriates \$100 million in non-recurring funds from the General Revenue Fund to the Florida Housing Finance Corporation (FHFC) to administer the Florida Hometown Hero Program and makes one programmatic change. The Florida Hometown Hero Program was codified into law by the Live Local Act to provide down payment assistance to first-time Florida homebuyers meeting certain household income thresholds. Finally, the bill clarifies the authority of the FHFC to preclude developers from participating in FHFC programs for certain violations.

**HB 479**      **Alternative Mobility Funding Systems-** *Effective Date October 1<sup>st</sup>, 2024; if approved by Governor*

The bill revises provisions concerning impact fees and concurrency and provides additional guidance concerning mobility fees. In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for the issuance of a project's building permit, to maintain various civic services amid growth. While some local governments charge traditional impact fees related to transportation improvements, others have shifted to mobility-based fees which promote compact, mixed-use, and energy-efficient development. The



interaction of counties' and municipalities' mixed use of fees has given rise to a need for guidelines related to administration.

Specifically, the bill:

- Provides definitions for “mobility fee” and “mobility plan” to be used within the Community Planning Act;
- Provides that local governments adopting and collecting impact fees by ordinance or resolution must use localized data based on a regularly updated study;
- Provides that after an applicant makes its contribution or constructs its proportionate share, the project must be allowed to proceed;
- Requires local governments charging overlapping transportation impact fees to coordinate calculation and collections through interlocal agreement;
- Provides default method for collection and distribution, including a penalty on fees charged by local governments that have failed to execute an interlocal agreement; and
- Provides that holders of transportation or road impact fee credits, which existed before the adoption of the mobility fee-based funding system, are entitled to the full benefit of the intensity and density prepaid.

The interlocal agreement provisions do not apply to Miami-Dade County or any county or municipality which has entered into or otherwise updated an existing interlocal agreement as of October 1, 2024.

**HB 705**      **Public Works Projects** – *Effective Date July 1, 2024, if approved by the Governor*

Current law prohibits the state or political subdivisions from imposing certain requirements such as regional preference, minimum wages, and single source hiring on contractors for competitively bid public works projects utilizing state-appropriated funds. The bill revises the definition of “public works project” related to this prohibition to include those paid for with local or state funds, rather than limited to projects including state funding.

The bill clarifies that the term “public works project” does not include the provision of goods, services, or work incidental to the public works project, such as the provision of security services, janitorial services, landscaping services, maintenance services, transportation services, or other services that do not require a construction contracting license or do not involve supplying or carrying construction materials for a public works project.

The bill provides an exception permitting a county or municipality to engage in local preference-limiting eligible bidders for projects based on geographic location of the contractor, subcontractor, or supplier with respect to public works projects for which the local government is the sole funding source.

**SB 1084**      **Department of Agriculture and Consumer Services** – *Effective Date July 1, 2024; if approved by Governor*

The bill makes a number of changes to various regulatory activities of the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Preempts the regulation of electric vehicle charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations. The bill also expands the department’s rulemaking authority related to the requirements for electric vehicle charging stations.
- Provides an expiration date of the pest control operator’s certificate and amends requirements for its renewal.
- Prohibits applicants from swearing or affirming a false statement on an application for a pest control license, prohibits cheating on an examination required for licensure, and grants the department rulemaking authority to establish penalties for violations.
- Authorizes a Class “K” instructor to allow a Class “G” licensee to qualify for up to two calibers of firearms in a four-hour firearm requalification class.
- Authorizes the department to appoint a tax collector to accept new, renewal, and replacement license applications on behalf of the department for licenses issued under ch. 493, F.S.
- Authorizes a tax collector appointed under s. 790.0625, F.S., to collect certain fees and provide certain services for concealed weapon or firearm licenses on behalf of the department.
- Revises certain information that charitable organizations, sponsors, professional fundraising consultants, and professional solicitors must provide to the department to include street addresses.
- Amends the contribution-based registration fee thresholds to remove an option related to contributions raised by non-compensated volunteers, members, officers, or permanent employees under \$50,000 in the previous year.
- Amends the charitable organizations’ exemption from registration thresholds to refer to total contributions.
- Revises the information that must be displayed on certain collection receptacles to include street addresses.
- Provides that a person who solicits funds within a public transportation facility must obtain a written permit that includes street addresses and must be displayed prominently on the person’s badge or insignia.
- Defines “cultivated meat” as any meat or food product produced from cultured animal cells.
- Provides that it is a second degree misdemeanor to knowingly sell cultivated meat within this state, and prohibits all phases related to such sale: manufacturing, distributing, holding, or offering. However, the bill does not prohibit the manufacture or possession of cultivated meat for research purposes.
- Repeals the provision that requires the Weights and Measures Act to expire on July 1, 2024.
- Revises the information that must be provided to the department on a motor vehicle repair shop registration application and provides that the registration fee must be calculated for each location.
- Increases the threshold value of repair work which requires motor vehicle repair shops to provide a customer with a written repair estimate from \$100 to \$150.
- Increases the department’s statutory authority to repair or build structures from \$250,000 to \$500,000.
- Changes the name of the Florida Agriculture Museum to the Florida Agriculture Legacy Learning Center and makes conforming changes.

- Prohibits the willful destroying, harvesting, or selling of saw palmetto berries on private or public land without the written permission of the landowner, provides penalties for violations, and grants rulemaking authority to the department.
- Provides criminal penalties for trespassing on land classified as commercial agricultural property.
- Provides that a student's participation in a 4-H or Future Farmers of America (FFA) activity is an excused absence from school.

**SB 1526**      **Local Regulation of Nonconforming and Unsafe Structures** – *Effective Upon becoming a law, Approved by Governor; Chapter No. 2024-21*

The bill creates the Resiliency and Safe Structures Act, providing that a local government may not prohibit, restrict, or prevent the demolition of certain qualifying structures and buildings for any reason other than public safety. This applies to any structure or building on a property at least partially seaward of the coastal construction control line which has been determined to be unsafe or ordered demolished by a local building official, or does not conform to the base flood elevation requirements for new construction issued by the National Flood Insurance Program for the applicable zone. The bill does not, however, apply to:

- Structures or buildings individually listed in the National Register of Historic Places;
- Single-family homes;
- Contributing structures or buildings within a historic district which was listed in the National Register of Historic Places before January 1, 2000; or
- Structures or buildings located on a barrier island in a municipality with a population of less than 10,000 according to the most recent decennial census and which has at least six city blocks that are not located in zones V, VE, AO, or AE, as identified in the Flood Insurance Rate Map issued by the Federal Emergency Management Agency.

A local government may only administratively review an application for a demolition permit for compliance with safety codes and regulations applicable to a similarly situated parcel. The local government may not impose additional local land development regulations or public hearings on an applicant for a demolition permit under this bill.

The bill provides that a local government must authorize replacement structures for qualifying buildings to be developed to the maximum height and overall building size allowed for a similarly situated parcel within the same zoning district. The bill prohibits a local government from imposing certain restrictions and limitations on a replacement structure to be built on the property where a qualifying structure was demolished.

The bill also includes a preemption provision that prohibits a local government from adopting or enforcing a law that in any way limits the demolition of a qualifying structure or that limits the development of a replacement structure. A local government may not penalize an owner or a developer of a replacement structure or otherwise enact laws that defeat the intent of the bill. Any local government law contrary to this bill is void.

**HB 7013**      **Special Districts** – *Effective Date July 1, 2024, if approved by the Governor*

The bill revises numerous provisions relating to special districts. A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary. Specifically, the bill makes changes by:

- Creating a 12-year consecutive term limit for elected members of governing bodies of most types of independent special districts;
- Providing that boundaries of independent special districts may only be changed by an act of the Legislature, with an exception;
- Repealing provisions that allow special districts to convert to a municipality without legislative approval;
- Adding additional criteria for declaring a special district inactive;
- Revising notice and procedures for proposed declaration of inactive status;
- Authorizing districts that have been declared inactive to expend funds in certain instances;
- Requiring all special districts to adopt goals and objectives, as well as performance measures and standards to determine if those goals and objectives are being achieved;
- Requiring independent special fire control districts to report certain information to the Division of the State Fire Marshal;
- Reducing the maximum ad valorem millage rate that may be levied by a mosquito control district from 10 mills to one mill, with one exception;
- Requiring mosquito control districts to meet certain conditions required to participate in state programs; and
- Prohibiting the creation of new safe neighborhood improvement districts and requiring the Office of Program Policy Analysis and Government Accountability to conduct a performance review of existing safe neighborhood improvement districts.

### Criminal Justice

**SB 184**      **Impeding, Threatening, or Harassing First Responders** – *Effective Date January 1, 2025, Approved by Governor; Chapter No. 2024-85*

The bill provides that it is a second degree misdemeanor for any person, after receiving a verbal warning not to approach from a person he or she knows or reasonably should know is a first responder, who is engaged in the lawful performance of a legal duty, to violate such warning and approach or remain within 25 feet of the first responder, with the intent to:

- Impede or interfere with the first responder’s ability to perform such duty;
- Threaten the first responder with physical harm; or
- Harass the first responder.

The bill defines “first responder” as a law enforcement officer, correctional probation officer, firefighter, or an emergency medical care provider. The bill defines “harass” to mean to willfully engage in a course of conduct directed at a first responder which intentionally causes substantial emotional distress in that first responder and serves no legitimate purpose.

**HB 275**      **Offenses Involving Critical Infrastructure** – *Effective Date July 1, 2024, if approved by the Governor*

The bill creates s. 812.141, F.S., relating to offenses involving critical infrastructure. The bill creates new felony offenses and provides for civil remedies if a person is found to have improperly tampered with critical infrastructure.

The bill defines “critical infrastructure” to mean any linear asset or any specified entities for which the owner or operator thereof has employed measures designed to exclude unauthorized persons, including, but not limited to, fences, barriers, guard posts, or signs prohibiting trespass.

“Improperly tampers” means to cause, or attempt to cause, significant damage to, or a significant interruption or impairment of a function of critical infrastructure without permission or authority to do so.

A person commits a second degree felony if he or she knowingly and intentionally improperly tampers with critical infrastructure which results in:

- Damage to such critical infrastructure that is \$200 or more; or
- The interruption or impairment of the function of such critical infrastructure which costs \$200 or more in labor and supplies to restore.

The bill provides that a person who is found in a civil action to have improperly tampered with critical infrastructure based on a conviction of the above described crime is liable to the owner or operator of the critical infrastructure.

A person commits a third degree felony crime of trespass if he or she, without being authorized, licensed, or invited, willfully enters upon, or remains upon critical infrastructure as to which notice against entering or remaining in is given.

A person commits a third degree felony if he or she willfully, knowingly, and without authorization gains access to a computer, computer system, computer network, or electronic device owned, operated, or used by any critical infrastructure entity, while knowing that such access is unauthorized.

A person commits a second degree felony if he or she willfully, knowingly, and without authorization physically tampers with, inserts a computer contaminant into, or otherwise transmits commands or electronic communications to a computer, computer system, computer network, or electronic device that causes a disruption in any service delivered by any critical infrastructure.

**HB 533**      **DNA Samples from Inmates** – *Effective Upon becoming a law, Approved by Governor; Chapter No. 2024-31*

The bill requires that each inmate in the custody of the Department of Corrections who has not previously provided a DNA sample pursuant to s. 943.325, F.S., provide a DNA sample to the Florida Department of Law Enforcement (FDLE) by September 30, 2024. The FDLE is required to collect and process the samples pursuant to s. 943.325, F.S.

**SB 718**      **Exposures of First Responders to Fentanyl and Fentanyl Analogs** – *Effective Date October 1, 2024, Approved by Governor; Chapter No. 2024-68*

The bill creates s. 893.132, F.S., relating to dangerous fentanyl exposure of first responders resulting in overdose or serious bodily injury. First responder means an emergency medical technician, a paramedic, a firefighter, a correctional officer, a correctional probation officer, and a state or local law enforcement officer, who is acting in his or her official capacity.

The bill provides that a person 18 years of age or older who, in the course of unlawfully possessing dangerous fentanyl or fentanyl analogs, recklessly exposes a first responder to such substance that results in an overdose or serious bodily injury of the first responder, commits a second degree felony.

Dangerous fentanyl or fentanyl analogs means any controlled substance described in s. 893.135(1)(c)4.a.(I)-(VII), F.S.

The bill amends s. 893.21, F.S., to provide immunity from arrest and prosecution for a person who acting in good faith, seeks medical assistance because he or she, or another person is experiencing an alcohol or drug related overdose.

**HB 1389      Digital Voyeurism – Effective Date October, 2024, if approved by the Governor**

The bill amends s. 810.145, F.S., renaming the offense of “video voyeurism” to “digital voyeurism.” The bill adds “exploiting,” to the specified purposes a person must have to commit digital voyeurism. A person commits the offense of digital voyeurism if he or she, for the purpose of exploiting another person, intentionally uses or installs an imaging device to secretly view, broadcast, or record a person, without that person’s knowledge and consent, who is dressing, undressing, or privately exposing the body, at a place and time when that person has a reasonable expectation of privacy.

The bill provides that a person who is under 19 years of age and who commits the offense of digital voyeurism commits a first degree misdemeanor.

A person who is 19 years of age or older who commits the offense of digital voyeurism commits a third degree felony.

In addition to disseminating an image, a person may commit the crime of digital voyeurism dissemination or commercial digital voyeurism dissemination if he or she disseminates, distributes, or transfers a recording to another person for specified purposes, if that recording was created by digital voyeurism.

A person of any age who commits the offense of digital voyeurism dissemination or commercial digital voyeurism dissemination commits a third degree felony.

The bill provides that if a person who is 19 years of age or older is convicted of committing any violation of s. 810.145, F.S., relating to digital voyeurism and is a family or household member of the victim, or holds a position of authority or trust with the victim, the court shall reclassify the felony to the next higher degree as follows:

- A felony of the third degree is reclassified as a felony of the second degree.
- A felony of the second degree is reclassified as a felony of the first degree.

Each instance of secretly viewing a person in violation of subsection (2), or broadcasting, recording, disseminating, distributing, or transferring of an image or recording made in violation of subsection (2) is a separate offense for which a separate penalty is authorized.

The bill defines “position of authority or trust,” to mean a position occupied by a person 18 years of age or older who is a relative, caregiver, coach, employer, or other person who, by reason of his or her relationship with the victim, is able to exercise undue influence over him or her or exploit his or her trust.

Additionally, the bill revises the definition of the term “broadcast,” to include a visual recording.

The term “family or household member,” has the same meaning as in s. 741.28, F.S.

For purposes of sentencing under ch. 921, F.S., and incentive gain-time eligibility under ch. 944, F.S., a felony that is reclassified is ranked one level above the ranking in s. 921.0022, F.S. The bill ranks the offenses on the offense severity ranking chart as follows:

- Section 810.145(2)(c), F.S., Digital voyeurism; 19 years of age or older, is ranked as a Level 3.



- Section 810.145(3)(b), F.S., Digital voyeurism dissemination, is ranked as a Level 4.
- Section 810.145(4)(c), F.S., Commercial digital voyeurism dissemination, is ranked as a Level 5.
- Section 810.145(7)(a), F.S., Digital voyeurism; second or subsequent offense, is ranked as a Level 5.
- Section 810.145(8)(a), F.S., Digital voyeurism; certain minor victims, is ranked as a Level 5.
- Section 810.145(8)(b), F.S., Digital voyeurism; certain minor victims; second or subsequent offense, is ranked as a Level 6.

## **Education**

### **SB 1264    History of Communism – Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-102**

The bill requires, beginning in the 2026-2027 school year, instruction in public schools on the history of communism that is age and developmentally appropriate. The bill specifies topics that must be included in such instruction.

The bill requires the Department of Education (DOE) to prepare and offer standards for the required instruction and allows the DOE to seek input from victims of communism and organizations dedicated to the victims of communism.

The bill establishes the Institute for Freedom in the Americas (institute) within Miami Dade College (MDC) to preserve the ideals of a free society and promote democracy in the Americas. The institute must:

- Partner with the Adam Smith Center for Economic Freedom (center) to hold workshops, symposiums and conferences for leaders that promote democracy.
- Enter into an agreement with the center to provide coursework and programs that advance democratic practices and economic and legal reforms.
- Provide educational and experiential opportunities for regional leaders.

The bill requires MDC to establish a direct support organization (DSO) to support the institute and specifies the composition of the five-member DSO board to be appointed by the Governor, President of the Senate, and Speaker of the House of Representatives.

The bill renames the Adam Smith Center for the Study of Economic Freedom to the Adam Smith Center for Economic Freedom, authorizes the center to offer degrees, and requires the center to partner with the institute to support its mission.

The bill requires the Department of State, in collaboration with the DOE, to consult with state and national stakeholders to provide a recommendation to the Legislature by December 1, 2024, on the creation of a museum focusing on the history of communism.

### **SB 7002    Deregulation of Public Schools – Effective Date July 1, 2024; if approved by Governor**

The bill enables increased efficiency and higher productivity for district school boards by providing flexibility from redundant requirements related to operations, reporting, personnel, facilities, and finances.

### School District Operations

The bill authorizes the district school board to delegate to the superintendent the authority to establish a process for the review and approval of district-wide policies and procedures to improve efficiency.

SB 7002 provides flexibility to district school boards in satisfying their statutory duties to provide public notices related to meetings, levying millage, and the adoption of budgets by authorizing the publication of such notices on their websites.

It maintains the requirement for public notice to be provided at least two days prior to the noticed meeting.

The bill authorizes a district school board to adopt a policy that allows a parent to agree to a method of notification regarding a student's placement in a dropout prevention program or a suspension that is an alternative to U.S. or certified mail.

It also clarifies district school board authority in setting policies regarding the transfer of electronic records.

### School District Reports

The bill repeals several obsolete reporting requirements including the school district guidance report, school district report of the reduction of relocatable use, economic security report, school district educational plant survey, and the Florida College System employment equity accountability report. The bill also reduces financial reporting requirements by specifying that only school districts identified in State Board of Education (SBE) rule as having a financial concern would be subject to monthly reporting, and all others may be subject to less frequent reporting.

### School District Personnel

SB 7002 supports school district efforts to recruit and retain personnel. The bill:

- Requires the SBE to develop strategies to address critical teacher shortages areas;
- Requires the SBE to waive initial subject area examination and certification fees for specified exceptional student education teachers and requires the Commissioner of Education to make recommendations for the retention of exceptional student education teachers;
- Authorizes district school boards to develop and adopt their own policies relating to mentors and support for first-time teachers;
- Authorizes a newly-hired Voluntary Prekindergarten Education Program instructor to complete required emergent literacy training within 45 days of employment.
- Authorizes a district school board to use advanced degrees for salary adjustments when setting salary schedules for instructional personnel or school administrators if the advanced degree is in the individual's area of certification;
- Authorizes certified educators to request that their certification be placed in inactive status;
- Authorizes the use of a passing score on the SAT, ACT, or Classical Learning Test to satisfy the mastery of general knowledge requirement for professional educator certification;
- Provides flexibility in the assignment of teachers by clarifying that regulations related the percentage of experienced teachers assigned in low-performing schools or schools with a high percentage of low-income families is based on a teacher having no less than 3 years of experience; and
- Authorizes the civil penalties collected pursuant to enforcement by a school bus infraction

detection system to be used to provide financial awards to recruit or retain school bus drivers in the school district in which the civil penalties are assessed and collected and removes a requirement that the signage on the buses be posted with high visibility reflective signage.

The bill provides additional clarity for district school boards and teachers' unions regarding district school board duties that may not be precluded by collective bargaining, including but not limited to, the provision of incentives to effective and highly effective teachers, incentives to teachers assigned to low-performing schools, implementation of student intervention and support strategies, and the implementation of school safety plans and requirements.

The bill also requires the president of a bargaining unit to appear with a district superintendent if called by the SBE to explain an impasse.

SB 7002 expands the role of the Florida Institute for Charter School Innovation (Institute) by authorizing the Institute to develop a professional learning system and design an alternative teacher preparation program to enable certified teachers at charter schools to add coverages and endorsements to their certificates. The bill also clarifies that a teacher candidate enrolled in a postsecondary educator preparation institute must meet basic screening and teacher eligibility requirements prior to participating in field experiences. School District

### Facilities and Finances

The bill provides flexibility for district school boards in planning related to school facilities. The bill:

- Clarifies the authority of a district school board to adopt exceptions to the State Requirements for Educational Facilities.
- Adds discretion for local emergency management plans to determine requirements related to staffing emergency shelter facilities instead of requiring the district school board to staff the facilities.
- Broadens the scope of properties a district school board can lease or lease-purchase to include educational plants, ancillary plants, and auxiliary facilities instead of only educational facilities.
- Extends the exemption from cost per student station limitations for new construction projects until July 1, 2028.
- Increases from \$280,000 to \$600,000 the limit on day-labor contracts that a district school board may employ for the construction, renovation, remodeling, or maintenance of existing facilities.
- Removes the requirement to monitor and report the impact of change orders on the district school board educational facilities plan. The bill also increases from \$175 to \$200 per unweighted full-time equivalent student the amount from a district's capital outlay millage levy that the district may expend on specified vehicles and the payment of the cost of insurance premiums for educational and ancillary plants.

The bill provides for school districts an exception to the prohibition on using funds to purchase transportation equipment and supplies at prices which exceed those determined by the Department of Education (DOE) to be the lowest which can be obtained.

It also specifies that a school district that is unable to purchase transportation equipment and supplies at the lowest determined price may request from the DOE assistance with purchasing at such prices and may exceed such prices if the DOE is unable to assist the school district with its purchase.

**SB 7032**      **Education** - *Effective date July 1, 2024; if approved by Governor*

The bill creates the Graduation Alternative to Traditional Education (GATE) Program, GATE Scholarship Program, GATE Startup Grant Program, and GATE Program Performance Fund. All four programs are aimed at re-engaging students who have withdrawn from high school by providing opportunities to earn career education credentials while also completing a standard high school diploma or equivalent credential. The bill adds information about the GATE Program to the required notifications to 16 and 17 year old students who withdraw from high school.

The bill waives tuition and specified fees and the costs of instructional materials for students that are enrolled in the GATE Program at a school district career center, charter technical career center, or a Florida College System (FCS) institution. After the student's first term, the waiver is provided after an award of state aid from the Open Door Grant Program is applied, as available. The bill provides eligibility criteria for students to enroll in the GATE Program to specify that a student must:

- Not have earned a standard high school diploma or a high school equivalency diploma. • Have been withdrawn from high school. If age 16 or 17, have withdrawn according to requirements specified in law.
- Be a resident of this state for tuition purposes.
- Be 16 to 21 years of age at the time of initial enrollment.
- Select an adult secondary education program and career education program at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List. The student must remain in the pathway after enrollment, except that the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program.
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework.
- Complete the adult secondary education program and the career education program within three years unless the institution determines that an extension is warranted due to extenuating circumstances.

To assist FCS institutions, school districts, and charter technical career centers in administering the GATE Program, the GATE Scholarship and GATE Startup Grant Programs provide funds for starting programs in rural areas and reimbursing all participating institutions for the tuition and fees and instructional materials for students enrolled in the GATE program.

Additionally, the bill provides funding for institutions through the GATE Program Performance Fund. The performance funding is provided based on the number of students enrolled in the GATE program who earn a standard high school diploma or equivalent credential and a career certification that has been identified as having local, regional, or statewide value. The bill requires the Department of Education to disseminate information about the GATE Program and administer the GATE Scholarship and GATE Startup Grant Programs.

The GATE Scholarship and Startup Grant programs and the GATE Program Performance Fund provided for in this bill are subject to legislative appropriation. To support students in earning a standard high school diploma, the bill increases from 2 to 4 the number of courses that may be reported for funding for a student who is co-enrolled in a K-12 education program and adult education program. The bill also removes the requirement that the courses funded be core curricula.

## Environment & Natural Resources

### **HB 87**      **Taking of Bears- Effective Date July 1<sup>st</sup>, 2024; if approved by Governor**

The bill may be cited as the “Self Defense Act.” It provides that a person is not subject to any administrative, civil, or criminal penalty for taking a bear with lethal force if the person:

- Reasonably believed that his or her action was necessary to avoid an imminent threat of death or serious bodily injury to himself or herself or to another, an imminent threat of death or serious bodily injury to a pet, or substantial damage to a dwelling;
- Did not lure the bear with food or attractants for an illegal purpose, including, but not limited to, training dogs to hunt bears;
- Did not intentionally or recklessly place himself or herself or a pet in a situation in which he or she would be likely to need to use lethal force; and
- Notified the Florida Fish and Wildlife Conservation Commission (FWC) within 24 hours after using lethal force to take the bear.

The bill requires a bear taken under this section to be disposed of by FWC. In addition, a person who takes a bear under this section may not possess, sell, or dispose of the bear or its parts. The bill directs FWC to adopt rules to implement this section.

### **SB 1136**      **Regulation of Water Resources – Effective Date July 1, 2024; if approved by Governor**

The bill revises the qualification requirements a person must meet to take the water well contractor licensure examination. It requires an applicant to have at least two years of experience in constructing, repairing, or abandoning water wells specifically permitted in Florida.

SB 1136 authorizes an authority to whom a water management district has delegated enforcement powers to consistently apply disciplinary guideline rules relating to wells.

The bill includes business entities as possible violators of certain unlawful acts relating to wells. It adds that it is an unlawful act to advertise water well drilling or construction services if the business entity is not owned by a licensed water well contractor or does not employ a full-time water well contractor.

The bill provides that the onsite sewage treatment and disposal system (OSTDS) variance review and advisory committee is not responsible for water well permitting. However, the committee shall consider all requirements of law related to OSTDSs when making recommendations on variance requests for OSTDS permits.

## Ethics & Elections

### **HB 919**      **Artificial Intelligence Use in Political Advertising – Effective Date July 1, 2024; if approved by Governor**

The bill creates a definition for “generative artificial intelligence” and requires a disclaimer be included on specified forms of political advertisements created with generative artificial

intelligence (AI). Specifically, the bill defines “generative AI” to mean a machine-based system that can, for a given set of human-defined objectives, emulate the structure and characteristics of input data to generate derived synthetic content including images, videos, audio, text, and other digital content.

The bill requires a political advertisement, electioneering communication, or other miscellaneous advertisement of a political nature created in whole or in part with the use of generative AI to bear a disclaimer stating such if the generated content:

- Appears to depict a real person performing an action that did not actually occur; and
- Was created with intent to injure a candidate or to deceive regarding a ballot issue.

The bill prescribes additional disclaimer requirements for specified types of content. The bill specifies that in addition to any penalties provided by law, a person identified pursuant to another disclaimer required by campaign finance laws as paying for, sponsoring, or approving a form of political advertisement which is required to include the AI disclaimer but fails to include it commits a first-degree misdemeanor. In addition, the bill prescribes an expedited process for resolution of a civil complaint to the Florida Elections Commission of a violation of the AI disclaimer requirement.

**SJR 1114      Public Financing for Campaigns of Candidates for Elective Statewide –**  
*Effective Date upon a favorable vote from at least 60 percent of the electors*

The bill proposes the repeal of Art. VI, s. 7, State Constitution, which requires public financing for campaigns of candidates for elective statewide offices who agree to campaign spending limits. As implemented by law, the campaigns that may currently receive funding are limited to campaigns for the Office of the Governor and Cabinet offices.

The proposal will be presented to the electors of Florida at the 2024 general election or at an earlier special election specifically authorized by law for that purpose. Approval requires a favorable vote from at least 60 percent of the electors voting on the matter.

These provisions become law without the Governor’s signature and take effect upon a favorable vote from at least 60 percent of the electors voting on the matter at the 2024 general election or at an earlier special election specifically authorized by law for that purpose.

**SB 1116      Campaign Finance – Effective Date upon a favorable vote from at least 60**  
*percent of the electors*

This bill is linked to SJR 1114, which proposes the repeal of Art. VI, s. 7, State Constitution, a provision that requires public financing for campaigns of candidates for elective statewide offices who agree to campaign spending limits.

This bill repeals the statutory provisions governing Florida’s public financing program, if SJR 1114 is approved by voters.

The bill takes effect on the effective date of the amendment to the State Constitution proposed by SJR 1114 or a similar joint resolution having substantially the same specific intent and purpose, if such an amendment to the State Constitution is approved by the electors at the next general election or at an earlier special election specifically authorized by law for that purpose.



## Finance & Taxation

### **HJR 7017**     **Annual Adjustment to Homestead Exemption Value** – *Effective Date January 1, 2025; if approved by 60 percent of the electorate*

The joint resolution proposes an amendment to the State Constitution requiring the \$25,000 of assessed value that is exempt from all ad valorem taxes other than school district taxes be adjusted annually for positive inflation growth. It would also apply to any future homestead exemption applying only to ad valorem taxes other than school district taxes.

The joint resolution will be considered by the electorate at the 2024 general election and, if approved by 60 percent of the electors voting on the measure, the joint resolution would take effect on January 1, 2025.

### **HB 7073**     **Taxation** – *Effective Date July 1, 2024; if approved by the Governor*

The bill contains provisions for tax relief and changes to tax policy. Property Tax The bill:

- Provides an assessment limitation for eligible biogas equipment.
- Delays the date on which tangible personal property of an electric utility is placed on the tax roll.
- Extends the time from 3 years to 5 years for an owner to begin rebuilding his or her homestead property after a disaster and continue to retain homestead tax benefits.
- Requires property appraisers to include additional information in a notice of tax lien sent to a delinquent taxpayer.
- Makes administrative changes to the property tax exemptions created in the Live Local Act. For Monroe County, it reduces the number of units that must be set aside as affordable. It also clarifies what is considered a part of a unit's value that relates to the property tax benefits created by the Live Local Act.
- Provides to taxing authorities an option to "opt-out" of the Live Local Act's property tax exemption for affordable housing units where the income of the person renting is between 80 and 120 percent adjusted gross income, when certain data shows a surplus of such units and the taxing authority takes certain actions.
- Provides for relief from back taxes imposed on homestead property when a clerical mistake or omission results in an error in the assessment of the property, if the property owner voluntarily discloses that she or he is not entitled to the benefit. Otherwise, back taxes may be due for up to 5 years (instead of 10 years).
- Provides for a new property tax exemption for developments that dedicate at least 70 units for affordable housing. The project must be subject to an agreement with the Florida Housing Finance Corporation and agree to a land use restriction for 99 years and to be subject to penalty if the property no longer serves the income limited people as originally agreed to.
- Updates obsolete terminology by replacing the term "property assessor" with "property appraiser."

## Sales Tax

The bill:

- Provides for a 14-day back-to-school sales tax holiday from July 29, 2024, through August 11, 2024.
- Provides for two 14-day disaster preparedness sales tax holidays from June 1, 2024, through June 14, 2024, and from August 24, 2024, through September 6, 2024.
- Provides for a 7-day skilled-worker sales tax holiday for certain tools from September 1, 2024, through September 7, 2024.
- Provides for a 1-month sales tax holiday for recreational items and certain admissions purchased from July 1, 2024, through July 31, 2024, known as Freedom Month.
- Makes permanent the annual distribution of \$27.5 million per year from sales tax revenue to the Department of Agriculture and Consumer Services for the purpose of thoroughbred breeding and racing in the state.
- Allows motor vehicle lessors the option to pay sales tax when the vehicle is purchased rather than collect sales tax on each lease payment.
- Increases from 75 percent to 100 percent the amount of sales tax revenue that the Tax Collection Diversion program deposits into the special reserve account of the Florida Association of Centers for Independent Living when the program successfully collects delinquent taxes.

#### Documentary Stamp Tax

The bill:

- Reduces the amount of a reverse mortgage's value that is subject to tax.
- Provides a documentary stamp tax exemption for 3 years on notes and obligations used to purchase an alarm system. The note or obligation may be no greater than \$3,500 in value.

#### Corporate Income Tax

The bill:

- Adopts the Internal Revenue Code as it existed on January 1, 2024.
- Creates a time-limited tax credit for corporations who employ persons with unique abilities.
- Makes administrative changes to the credit provided for certain expenditures made by operators of short line railroads.

#### Local Taxes

The bill:

- Authorizes Jacksonville-Duval to levy the Indigent Trauma Care surtax.
- Requires the Indigent Trauma Care surtax to be levied by referendum only.
- Provides a procedure to follow that allows for the temporary suspension of surtaxes in a county where a levied surtax is found to be unconstitutional by the Florida Supreme Court.
- Provides that an ordinance to levy the Local Option Food and Beverage tax in Miami Dade County requires approval from a majority of the voters voting on the referendum.

### Various Taxes

The bill:

- Provides \$5 million in annual childcare tax credits for 3 years for certain childcare expenses incurred on behalf of employees.
- Amends provisions in the Strong Families Tax Credit program, which includes increasing the program cap from \$20 million per year to \$40 million per year. It also establishes the date and time at which a taxpayer may first submit an application to the Department of Revenue.
- Provides for a 1-year reduction in the tax rates that will be imposed on natural gas fuel which are set to be levied beginning on January 1, 2026. The first-year rates are reduced by 50 percent.
- Provides for an automatic due date extension for corporate income tax and sales tax during a federally declared disaster or a state of emergency.
- Allows the Department of Revenue to reopen assessments if the taxpayer failed to respond to a request as result of certain circumstances.
- Allows the Department of Revenue to include in a garnishment notice and levy additional costs and fees, which are authorized today but may not be included in such notice or levy.
- Provides that the sale of a boat and trailer count as a single item when purchased together and it clarifies which county's surtax must be collected.
- Deletes the requirement that a nonresident purchaser of a boat or aircraft who will remove the vehicle from Florida read the entire statute.
- Removes obsolete language regarding the registration fee for importers of pollutants.
- Creates a distribution for certain cancer centers and a neurological center in the amount of \$30 million per year for 30 years.
- Provides an appropriation in the amount of \$408,604 in nonrecurring general revenue funds to the Department of Revenue to implement the bill.
- Provides an appropriation in the amount of \$200,000 in nonrecurring general revenue funds to fiscally constrained counties to assist with reductions in property tax revenue resulting from Hurricane Idalia.

### Insurance Premium Tax and Assessments

The bill provides to policyholders a 1-year deduction on residential policies with effective dates between October 1, 2024, through September 30, 2024, equal to the amount of the Insurance Premium tax and State Fire Marshal assessment. Policyholders of flood insurance will receive a deduction in their insurance premium tax for policies effective October 1, 2024, through September 30, 2024. Insurance providers will be able to take a credit against their insurance premium tax liability in an amount equal to the deduction. Any unused credits will be refunded by the Department of Revenue from the General Revenue Fund.

## General Government

### **HB 21      Dozier School for Boys and Okeechobee School Victim Compensation Program** – *Effective Date July 1, 2024; if approved by Governor*

The bill creates the “Arthur G. Dozier School for Boys and Okeechobee School Victim Compensation Program” to compensate living persons who were confined to those schools. The bill requires the Department of Legal Affairs (DLA) to accept, review, and approve or deny applications for the payment of compensation claims under the bill. An application must be made by a living person who was confined to the Dozier School for Boys or the Okeechobee School. The bill sets forth the requirements for the application. Applications for compensation must be submitted by December 31, 2024. Once a person is compensated under this bill, the person is ineligible for any further compensation related to the person’s confinement to the Dozier School for Boys or the Okeechobee School.

The bill authorizes the Commissioner of Education to award a standard high school diploma to a person compensated under this program if the person has not completed high school graduation requirements.

The bill appropriates \$20 million in nonrecurring funds from the General Revenue Fund to the Department of Legal Affairs for the Dozier School for Boys and Okeechobee School Victim Compensation Program.

### **SB 592      Historical Preservation Programs** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-75*

The bill creates a partnership between the Department of State (DOS) and the Florida African American Heritage Preservation Network (FAAHPN). Subject to legislative funding, the DOS and the FAAHPN will preserve Florida’s Black and African American history by supporting museums, galleries, and archives, and by providing technology, training, and other technical assistance. The bill requires the FAAHPN to submit a list of member museums to the DOS. The DOS must independently verify that such museums are members of the FAAHPN. Additional eligible expenditures, such as internships and living history presentations, will be determined jointly by the DOS and the FAAHPN.

### **HB 1555      Cybersecurity** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-99*

The bill expands upon the mission and goals of the Florida Center for Cybersecurity, housed within the University of South Florida, by:

- Establishing as its primary emphasis, (a) the advancement and funding of education; and (b) research and development of cybersecurity initiatives; and, as its secondary emphasis, (a) community engagement, and (b) cybersecurity awareness.
- Clarifying that its mission and goal to attract cybersecurity companies to Florida includes the goal to attract related jobs.
- Adding to its goals the performance, funding, and facilitation of research and applied science that leads to the creation of new technology and software that has both military and civilian applications.
- Allowing the Center, at the Department of Management Services’ or Florida Digital Service’s

request, to conduct, consult on, or otherwise assist any state-funded initiative that relates to:

- o Cybersecurity training, professional development, and education for state and local government employees; and
- o Increasing the cybersecurity effectiveness of Florida's and its local governments' technology platforms and infrastructure.

**HB 7071**      **Foreign Investments by the State Board of Administration** – *Effective Date Upon Becoming a Law; if approved by Governor*

The bill limits the investments the State Board of Administration (SBA), on behalf of the Florida Retirement System, may hold relating to companies owned by the Chinese government. The bill prohibits the SBA from making new investments in Chinese companies (those companies in which the government of the People's Republic of China, the Chinese Communist Party, or the Chinese military have majority-ownership). The SBA must identify any current holdings in Chinese companies and divest from such interests no later than September 1, 2025. Actions taken pursuant to these new limitations must be incorporated into the investment policy statement for the Florida Retirement System Trust Fund.

Based on preliminary data from November 2023, the State Board of Administration preliminarily identified roughly \$277.1 million worth of direct holdings in 211 Chinese companies as defined in the bill.

### Health & Human Services

**SB 330**      **Behavioral Health Teaching Hospitals** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-12*

The bill creates the designation of behavioral health teaching hospitals to advance Florida's behavioral health systems of care by creating a new integrated care and education model.

Specifically, the bill includes provisions related to the following topics:

#### Designation

- Creates a new "behavioral health teaching hospital" designation within ch. 395, F.S., for licensed teaching hospitals that partner with a state university school of medicine and offer specific behavioral health education programs.
- Requires the Agency for Health Care Administration (AHCA) to designate the following hospital and university partnerships as Behavioral Health Teaching Hospitals (BHTHs) within 30 days of the bill becoming law:
  - o Tampa General Hospital, in affiliation with the University of South Florida;
  - o UF Health Shands Hospital, in affiliation with the University of Florida;
  - o UF Health Jacksonville, in affiliation with the University of Florida; and
  - o Jackson Memorial Hospital, in affiliation with the University of Miami.
- Beginning July 1, 2025, allows specific Florida-based medical schools to partner with one eligible statutory teaching hospital, notwithstanding the university affiliated with two in the initial BHTH designations once the bill becomes law.
- Limits a BHTH designation to 2 years, with a renewal process, and authorizes the AHCA to deny, revoke, or suspend a designation for non-compliance.
- Allows BHTHs to participate in the AHCA's new Training, Education, and Clinicals in

Health (TEACH) funding program for hospitals to offset administrative costs and loss of revenue to train behavioral health workforce professionals.

- Allows BHTHs to participate in the AHCA's Graduate Medical Education Slots for Doctors Program funding to provide each BHTH up to 10 residency slots at \$150,000 per slot.

#### Grant Program

- Establishes a grant program, subject to legislative appropriation, in the AHCA to fund BHTH operations and expenses and fixed capital outlay, including facility renovation and upgrades.
- Requires the ACHA to provide 30-day open application periods on November 1 of 2025 and 2026, to accept applications, accompanied by detailed spending plans, from designated BHTHs.
- On or before January 1 of 2025 and 2026, hospitals that plan to apply for designation must submit a letter of intent to the AHCA.
- The AHCA, in consultation with the Department of Children and Families (DCF), will evaluate and rank grant applications and submit recommendations for grant awards to the President of the Senate and the Speaker of the House of Representatives.
- The AHCA may submit budget amendments requesting the release of funds to make awards.

#### Florida Center for Behavioral Health Workforce

- Establishes the Florida Center for Behavioral Health Workforce (Center) within the University of South Florida's Louis de la Parte Florida Mental Health Institute to support an adequate, highly skilled, resilient, and innovative workforce that meets the current and future human resources needs of the state's behavioral health system and develop and disseminate best practices. The Center will:
  - Describe and analyze current workforce and possible future workforce demand and produce a statistically valid biennial analysis of the supply and demand of the workforce;
  - Expand pathways to behavioral health professions through enhanced educational opportunities and improved faculty development and retention;
  - Promote behavioral health professions; and
  - Convene stakeholders to assist the Center in its work.

#### Mental Health Inpatient Treatment Services Capacity Study

- Requires the DCF to contract for a detailed study of the capacity for inpatient treatment services for adults with serious mental illness and children with serious emotional disturbance or psychosis in this state's forensic inpatient, safety-net voluntary and involuntary civil inpatient placement, and Medicaid statewide inpatient psychiatric programs.
- The study must be completed by January 31, 2025.

The bill includes the following appropriations:

- \$300 million in nonrecurring general revenue funds to the AHCA to award grants of up to \$100 million each fiscal year beginning with Fiscal Year 2024-2025 for the development and implementation of the behavioral health teaching hospital model. Funds will held in reserve and released pursuant to ch. 216, F.S., to designated behavioral health teaching hospitals for operating and capital expenditures contingent upon a detailed spending



plan. The grant program can carry forward any non-disbursed grant funds for up to eight years.

- \$5 million in recurring general revenue funds to the Louis de la Parte Florida Mental Health Institute for the operation of the Florida Center for Behavioral Health Workforce.
- \$6 million in recurring funds, including \$2.6 million in general revenue funds and \$3.4 million from the Medical Care Trust Fund, to the AHCA for the Graduate Medical Education Slots for Doctors Program for residency positions at \$150,000 each.
- \$2 million in recurring general revenue funds to the AHCA to provide each BHTH up to \$500,000 in TEACH program funds.

**SB 362**      **Medical Treatment Under the Worker’s Compensation Law-** *Effective Date January 1, 2025; if approved by Governor*

The bill increases the maximum medical reimbursements for physicians and surgical procedures and the maximum fees for expert witnesses under ch. 440, F.S., the “Workers Compensation Law” (law). The law requires employers to provide injured employees all medically necessary remedial treatment, care, and attendance for such period as the nature of the injury or the process of recovery may require.

The bill increases the maximum reimbursement allowances (MRA) for physicians licensed under ch. 458, F.S., or ch. 459, F.S., from 110 percent to 175 percent of the reimbursement amount allowed by Medicare and increases the MRA for surgical procedures from 140 percent to 210 percent of reimbursement amount allowed by Medicare.

In regard to expert medical witnesses, the law currently limits the amount health care providers can be paid for expert testimony during depositions on a workers’ compensation claim to \$200 per hour, unless they only provided an expert medical opinion following a medical record review or provided direct personal services unrelated to the case in dispute, in which case they are limited to a maximum of \$200 per day. The bill increases the maximum hourly amount allowed for expert witnesses to \$300 per hour. If an expert witness is subject to the daily rate, the maximum amount allowed is increased to \$300 per day.

**SB 644 — Rural Emergency Hospitals –** *Effective Date July 1, 2024; if approved by Governor*

The bill creates a new hospital designation type, “rural emergency hospital” (REH), and defines requirements for a rural or critical access hospital to make application to the Agency for Health Care Administration for that designation.

The bill clarifies that an REH is subject to the requirements to provide emergency services and care for any emergency medical condition in accordance with current law and that an REH is not required to offer acute inpatient care or care beyond 24 hours or to make available other types of care that are required in a standard hospital.

Additionally, the bill extends the licensure expiration date for rural hospitals that were licensed in Fiscal Years 2010-2011 or 2011-2012, from June 30, 2025, to June 30, 2031.

**SB 892**      **Dental Insurance Claims-** *Effective Date January 1, 2025; if approved by Governor*

The bill revises provisions within the Florida Insurance Code relating to covered dental services, contractual agreements, and dental claims payments by a health insurer, prepaid limited health service organization (PLHSO), or a health maintenance organization (HMO). The Office of Insurance Regulation is responsible for regulating these entities. The bill:

- Prohibits a contract between a dentist and the health insurer, HMO, or PLHSO from limiting the method of claim payments for dental services to credit card payments only;
- Requires the health insurer, PLHSO, or HMO to notify the dentist of any fees associated with an electronic funds transfer (EFT) and alternative payment methods before the insurer, HMO or PLHSO pays a dentist via EFT;
- Requires the health insurer, PLHSO, or HMO to obtain the dentist’s consent via an email bearing the signature of the dentist or checking a box indicating consent prior to employing the claim payment through EFT;
- Prohibits the health insurer, HMO or PLHSO that pays a claim to a dentist through an automatic clearing house (ACH) from charging a fee solely to transmit the payment unless the dentist has consented to the fee;
- Prohibits the health insurer, HMO, or PLHSO from denying the payment of a claim if the procedure was previously authorized by an insurer, HMO, or PLHSO prior to the dentist rendering the service except under the following circumstances:
  - Benefit limitations were reached subsequent to the issuance of the prior authorization.
  - Inadequate documentation was submitted by the dentist to support the originally authorized procedures and claim.
  - Subsequent to the issuance of the prior authorization, new procedures are provided to the insured or the insured’s condition changes, resulting in the prior authorized procedure not being medically necessary.
  - Subsequent to the issuance of the prior authorization, new procedures are provided to the patient or the insured’s condition changes in the patient’s condition occurs such that the prior authorized procedure would at that time have required disapproval pursuant to the terms and conditions for coverage under the patient’s plan in effect at the time the prior authorization was issued.
  - The claim was denied because:
    - Another payor is responsible for payment.
    - The dentist has already been paid.

- The claim was submitted fraudulently, or the prior authorization was based on erroneous information submitted to the insurer, HMO, or PLHSO.
- The person receiving the procedure was not eligible to receive the procedure on the date of service.
- The services were provided during the grace period established under s. 627.608, F.S., or applicable federal regulations, and the dental insurer, HMO, or PLHSO notified the provider that the patient was in a grace period when the provider requested eligibility or enrollment verification from the dental insurer, HMO, or PLHSO, if such request was made.

The provisions of the bill apply to all policies and contracts issued or renewed on or after January 1, 2025. The Office of Insurance Regulation has all rights and powers to enforce the provisions of the bill pursuant to s. 624.307, F.S.

**HB 935**      **Home Health Care Services** – *Effective Date July 1, 2024; if approved by Governor*

The bill authorizes an advanced practice registered nurse (APRN) or a physician assistant (PA), to order or write prescriptions for Medicaid home health services. An APRN or PA ordering the services may not be employed, under contract with, or otherwise affiliated with the home health agency (HHA) rendering the services.

In order for the Agency for Health Care Administration to reimburse when an APRN or a PA orders or writes prescriptions for Medicaid HHA services, the bill requires that:

- The examination of the recipient by the APRN or the PA must happen within the 30 days preceding the initial request for the services and biannually thereafter, which are the same current-law requirements for physicians.
- The national provider identifier, Medicaid identification number, or medical practitioner license number of the APRN or the PA must be listed on the written prescription, the claim for reimbursement, and the prior authorization request, which is also required of physicians under current law.

**HB 1065**      **Substance Abuse Treatment-** *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor*

The bill amends the definition of “certified recovery residence” to include four levels and sets minimum standards for the level of care provided at those residences. The levels of care include:

- Level I: These homes house individuals in recovery who are post-treatment, with a minimum of nine months of sobriety and are run by the members who reside in them.
- Level II: These homes provide oversight from a house manager. Residents are expected to follow rules outlined in a resident handbook, pay dues, and work toward achieving milestones.

- Level III: These homes offer 24-hour supervision by formally trained staff and peer-support services for residents.
- Level IV: These homes are dwellings offered, referred to, or provided to patients by licensed service providers and are staffed 24 hours a day. The patients receive intensive outpatient care.

The bill defines “community housing” to align with a Level IV certified recovery residence to give effect to the substantive changes in the definition of certified recovery residence.

The bill makes the following changes as well to make the operation and regulation of a certified recovery residence more efficient:

- Authorizes the Department of Children and Families to issue one license for all eligible service components operated by a service provider.
- Allows certain certified recovery residences 90 days to retain another administrator, when an administrator has been removed.
- Prohibits a recovery residence from denying an individual access to the residence solely on the basis the individual has been prescribed federally approved medication for the treatment of substance use disorders.
- Prohibits a local ordinance or regulation from regulating the duration or frequency of a resident’s stay in a certified recovery residence located within a multifamily zoning district.
- Authorizes an increase in the number of residents actively managed in a recovery residence at any given time from 100 residents to 150 residents, if certain requirements are met.

**SB 1698**      **Food and Hemp Products** – *Effective Date October 1, 2024; if approved by Governor*

The bill makes a number of changes to s. 581.217, F.S., the State Hemp Program. It modifies the definition of “attractive to children” to include containers displaying toys or other features that target children, as well as provides additional packaging requirements. It revises the definition of “hemp” to outline that hemp extract may not exceed 0.3 percent total delta-9-tetrahydrocannabinol concentration on a wet-weight basis or exceed 5 milligrams per serving and 50 milligrams per container on a wet-weight basis, whichever is less.

The bill revises the definition of “hemp extract” to include hemp intended for inhalation and to prohibit it from containing controlled substances listed in s. 893.03, F.S.; any quantity of synthetic cannabinoids; or delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, or tetrahydrocannabivarin. It also creates a definition for “total delta-9-tetrahydrocannabinol concentration” to mean a concentration calculated as:  $[\text{delta-9-tetrahydrocannabinol}] + (0.877 \times [\text{delta-9-tetrahydrocannabinolic acid}])$ .

The bill adds requirements for the manufacture, delivery, hold, and offer for sale to the regulation of the distribution and sale of hemp extract. It specifies that if a batch is sold at retail that it must meet the new requirements for total delta-9-tetrahydrocannabinol concentration limits. It also requires such products to be sold in a container that includes the toll-free telephone number for the national Poison Help line.

The bill clarifies that hemp extract may only be sold to or procured by a business in this state if that business is properly permitted. A business or food establishment may not possess hemp extract products that are attractive to children.

The bill prohibits the Department of Agriculture and Consumer Services (department) from granting permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department determines that the hemp extract products comply with state law.

**SB 7016**      **Health Care** – *Effective Date Upon Becoming a Law; Approved by Governor; Chapter No. 2024-15*

The bill is the flagship of the 2024 “Live Healthy” initiative. The bill revises preexisting health care programs, creates new programs, revises licensure and regulatory requirements for health care practitioners and facilities, creates new provisions within programs relating to health care practitioner education, amends the state Medicaid program, and appropriates both general revenue and trust fund dollars for the purpose of growing Florida’s health care workforce and increasing access to health care services.

The bill contains numerous provisions, which are summarized below under various generalized subject headings.

### **The Creation of New Health Care Programs and Revisions to Existing Programs**

#### The DSLR and FRAME Programs

The bill expands the Dental Student Loan Repayment (DSLR) and the Florida Reimbursement Assistance for Medical Education (FRAME) programs, which offer student loan repayment dollars to practitioners who agree to provide services in underserved areas where there are shortages of such personnel, to include dental hygienists (at \$7,500 per year for up to five years) and mental health practitioners (at \$75,000 total over a four-year period), respectively, and to require all participants in each program to provide 25 volunteer hours annually through specified volunteer or pro bono programs in order to qualify for loan repayment.

Specific to the FRAME program, the bill also increases the four-year award amounts for all practitioners participating in the program as follows:

- \$150,000 for allopathic and osteopathic physicians;
- \$90,000 for advanced practice registered nurses (APRNs) engaged in autonomous practice;
- \$75,000 for non-autonomous APRNs and mental health professionals; and
- \$45,000 for licensed practical nurses (LPNs) and registered nurses (RNs).

The bill also specifies that certain practice settings qualify for the FRAME program and that the awards for both the DSLR and FRAME programs are not required to be awarded in consecutive years. The bill requires the Agency for Health Care Administration to seek federal authority to use Title XIX matching funds for the DSLR and FRAME programs and the bill establishes a sunset date for both programs of July 1, 2034.

For both the DSLR and the FRAME programs, the bill establishes new reporting requirements with details that the Department of Health (DOH) must provide to the Governor and the Legislature beginning July 1, 2024.

The bill requires the DOH to contract with an independent third party to evaluate the impact of

each program and to develop a report which must be presented to the Governor and the Legislature by January 1, 2030. These provisions also sunset on July 1, 2034.

#### The Telehealth Minority Maternity Care Pilot Program

The bill revises the Telehealth Minority Maternity Care Pilot Program, which was created in 2021 to increase positive maternal health outcomes in racial and ethnic minority populations in several Florida counties through the use of telehealth, to remove the “pilot” status and expand the program statewide. The bill also clarifies that the program is not required to be run through county health departments, that program providers can provide both telehealth and in-home services, and that the Healthy Start program may refer prospective clients to the program as well as receive referrals from the program.

#### Mobile Response Teams

The bill revises definitions and standards for mobile response teams (MRTs), which are behavioral health crisis response mechanisms that can be beneficial to individuals, their families, and any involved first responder when an individual is experiencing a behavioral health crisis.

The bill clarifies that the terms “mobile crisis response service” and “mobile response teams” have the same meaning. The bill also requires that the minimum standards for mobile crisis response services include the standards of MRTs established under ch. 394, part III, F.S., for children, adolescents, and young adults and creates a structure for general MRTs with a focus on crisis diversion and the reduction of involuntary commitment that requires, but is not limited to:

- Triage and rapid crisis intervention within 60 minutes;
- Provision of and referral to evidence-based services that are responsive to the needs of the individual and family;
- Screening, assessment, early identification, care-coordination; and
- Confirmation that the individual who received mobile crisis response was connected to a service provider and prescribed medications, if needed.

The bill also requires the Agency for Health Care Administration (AHCA) to seek federal Medicaid coverage and reimbursement authority for crisis response services. Under the bill, the Department of Children and Families (DCF) must coordinate with the AHCA to educate contracted providers of child, adolescent, and young adult MRT services on the enrollment process as a Medicaid provider, encourage and incentivize enrollment as a Medicaid provider, and reduce barriers to maximize federal reimbursement for community-based mobile crisis response services.

#### Florida Center for Nursing

The bill removes the sunset date from the Florida Center for Nursing’s duty to submit a report each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives containing its analysis of LPN, RN, and APRN education programs and to assess Florida’s nurse supply, including the numbers of nurses, demographics, education, employment status, and specialization. Under preexisting law, the requirement to submit the annual report would expire after the January 1, 2025 report.



### Charitable Care at Free Clinics

The bill amends the “Access to Health Care Act” to increase the maximum income a patient can have in order to be considered low-income, from 200 percent to 300 percent of the federal poverty level. In order for a charitable free clinic to qualify as a health care provider and be eligible for sovereign immunity, the free clinic must serve exclusively low-income patients. This change will increase the number of people a free clinic can serve while still maintaining its eligibility for sovereign immunity under Florida law.

### Statewide Health Care Screenings and Services Portal

The bill requires the DOH to create and maintain an Internet-based portal to direct the general public to events, organizations, and venues from which health screenings or services may be obtained at no cost or at a reduced cost and for the purpose of directing licensed health care practitioners to opportunities for volunteering their services to conduct, administer, or facilitate such health screenings or services. The DOH may contract with a third-party vendor for the creation or maintenance of the portal.

### Health Care Practitioner Licensure and Regulation Physician Licensure

The bill amends physician licensure statutes relating to the licensure of foreign-trained allopathic physicians or applicants for licensure who have not met all of the requirements normally needed for licensure by examination.

The bill requires that a physician licensed under this latter pathway must maintain his or her employment with his or her original employer, or with another health care provider that also operates at a location within the state, for at least two consecutive years. In this context, the term “health care provider” means a health care professional, health care facility, or entity licensed or certified to provide health services in this state as recognized by the BOM. Such licensed physicians must notify the BOM within five business days after any change of employer.

### Limited Licenses for Graduate Assistant Physicians

The bill creates limited licenses for both allopathic and osteopathic graduate assistant physicians (GAPs). The BOM and the Board of Osteopathic Medicine (BOOM), respectively, must issue a limited license for a duration of two years to an applicant seeking GAP licensure who meets certain requirements, among which are that the applicant:

- Is a graduate of an allopathic or osteopathic medical school or college, as applicable, approved by an accrediting agency recognized by the U.S. Department of Education;
- Has successfully passed all parts of the USMLE for allopathic physicians or the examination conducted by the National Board of Osteopathic Medical Examiners or other examination approved by the BOOM;
- Has not received a residency match from the National Resident Match Program (NRMP) within the first year following graduation from medical school;
- Has submitted documentation that the applicant has agreed to enter into a written protocol, with specific provisions required by applicable boards rules, drafted by a Florida physician with a full, active, and unencumbered license;
- Has submitted a copy of the protocol to the appropriate board; and
- Has submitted to the DOH a set of fingerprints as specified by the DOH. The bill authorizes a GAP to apply for a one-time renewal for one additional year of his or her limited license.

The bill specifies that a practitioner is only eligible for one GAP licensure period of up to two years, plus the optional one-year renewal.

The bill authorizes a GAP to only provide health care services under the direct supervision of a board-approved Florida physician who has a full, active, and unencumbered license. The supervising physician:

- May supervise no more than two GAPS;
- Must be physically present at the location where the GAP's services are rendered; and
- Must draft the protocol to specify the duties and GAP's responsibilities as specified by board rule, and must ensure that:
  - o The delegation of any medical task or procedure is within the supervising physician's scope of practice and appropriate for the GAP's level of competency;
  - o The limited licensed GAP's prescriptive authority is governed by the physician drafted protocol and may not exceed that of his or her supervising physician; and
  - o Any prescriptions and orders issued by the GAP must identify both the GAP and the supervising physician.

The bill requires the supervising physician to be liable for any acts or omissions of the GAP acting under the physician's supervision and control; and authorizes third-party payers to reimburse employers of GAPs for covered services rendered by GAPs.

#### Certification of Foreign Medical Education Institutions

The bill amends s. 458.314(8), F.S., to authorize the BOM, at its own discretion, to exclude any foreign medical school that fails to apply for certification under that section, from being considered as an institution that provides medical education that is reasonably comparable to similar accredited institutions in the U.S.

#### Medical Faculty Certificates for Allopathic Physicians

The bill amends s. 458.3145, F.S., to revise the criteria for issuing medical faculty certificates for medical doctors to delete the cap on the maximum number of certificates that may be issued at specified Florida medical schools.

#### APRN and Physician Assistant Licensure

The bill authorizes the BOM and the BOOM to issue temporary certificates to allopathic and osteopathic physician assistants (PAs), who have a current valid license in any U.S. jurisdiction, to practice in areas of critical need, under physician supervision, under the same general criteria as physicians are statutorily authorized to practice in those areas.

The bill also authorizes the Board of Nursing (BON) to issue temporary certificates to APRNs, who have a current valid license in any U.S. jurisdiction and who meet the educational and training requirements established by the BON, to practice in areas of critical need.

The bill provides that an APRN's temporary certificate to practice in areas of critical need is valid only so long as the State Surgeon General maintains the determination that the critical need that supported the issuance of the temporary certificate remains a critical need.

The bill requires the BON to review each temporary certificate-holder at least annually to ascertain that the certificate-holder is complying with the minimum requirements of the Nurse

Practice Act and its adopted rules. If the BON determines that the certificate-holder is not meeting the minimum requirements, the BON must revoke the temporary certificate or impose restrictions or conditions, or both, as a condition of continued practice.

The bill waives all licensure fees for APRNs obtaining a temporary certificate to practice in areas of critical need for the purpose of providing volunteer, uncompensated care for low-income residents. The applicant must submit an affidavit from the employing agency or institution stating that the APRN will not receive any compensation for any health care services that he or she provides.

#### Out-of-Hospital Intrapartum Care Provided by Autonomous APRN Midwives

The bill amends s. 464.0123, F.S., to require an autonomous APRN certified nurse midwife, as a condition precedent to providing out-of-hospital intrapartum care, to have a written transfer policy for patients needing a higher acuity of care or emergency services, including an emergency plan-of-care form signed by the patient before admission which contains the following:

- The name and address of the closest hospital that provides maternity and newborn services;
- Reasons for which transfer of care would be necessary, including the transfer-of-care conditions prescribed by BON rule; and
- Ambulances or other emergency medical services that would be used to transport the patient in the event of an emergency.

The bill requires autonomous APRN certified nurse midwives to document the following information on the patient's emergency plan-of-care form if a transfer of care is determined to be necessary:

- The name, date of birth, and condition of the patient;
- The gravity and parity of the patient and the gestational age and condition of the fetus or newborn infant;
- The reasons that necessitated the transfer of care;
- A description of the situation, relevant clinical background, assessment, and recommendations;
- The planned mode of transporting the patient to the receiving facility; and
- The expected time of arrival at the receiving facility.

The bill requires autonomous APRN certified nurse midwives to provide the receiving provider with the patient's emergency plan-of-care form, and the patient's prenatal records including patient history, prenatal laboratory results, sonograms, prenatal care flow sheets, maternal fetal medical reports, and labor flow charting and current notations. The bill requires autonomous APRN certified nurse midwives to provide the receiving provider with a verbal summary of the information on the patient's emergency plan-of-care form and make himself or herself immediately available for consultation. The bill eliminates the requirement that an autonomous APRN certified nurse midwife must have a written patient transfer agreement with a hospital and a written referral agreement with a physician to engage in autonomous nurse midwifery.

#### Clinical Psychologists

The bill revises the definition of "clinical psychologist" to remove the three years of experience required under preexisting law and authorizes a licensed clinical psychologist of any experience:

- To perform an involuntary examination under the Baker Act;
- If a psychiatrist or clinical psychologist with three years' experience is unavailable, to provide a second opinion to support a recommendation that a patient receive involuntary inpatient or outpatient services; and
- To determine if the treatment plan for a patient is clinically appropriate.

#### Psychiatric Nurses

The bill revises the definition of “psychiatric nurse” to reduce the experience requirement from two years to one year and authorizes a psychiatric nurse with one year of experience:

- To prohibit a patient from accessing clinical records if the psychiatric nurse determines such access would be harmful to the patient;
- Determine if the treatment plan for a patient is clinically appropriate;
- Authorize a person who is 14 years of age or older to be admitted to a bed in a room or ward in a mental health unit with an adult if the psychiatric nurse documents that such placement is medically indicated or for safety reasons; and
- Authorize the substitution of medications upon discharge of certain indigent patients if the psychiatric nurse determines such substitution is clinically indicated.

#### Multistate Practitioner Licensure Compacts

The bill provides that Florida will enter into the Interstate Medical Licensure Compact (for medical doctors and osteopathic physicians), the Audiology and Speech-Language Pathology Interstate Compact, and the Physical Therapy Licensure Compact.

#### Health Care Facility Licensure and Regulation Advanced Birth Centers

The bill creates a new designation for an advanced birth center (ABC) and defines an ABC as a licensed birth center which may perform trial of labor after cesarean deliveries for screened patients who qualify; planned low-risk cesarean deliveries; and anticipated vaginal deliveries for laboring patients from the beginning of the 37th week of gestation through the end of the 41st week of gestation. The bill establishes minimum requirements for ABC designation, including, but not limited to:

- Employing two medical directors to oversee the activities of the center, one of whom must be a board-certified obstetrician and one of whom must be a board-certified anesthesiologist.
- Entering into a written agreement with a blood bank for emergency blood bank services and have written protocols for the management of obstetrical hemorrhage which include provisions for emergency blood transfusions.
- Requiring AHCA rules for ABCs be, at a minimum, equivalent to the rules for ambulatory surgical centers.

The bill directs the AHCA to develop any additional ABC standards it deems necessary for patient safety.

#### Hospital Licensure and Regulations

The bill establishes several new requirements for hospitals, including requiring a hospital to give priority to students from a medical school located in Florida if the hospital accepts payment from any medical school which is directly, or indirectly, related to allowing students from the medical school to obtain clinical hours or instruction at the hospital.

The bill addresses the issue of persons who tend to utilize hospital emergency departments for nonemergent care or emergency care that could have been avoided with the regular provision of primary care. The bill requires all hospitals with emergency departments to develop and present to the AHCA for approval a nonemergent care access plan (NCAP) for assisting a patient gain access to appropriate care settings when the patient presents at a hospital emergency department with nonemergent health care needs or indicates when receiving a medical screening examination, triage, or treatment at the hospital that he or she lacks regular access to primary care.

Effective July 1, 2025, a hospital's NCAP must be approved by the AHCA before the hospital may receive initial licensure or licensure renewal occurring after that date. A hospital with an approved NCAP must submit data to the AHCA demonstrating the implementation and results of its NCAP as part of the licensure renewal process and must update the plan as necessary, or as directed by the AHCA, before each licensure renewal.

The bill also requires each hospital that maintains a certified electronic health record technology to make available its admit, transfer, and discharge data to the Florida Health Information Exchange program for the purpose of supporting public health data registries and patient care coordination.

## **The Medicaid Program**

### Potentially Preventable Health Care Events Report

The bill requires the AHCA to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2024, and each October 1 thereafter. The report is to be entitled "Analysis of Potentially Preventable Health Care Events of Florida Medicaid Enrollees" and must include, at a minimum, an analysis of potentially preventable hospital emergency department visits, admissions, and readmissions from the previous state fiscal year, reported by age, eligibility group, managed care plan, and region, detailing conditions contributing to each PPE or category of PPEs. The report must demonstrate trends, and the AHCA may contract with a third-party vendor for its production.

### Medicaid Primary Care Initiative for Managed Care Plans

The bill amends the Primary Care Initiative within Statewide Medicaid Managed Care (SMMC) to require that managed care plans contracted under the managed medical assistance (MMA) component of SMMC must assist new enrollees with initial primary care provider appointments until scheduled, report delays and the reasons for delays to the AHCA, and seek to ensure that such an enrollee has at least one primary care appointment annually.

The bill also requires a Medicaid managed care plan to coordinate with a hospital that contacts the plan under the requirements of the hospital's NCAP for the purpose of establishing the appropriate delivery of primary care services for the plan's members who present at the hospital's emergency department for nonemergent care or emergency care that could potentially have been avoided through the regular provision of primary care. The bill requires a managed care plan to also coordinate with the enrollee and his or her primary care provider for that purpose.

### Acute Hospital Care at Home Program

The bill requires the AHCA to seek federal approval to implement a Florida Medicaid acute hospital care at home program, consistent with the parameters of federal law that allow such

programs for Medicare patients.

#### Health Care Education Programs and Initiatives Graduate Medical Education

The bill makes multiple changes to the Statewide Medicaid Residency Program, which funds physician residency slots for hospitals and other health care institutions that qualify for such funding. The bill:

- Allows funding for up to 200 residency slots within the “Slots for Doctors” program to be directed to slots that were already in existence (rather than newly-created slots), under certain conditions;
- Adds a number of reporting requirements for hospitals and qualifying institutions that receive state funds from the SMRP, including financial reporting requirements that take effect July 1, 2025;
- Requires each hospital and qualifying institution to request that a resident who is exiting a residency program complete a residency exit survey and specifies minimum questions that must be asked; and
- Creates the Graduate Medical Education Committee within the AHCA to review SMRP data and create a report, beginning July 1, 2025, to the Governor and the Legislature providing specific details about the SMRP.

#### Training, Education, and Clinicals in Health (TEACH) Funding Program

The bill:

- Creates the TEACH program to reimburse qualified facilities (FQHCs, community mental health centers, rural health clinics, and certified community behavioral health clinics) for the expenses and loss of revenue they incur for providing clinical training to specified health care students and residents;
- Establishes standards for receiving the funds and an hourly rate of reimbursement based on the type of health care student or resident being trained;
- Sets a maximum award for each facility of \$75,000, or \$100,000 if the facility operates a residency program;
- Provides reporting requirements for facilities receiving funding from the program and requires the AHCA to contract with an independent third party to study and evaluate the impact of the TEACH program and provide a report to the Governor and the Legislature by January 1, 2030; and
- Provides a sunset for the program of July 1, 2034.

#### Linking Industry to Nursing Education (LINE)

The bill amends the LINE Fund in s. 1009.8962, F.S., in order to include independent schools, colleges, or universities with an accredited nursing program that is located in Florida and is licensed by the Commission for Independent Education. Additionally, the bill increases the passage rate for the Nursing License Examination, from 70 percent to 75 percent, which is required for LPN, associate of science in nursing, and Bachelor of Science in nursing programs to participate in the LINE Fund.



## Appropriations

For Fiscal Year 2024-2025, the bill appropriates \$327.4 million in recurring general revenue, \$3 million in nonrecurring general revenue, and \$386.7 million from trust funds to provide funding for the various programs and initiatives contained in the bill, including:

- \$245.8 million for Medicaid provider rate increases, prioritizing services for individuals with disabilities, maternal care, and dental care;
- \$10 million for the Dr. and Mrs. Alfonse and Kathleen Cinotti Health Care Screening and Services Grant Program;
- \$11.5 million for mobile response teams;
- \$23.4 million for the Telehealth Minority Maternity Care Program; □ \$30 million for the FRAME program;
- \$8 million for the DSLR program;
- \$25 million for the TEACH program;
- \$2 million for lab schools;
- \$5 million for LINE Fund expansion;
- \$50 million for the “Slots for Doctors” within the SMRP, thereby funding 500 new physician residency slots;
- \$5.5 million to the AHCA and \$4.9 million to the DOH for workload needed to implement their respective portions of the bill.

**SB 7018      Health Care Innovation – Effective Date Upon Becoming Law;**  
*Approved by Governor; Chapter No. 2024-16*

The bill (Chapter 2024-16, L.O.F.) sets forth legislative intent related to health care innovation in this state and creates a framework to implement that intent. The intent is to harness the innovation and creativity of entrepreneurs and businesses, in collaboration with the state’s health care system and stakeholders, to lead the discussion on innovations that will address challenges in the health care system and to transform the delivery and strengthen the quality of health care in Florida.

The bill creates the Health Care Innovation Council, a 15-member council within the Department of Health (DOH), to facilitate public meetings across the state to lead discussions with innovators, developers, and implementers of technologies, workforce pathways, service delivery models, or other solutions. Based on the public input and information gathered at public meetings, the bill requires the council to create best practice recommendations and focus areas for the advancement of the delivery of health care in Florida, with an emphasis on:

- Increasing efficiency in the delivery of health care;
- Reducing strain on the health care workforce;
- Increasing public access to health care;
- Improving patient outcomes;
- Reducing unnecessary hospital emergency department visits; and
- Reducing costs for patients and the state without reducing the quality of patient care.

The bill creates a revolving loan program within the DOH to provide low-interest loans to applicants to implement one or more innovative technologies, workforce pathways, or service delivery models in order to:

- Fill a demonstrated need;
- Obtain or upgrade necessary equipment, hardware, and materials;

- Adopt new technologies or systems; or
- A combination thereof to improve the quality and delivery of health care in measureable and sustainable ways that will lower costs and allow that value to be passed-on to health care consumer.

The bill directs the council to review loan applications and submit to the DOH a prioritized list of proposals recommended for funding. Under the bill, loan recipients will enter into agreements with the DOH for loans of up to 10-year terms for up to 50 percent of the proposal costs, or up to 80 percent of the costs for an applicant that is located in a rural or medically underserved area and is either a rural hospital or a nonprofit entity that accepts Medicaid patients.

The bill requires both the council and the DOH to publicly report certain information related to the activities required under the bill and requires the Office of Economic and Demographic Research (beginning October 1, 2029) and the Office of Program Policy Analysis and Government Accountability (beginning October 1, 2030) to evaluate specified aspects of the revolving loan program every five years. The bill requires both offices to include recommendations for consideration by the Legislature and that both offices must be given access to all data necessary to complete their evaluations, including any confidential data. The offices may collaborate on data collection and analysis under the bill.

The bill makes the following appropriations:

- For Fiscal Year 2023-2024, appropriates \$250,000 in nonrecurring General Revenue funds for the DOH to support the council.
- For Fiscal Year 2024-2025, appropriates \$1 million in recurring General Revenue funds for the DOH to support the council.
- For Fiscal Years 2024-2025 through 2034-2035:
  - o Requires the Chief Financial Officer by August 1 each year to transfer \$50 million from the General Revenue Fund to the Grants and Donations Trust Fund in the DOH.
  - o Appropriates \$50 million in nonrecurring funds from the Grants and Donations Trust Fund each year for the DOH to make loans under the revolving loan program. The DOH may use up to three percent of the funds for administrative costs to implement the revolving loan program.

**HB 7021      Mental Health and Substance Abuse – Effective Date July 1, 2024, if approved by the Governor.**

The bill modifies the Baker and Marchman Acts to improve the processes for obtaining mental health and substance abuse examinations and treatment and to align certain provisions to be consistent between both acts.

The bill amends the Baker Act in that it:

- Combines processes for court orders to streamline the process for obtaining involuntary services; expands courts' authority to commit a person to involuntary services; and authorizes courts to order a person to a combination of involuntary outpatient services and involuntary inpatient placement, based on the needs of the individual.
- Grants law enforcement officers' discretion on initiating involuntary examinations.
- Requires the 72-hour examination period to begin when a patient arrives at the facility.
- Extends the maximum period a person may be ordered to involuntary outpatient services from 90 days to 6 months.

- Authorizes remote appearances for the state attorney and witnesses for hearing proceedings.
- Removes the 30-bed cap for crisis stabilization units.

The bill amends the Marchman Act in that it:

- Combines the two-petition process—for assessment and stabilization, and for treatment—into one process.
- Requires the court to inform a respondent of the right to request an independent assessment.
- Reduces the court’s time-frame to schedule a hearing from 15 days to 10 days.
- Allows the person who filed a petition for an initial treatment order to petition to extend such treatment if the petition includes supporting documentation from the service provider.
- Allows service providers to exceed licensed bed capacity on a limited basis under certain circumstances.
- Authorizes a witness to appear remotely for hearing proceedings.

The bill amends both acts in that it:

- Creates a more comprehensive and personalized discharge planning process.
- Requires the Louis de la Parte Florida Mental Health Institute to prepare and publish certain reports on its website.

The bill appropriates \$50,000,000 in recurring funds to DCF to implement its provisions and has no fiscal impact on local government.

**SB 7072**      **Cancer Funding** – *Effective Date July 1, 2024; if approved by Governor*

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where hemp extract products sold that do not comply with general law or are sold by a business that is not properly permitted. Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products at the event and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

The bill appropriates \$2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the changes made by the bill.

The bill revises the Casey DeSantis Cancer Research Program’s purpose to include the promotion of the provision of high-quality, innovative health care for persons undergoing cancer treatment in Florida and requires the program’s allocation agreements to contain specific contractual requirements.

The bill specifies that grant funding available through the Cancer Innovation Fund is available to health care providers and facilities that demonstrate excellence in patient-centered cancer treatment or research.

The bill codifies the Cancer Connect Collaborative (Collaborative) in statute by providing that the Collaborative is created within the Department of Health (DOH) to advise the department and the Legislature on developing a holistic approach to the state’s efforts to fund cancer

research, cancer facilities, and treatments for cancer patients. Under the bill, the Collaborative must:

- Advise the DOH on the awarding of grants issued through the Cancer Innovation Fund;
- Make recommendations on proposed legislation, proposed rules, best practices, data collection and reporting, issuance of grant funds, and other proposals for state policy relating to cancer research or treatment; and
- Develop a long-range comprehensive plan for the Casey DeSantis Cancer Research Program by December 1, 2024.

The bill revises the membership of the Florida Cancer Control and Research Advisory Council from 15 to 16 members and requires that one member be a representative of the Mayo Clinic in Jacksonville.

The 2024-2025 General Appropriations Act provides \$40 million in recurring general revenue funds for the Cancer Innovation Fund.

## **Insurance and Banking**

### **HB 241      Coverage for Skin Cancer Screenings- *Effective Date July 1<sup>st</sup>, 2024;* *Approved by Governor; Chapter No. 2024-63***

The bill requires all contracted state group health insurance plans and health maintenance organizations (HMO) to cover and pay for annual skin cancer screenings performed by a Florida licensed dermatologist. The bill prohibits a state group health insurance plan or HMO from imposing any cost-sharing requirement for the annual skin cancer screening, including a deductible, copayment, coinsurance, or any other type of cost-sharing. The provider conducting the screening must be a dermatologist licensed as a medical doctor under ch. 458, F.S., or an osteopathic physician licensed under ch. 459, F.S., or an advanced practice registered nurse licensed under ch. 464, F.S., who is under the supervision of a dermatologist licensed under ch. 458 F.S. or ch. 459 F.S.

The bill requires payment for such annual skin cancer screenings to be consistent with the state group health insurance plan's or HMO's payments for other preventive screenings. Additionally, the bill prohibits all contracted state group health insurance plans or HMOs from bundling a payment for a skin cancer screening with any other procedure or service, including an evaluation or management visit, which is performed during the same office visit or subsequent office visit.

### **HB 885      Coverage for Biomarker Testing- *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor***

The bill requires the Florida Medicaid program and the Division of State Group Insurance program to provide coverage for biomarker testing for the diagnosis, treatment, management, and ongoing monitoring of disease or condition of an enrollee or insured, respectively, to guide treatment decisions when such testing provides clinical utility as demonstrated by medical and scientific evidence. The biomarker testing services may not be construed to require coverage of biomarker testing for screening purposes. The Florida Medicaid program and the Division of State Group Insurance program are required to outline a process for insureds and providers to access a process to request an authorization for biomarker testing.

A biomarker is a biological molecule found in blood, other body fluids, or tissues that is a sign of a normal or abnormal process, or of a condition or disease. A biomarker may be used to see how well the body responds to a treatment for a disease or condition. Biomarker testing is a method to look for genes, proteins, and other substances (biomarkers or tumor markers) that can provide information about cancer and other conditions.

The provision relating to mandated coverage of biomarker testing for Medicaid managed care plans takes effect October 1, 2024. The bill directs the Agency for Health Care Administration (AHCA) to include the rate impact relating to mandated coverage of biomarker testing for managed care plans in the applicable Medicaid managed medical assistance program and the long-term managed care program rates. The provision mandating coverage of biomarker testing relating to optional Medicaid services, authorizes the AHCA to seek federal approval necessary to implement the mandated coverage requirement. The mandated coverage requirement for the Division of State Group program applies to state group health insurance policies issued on or after January 1, 2025.

**SB 988**      **Public Records/ My Safe Florida Home Program-** *Effective upon becoming a law; if approved by Governor*

The bill provides that certain information within applications and home inspection reports submitted by applicants as part of the My Safe Florida Home Program to the Department of Financial Services is exempt from s. 119.07(1), F.S., and s. 24(a), Art. I, State Constitution. The information made exempt by the bill is:

- The components of the applicant's mailing address other than the city, zip code, and the addressee's name;
- Any phone number or email address provided by the applicant; and
- Detailed descriptions and pictures of the inside and outside of applicants' homes.

The bill applies the exemption retroactively to applications and home inspection reports submitted before, on, or after the effective date of the exemption.

The bill provides a statement of public necessity as required by the State Constitution. The exemption is necessitated because it is believed that public availability of this information puts participants in the MSFH Program at increased risk of home invasions and reduces privacy in their homes. Such risk may be significantly limited by making such information exempt.

The bill is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2029, unless the statute is reviewed and reenacted by the Legislature before that date.

**HB 1029**      **My Safe Florida Condominium Pilot Program-** *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor*

The bill creates the My Safe Florida Condominium Pilot Program (Program) within the Department of Financial Services (DFS), to provide hurricane mitigation inspections and

hurricane mitigation grants to eligible condominium associations. Implementation of the Program is subject to annual legislative appropriations. Under the Program, the DFS must provide fiscal accountability, contract management, and strategic leadership for the Program.

The bill provides, to condominium associations with condominium property within 15 miles of the coastline, a program similar to that of the My Safe Florida Home Program (MSFH) for owners of site-built, single-family, residential properties regarding requirements for participation, hurricane mitigation inspectors and inspections, eligibility for mitigation grants, contract management by the DFS, and required annual reports.

The bill places specific limits on grant awards. The limit for roof-related projects is set at \$11 per square foot times the square feet of the replacement roof, limited to \$1,000 per unit, and the maximum grant contribution is limited to 50 percent of the project. The limit for opening protection-related projects grant contribution is a maximum of \$750 per replacement window, not to exceed \$1,500 per unit, and a maximum grant contribution of 50 percent of the project. The bill provides that an association may receive grant funds for both roof-related and opening protection-related projects, but the maximum grant contribution is limited to \$175,000 per association.

The bill provides that the DFS may not accept grant applications or maintain a waiting list for grants after the cumulative value of the grants awarded have fully obligated the appropriation unless the Legislature provides express authority otherwise.

The bill requires the DFS to adopt rules to govern the program; to govern hurricane mitigation inspections and grants, mitigation contractors, and training of inspectors and contractors; and to perform its duties under the Program.

**HB 1503**      **Citizens Property Insurance Corporation-** *Effective Date July 1<sup>st</sup>, 2024; if approved by Governor*

The bill allows surplus lines insurers meeting certain criteria and approved by the Office of Insurance Regulation (OIR) to submit take-out offers on personal lines residential risks insured by Citizens, or for which Citizens has received an application for coverage, if such risks are not primary residences or do not have a valid homestead exemption under ch. 193, F.S. A “primary residence” is defined as a dwelling that is the policyholder’s primary home or is a rental property that is the primary home of the tenant, and which the policyholder or tenant occupies for more than nine months of each year.

A take-out offer from an approved surplus lines insurer will only render a Citizens policyholder ineligible for Citizens if the premium offered does not exceed the Citizens premium on comparable coverage by more than 20 percent; this is the standard that applies to take-out offers from authorized insurers. Only surplus lines insurers that are approved to participate by the OIR may make participate in the take-out program. To obtain approval, the surplus lines insurer must apply to the OIR to participate in the take-out process, provide data to the OIR related to coverage and rates, and file rates for review with the OIR for the take-out offer. The surplus lines insurer must also meet certain criteria such as having an “A-” financial strength



rating from A.M. Best and having a personal lines residential risk program that is managed by a Florida resident surplus lines broker.

The bill revises the Citizens eligibility requirement that certain personal lines residential risks must maintain flood insurance, by requiring flood insurance only on the dwelling. This provision is effective upon the bill becoming law.

The bill makes statutory changes to facilitate the transition of Citizens Property Insurance Corporation from an organizational structure where Citizens policies are held in three different accounts (a personal lines account, commercial account, and a coastal account) to a structure where all Citizens policies are held in a single account (the Citizens account). A primary benefit of a single-account structure is that it eliminates the possibility of a Citizens account experiencing a deficit necessitating policyholder surcharges and emergency assessments while one of Citizens' other accounts has surplus funds.

The bill provides that only licensed agents holding appointments by at least three authorized insurers that are actually writing or renewing property insurance in this state may be appointed by Citizens as its licensed agents. Current law requires the agent to hold an appointment by only one such insurer.

The bill also:

- Revises the signed acknowledgment of potential policyholder surcharge and assessment liability that agents must obtain from an applicant for Citizens coverage for the purpose of conforming the revised surcharge and assessment liabilities associated with the reorganization of Citizens into a single account;
- Provides that the executive director of Citizens is the agency head of Citizens for purposes of procurement bid protests under s. 287.057, F.S., and authorizes the executive director to appoint a designee to act on his or her behalf for all purposes under the that statute;
- Deletes language prohibiting the application of the Division of Administrative Hearing's bond requirements related to Citizens bid protest hearings;
- Allows licensed surplus lines agents access to confidential and exempt claims files for the purpose of considering whether to write a risk currently insured by Citizens;
- Authorizes Citizens to share its claims data with the National Insurance Crime Bureau (NICB), so long as the NICB maintains the confidentiality of certain documents;
- Authorizes Citizens to acquire patents, trademarks, and copyrights on work products and take action to enforce its rights therein; and
- Makes technical and clarifying changes.

**HB 1611**      **Insurance** – *Effective Date July 1, 2024; if approved by Governor*

The bill revises various provisions relating to the Office of Insurance Regulation (OIR).  
**Residential Property Insurance Reporting** The bill requires each insurer and insurer group, beginning January 1, 2025, to file the required personal and commercial lines residential property insurance supplemental reports to the annual report monthly, rather than quarterly, and to provide such information broken down by zip code rather than by county.

The bill provides the Financial Services Commission authority to adopt rules to administer provisions that require any insurer planning to nonrenew more than 10,000 residential property insurance policies in this state within a 12-month period to give the OIR at least 90 days written notice before issuing notices of nonrenewal. **Public Housing Self-Insurance Funds Regarding public housing self-insurance funds**, the bill specifies that reinsurance may be used as part of its program to protect the financial stability of the fund.

The bill provides that a continuing program of excess insurance coverage and reinsurance must:

- Include a net retention in an amount and manner selected by the administrator, ratified by the governing body, and certified by a qualified actuary;
- Include reinsurance or excess insurance from authorized insurance carriers or eligible surplus lines insurers; and
- Be certified by a qualified and independent actuary as to the program's adequacy.

The bill eliminates a requirement that the program retain a per-loss occurrence that does not exceed \$350,000. **Cancellation or Nonrenewal of Surplus Lines Residential Property Insurance Policies Regarding notices of cancellation or nonrenewal by surplus lines insurers**, the bill provides:

- Upon a declaration of an emergency pursuant to s. 252.36, F.S., and the filing of an order by the Commissioner of Insurance Regulation, a surplus lines insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering a dwelling or residential property which has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency for a period of 90 days after the dwelling or residential property has been repaired. A dwelling or residential property is deemed to be repaired when substantially completed and restored to the extent that the dwelling or residential property is insurable by another insurer that is writing policies in the area.

Regarding coverage under the Citizens Property Insurance Corporation (Citizens), the bill repeals provisions that allow Citizens to apply a different rate methodology to policies which, immediately prior to being insured by Citizens, were insured by an insurer determined by the OIR to be unsound or that was placed in receivership. Rates for such policies, if they cover a primary residence, will be subject to the Citizens rate "glidepath" which will restrict rate increases to 13 percent for 2024, rather than a prohibition on rate decreases and a limit of 50 percent on rate increases at issuance at renewal. If such policies do not cover a primary residence, the prohibition on rate decreases and the 50 percent limit on rate increases will apply.

**Roof Inspections** The bill provides that a licensed roofing contractor is considered an "authorized inspector" for purposes of s. 672.7011(5), F.S., to provide roof inspections to determine if an insurer may require the replacement of a roof that is at least 15 years old as a condition of continuing to provide homeowner's property insurance for a risk.

Investigations and Examinations – The bill specifies that for any proposed reciprocal insurer the OIR may investigate various aspects of the reciprocal insurer’s attorney in fact, members of its subscribers’ advisory committee or officers of its attorney in fact, and stockholders and directors of any attorney in fact of the reciprocal insurer. The OIR may also conduct market conduct examinations of the attorney in fact of each reciprocal insurer.

Fiduciary Duty – The bill provides that an attorney in fact has a fiduciary duty to the subscribers of the reciprocal insurer.

Definitions – The bill defines the terms “affiliated person,” “attorney in fact,” “controlling company,” and “reciprocal insurer.”

Permit Applications – The bill requires that a reciprocal insurer application must include certain information, including the name of the proposed reciprocal insurer and location of its principal office, the kinds of insurance it proposes to transact, the names and addresses of the original subscribers, certain information about the proposed attorney in fact, the articles of incorporation and bylaws, certain information about the subscribers’ advisory committee, a copy of the proposed subscribers’ agreement, and a copy of each form the insurer proposes to use.

To maintain its eligibility for a certificate of authority, a domestic reciprocal insurer must continue to meet all conditions required under the chapter and the rules for the initial applications for a permit and certificate of authority.

Fiduciary Duty – The bill provides that the attorney in fact has a fiduciary duty to the subscribers of the reciprocal insurer.

Acquisitions – The bill provides the following requirements regarding the acquisition of 10 percent or more of a reciprocal insurer:

- A person may not acquire 10 percent or more of the outstanding voting securities of an attorney in fact unless the OIR approves the acquisition after notice of the acquisition is provided to the OIR, the attorney in fact, the subscribers’ advisory committee (which must then notify the subscribers regarding how to object to the acquisition), and the domestic reciprocal insurer.
- The requirements do not apply to any acquisition of voting securities or ownership interest of an attorney in fact or of a controlling company by any person who is the owner of a majority of the voting securities or ownership interest with the approval of the OIR.
- The OIR may waive, or the person filing the notice may request that the OIR waive, the requirement that the subscribers’ advisory committee provide notice to subscribers of the proposed acquisition, if there is no change in ultimate controlling shareholders and their ownership percentages and no unaffiliated parties acquire any interest in the attorney in fact.
- The application must contain certain information the OIR deems necessary to determine the character, experience, ability, and other qualifications of the person or affiliated person seeking to make the acquisition so that the OIR can protect the reciprocal insurer’s subscribers and the public.
- An amendment to the application must be filed with the OIR detailing any changes in facts or the background information detailed in the application.

- The applicant has the burden of proof.
  
- During the application review period, any person or affiliated person complying with the filing requirements may proceed and take all steps necessary to conclude the acquisition so long as the acquisition becoming final is conditioned upon approval by the OIR. A material change in the operation or management of the attorney in fact or controlling company, unless specifically approved by the OIR, is prohibited;
  - o “Material change in the operation of the attorney in fact” is defined to mean a transaction that disposes of or obligates five percent or more of the domestic reciprocal insurer.
  - o “Material change in the management of the attorney in fact” is defined to mean any change in management involving officers or directors of the attorney in fact or any person of the attorney or controlling company having authority to dispose of or obligate five percent or more of the proposed acquisition disapproved and any further steps to conclude the acquisition ceased.
  
- The OIR may disapprove any acquisition by any person or affiliated person who willfully violates these acquisition requirements or violates the OIR orders related to divestiture or the acquisition of specified additional stock or ownership interest without complying with this section.
  
- The OIR generally must approve an acquisition if the OIR finds that the acquisition will not jeopardize the financial stability of the attorney in fact or prejudice the interests of the reciprocal insurer’s subscribers or harm the public. OIR approval of an offer or acquisition does not constitute a recommendation by the OIR. Any acquisition contrary to this section is void, as is any vote by a stockholder of record or any other person of any security so acquired.
  
- A presumption of control may be rebutted by filing a valid disclaimer of control.
  
- The OIR may order divestiture by a person who acquires 10 percent or more of voting securities of an attorney in fact or a controlling company without complying with this section. The OIR may suspend or revoke the certificate of authority of the reciprocal insurer whose attorney in fact or controlling company is acquired in violation of this section.
  
- A person who violates these provisions commits a third-degree felony, punishable as provided in ss. 775.082, 775.083, and 775.084, F.S.

Background Information – The bill requires that persons required to provide information on their background and identity must file a sworn biographical statement on a form adopted by the commission and fingerprints. The sworn biographical statement must include certain details regarding the person’s business and employment history for the past 20 years.

#### Florida Birth-Related Neurological Injury Compensation Association

Regarding the Florida Birth-Related Neurological Injury Compensation Association (NICA), the bill:

- Removes an exclusion providing that the award of family residential or custodial care is not to be included in current estimates for purposes of assessments;

- Provides that if the total of all current estimates of claims equals or exceeds 100 percent (presently, it is 80 percent) of the funds on hand and the funds that will become available within the next 12 months, the association may not accept any new claims without express authority from the Legislature; and

- Requires NICA, in consultation with the Office of Insurance Regulation and the Agency for Health Care Administration, to provide a report to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by September 1, 2024.

**SB 7028**      **My Safe Home Program** - *Effective Date July 1, 2024; if approved by Governor*

The bill amends various provisions relating to the My Safe Florida Home Program to:

- Allow a subsequent application for a mitigation inspection or mitigation grant only under certain circumstances;
- Provide that an applicant meeting the requirements for a mitigation inspection may receive an inspection even if the applicant is not eligible for a mitigation grant or the applicant does not apply for such grant;
- Require the homeowner to agree to provide information received from the homeowner's insurer identifying the premium discounts realized by the homeowner due to the mitigation improvements funded through the program;
- Provide that the Department of Financial Services (DFS) is not required to maintain a list of participating contractors, but rather, the homeowner must use a properly licensed contractor for the project and the DFS must verify that the contractor performing the work is licensed;
- Revise the list of grant eligible improvements to specify the inclusion of windows and skylights;
- Require the DFS to prioritize the review and approval of inspection applications and grant applications in the following order:
  - First, applications from low-income homeowners who are at least 60 years old;
  - Second, applications from all other low-income homeowners;
  - Third, applications from moderate-income homeowners who are at least 60 years old;
  - Fourth, applications from all other moderate-income homeowners; and
  - Lastly, all other applications;
- Remove the provision authorizing matching grants to local governments and nonprofit entities;
- Remove the provision authorizing grants to a previously inspected existing structure or on a rebuild;
- Require homeowners to finalize construction and request a final inspection, or request an extension, within one year after grant approval;
- Authorize the DFS to request additional information from the applicant;
- Revise provisions regarding the distribution of the MSFH Program brochure which provides information on the benefits to homeowners of residential hurricane damage mitigation; and
- Reorganize and rephrase certain provisions within the statute to provide better clarity.

The bill appropriates, for the 2024-2025 fiscal year, \$200 million in nonrecurring funds from the General Revenue Fund to the DFS to be used for hurricane mitigation grants, hurricane mitigation inspections, and outreach and administrative costs. The bill provides that the DFS may not continue to accept applications or create a waiting list in anticipation of additional funding unless the Legislature expressly provides authority to implement such actions.

**HB 7089 Health Care Expenses – Effective Date July 1, 2024; if approved by Governor***Consumer Protections Relating to Debt Collection Practices of Hospitals and Ambulatory Surgical Centers*

The bill creates several consumer protections relating to the collection of medical debt. The bill requires hospitals and ambulatory surgical centers (ASCs) to have an internal grievance process for patients to dispute charges. In regard to the medical debt collection practices of hospitals and ASCs (facilities) medical debt, the bill prohibits a hospital or ASC from engaging in extraordinary collections actions such as certain legal or judicial processes including commencing a civil action, garnishing wages, or placing a lien on property:

- Before the facility makes a reasonable effort to determine whether the individual is eligible for assistance under the facility’s financial assistance plan and, if eligible, before the facility decides regarding the patient’s application for such financial assistance.
- Before the facility has provided the individual with an itemized statement or bill.
- During an ongoing grievance process or an ongoing appeal of a claim adjudication.
- Before billing any applicable insurer and allowing the insurer to adjudicate a claim.
- For 30 days after notifying the patient, in writing by a traceable delivery method, that a collection action will commence absent additional action by the patient.
- While the individual:
  - o Negotiates in good faith the final amount of a bill for services rendered; or
  - o Complies with all terms of a payment plant with the facility. The bill establishes a three-year statute of limitations for actions to collect medical debt, which runs from the date on which the facility refers the medical debt to a third-party for collection. Currently, medical debt is subject to a five-year statute of limitation.

The bill exempts from attachment, garnishment, or other legal process in an action on hospital medical debt:

- A debtor’s interest, notto exceed \$10,000 in value, in a single motor vehicle. Currently, the exempt interest is \$1,000.
- A debtor’s interest in personal property, not to exceed \$10,000 in value, if the debtor does not claim or receive the benefits of a homestead exemption. Currently, the exempt interest is \$1,000. Price Transparency Provisions Relating to Facilities and Insurers

The bill creates price transparency requirements for hospitals, ASCs, and insurers relating to nonemergency services. The bill requires a hospital or ASC must post standard charges for specified shoppable services on its website or implement an internet-based price estimator tool that meets federal standards. The bill requires hospitals and ASCs must provide estimates of anticipated charges for nonemergency services and provide such good faith estimates (GFEs) to the patient’s health insurer and the patient. A health insurer, in turn, must prepare an advanced explanation of benefits (AEOB) for the insured patient, within a specified time frame prior to the service being provided, based on the facility’s estimate. An individual may request a GFE from a facility or an AEOB from an insurer, and the facility or the insurer must provide the



applicable document within three business days after receipt of a request from an individual. These provisions are consistent with existing federal law. The bill defers implementation of these provisions as follows:

- The changes made in this act relating to shoppable services, do not apply to ASCs until January 1, 2026.
- The changes made by this act to s. 395.301, F.S., relating to the issuance of GFEs by facilities, are not effective until the federal agencies adopt rules to implement the law. The Agency for Health Care Administration must notify the Division of Law Revision upon the promulgation of the final rule.
- The changes made by this is act to s. 627.446, F.S., relating to the AEOBs issued by insurers upon the submission of a GFE by a facility, are not effective until federal rules are adopted relating to the GFE and the AEOBs. The Office of Insurance Regulation must notify the Division of Law Revision upon the promulgation of the final rule pertaining to AEOBs.

#### *Direct Health Care Agreements*

The bill expands the health care providers that may participate in a direct health care agreement that is exempt from the insurance code to include a health care provider licensed under ch. 490 (practice of psychology) or ch. 491, F.S., (clinical, counseling, and psychotherapy services).

#### *Transparency and Accountability Requirements of Community-Based Care Lead Agencies*

The bill amends laws governing contracts of the Department of Children and Families (DCF) with community-based care lead agencies (CBCs) to increase transparency and accountability related to the administration of and services provided by the CBCs.

The bill revises contractual rights and obligations between DCF and the CBCs. For example, the bill provides that DCF may only extend a contract for a period of one to five years in accordance with s. 287.057, F.S., if the CBC has met performance expectations within the monitoring evaluation. The DCF must set forth minimum training criteria for CBC board members in the contracts with the CBCs.

The CBCs must ensure that board members participate in annual training related to their responsibilities to provide oversight and ensure accountability and transparency for the CBC system of care, and to provide fiduciary oversight to prevent conflicts of interest, promote accountability and transparency, and protect state and federal funding from misuse. The board of directors must discharge their duties in accordance with s. 617.0830, F.S.

The bill establishes the regulatory framework for a CBC's subcontracts and transactions with related parties, revises the CBC subcontract procurement process, and creates contractual remedies to address conflicts of interest, failures to follow procurement law, noncompliance with contractual requirements, and inadequate performance in the provision of child protection and child welfare services. The CBCs must competitively procure all contracts, consistent with the federal simplified acquisition threshold. The CBCs are required to competitively procure all contracts in excess of \$35,000 with related parties.

The bill requires board member of CBCs to disclose any known actual or potential conflicts to the DCF. The bill requires a CBC to post a fidelity bond for the board to cover any costs associated with re-procurement and the assessed penalties related to a failure of a board

member to disclose a conflict of interest. All DCF contracts with CBCs must contain the following penalty provisions:

- The DCF must impose penalties in the amount of \$5,000 per occurrence for each known and potential conflict of interest, which is not disclosed to the DCF.
- If a contract is executed for which a conflict of interest was not disclosed to the DCF before execution of contract, the following penalties apply:
  - o A penalty in the amount of \$20,000 for a first offense.
  - o A penalty in the amount of \$30,000 for a second or subsequent offense.
  - o The removal of the board member who did not disclose a known conflict of interest.

Further, a contract procured by a CBC board for which a conflict of interest was not disclosed to DCF before execution of the contract must be reprocured. The DCF must recoup from the CBC expenses related to a contract that was executed without disclosure of a conflict of interest.

The bill caps the salary of a CBC administrative employee at 150 percent of the Secretary of DCF's salary, regardless of the number of contracts a CBC may execute with DCF. The bill also requires contracts between DCF and CBCs to delineate the rights and obligations related to the acquisition, transfer, or other disposition of real property and sets minimum standards for those rights and obligations. Effective July 1, 2024, the DCF must approve any sale, transfer, or disposition of real property acquired and held by the CBC using state funds.

The bill repeals the current law related to the allocation of funds to CBCs and directs DCF in collaboration with the CBCs and child welfare providers to develop a new funding methodology for core service funding allocation that at a minimum, must be:

- Actuarially sound;
- Reimbursement based;
- Designed to incentivize efficient and effective CBC operations, prevention, family preservation, and child permanency;
- Scalable to account for regional cost-of-living differences; and
- Consider variable costs for in-home and out-of-home care, prevention services, operational costs, and fixed costs.

The bill also establishes the Future of Child Protection Contracting and Funding Workgroup to study, evaluate, and offer recommendations relating to contracts and general funding of the child welfare system. The DCF must convene the workgroup and is responsible for producing and submitting a report on the workgroup's findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 15, 2025.

## **Judiciary**

**HB 3**      **Online Protections for Minors-** *Effective Date July 1<sup>st</sup>, 2024; approved by Governor; Chapter No. 2024-42*

The bill requires regulated social media platforms to prohibit minors younger than 14 years of age from entering into contracts with social media platforms to become account holders. It

allows minors who are 14 or 15 years of age to become account holders, but only with the consent of a parent or guardian. Social media platforms are regulated under the bill if they:

- Allow users to upload content or view the content or activity of other users.
- Satisfy certain daily active user metrics identified in the bill.
- Employ algorithms that analyze user data or information on users to select content for users.
- Have certain addictive features.

With respect to all accounts belonging to minors younger than 14, and to those accounts belonging to minors who are 14 or 15 years of age but for whom parents or guardians have not provided consent, the bill requires regulated social media platforms to terminate them and also allows the account holders or their parents or guardians to terminate them. Social media platforms must permanently delete all personal information held by them relating to terminated accounts unless otherwise required by law to maintain the personal information.

The bill also requires regulated commercial entities that knowingly and intentionally publish or distribute material harmful to minors on a website or application to prohibit access to such material by any person younger than 18 years of age, if their website or application contains a substantial portion of material that is harmful to minors. Such commercial entities must verify, using either an anonymous or standard age verification method, that the age of a person attempting to access the material harmful to minors satisfies the bill's age requirements. If an anonymous age verification method is used, the verification must be conducted by a nongovernmental, independent third party organized under the laws of a state of the U.S. Any information used to verify age must be deleted once the age is verified.

Regulated social media platforms, commercial entities, and third parties performing age verification for commercial entities that knowingly and recklessly violate the bill's requirements are subject to enforcement under the Florida Deceptive and Unfair Trade Practices Act. The Department of Legal Affairs may collect civil penalties of up to \$50,000 per violation, reasonable attorney fees and court costs, and (under certain conditions) punitive damages. Account holders who are minors may also pursue up to \$10,000 in damages.

**HB 187**      **Antisemitism** – *Effective Date July 1, 2024; if approved by Governor*

The bill creates s. 1.015, F.S., which defines “antisemitism” based on the working definition developed and adopted by the International Holocaust Remembrance Alliance (IHRA). Under the bill, antisemitism means:

[A] certain perception of Jewish individuals which may be expressed as hatred toward such individuals. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and their property and toward Jewish community institutions and religious facilities.

The bill includes contemporary examples of antisemitism, and states that the purpose of the definition is to “assist in the monitoring and reporting of anti-Semitic hate crimes and discrimination and to make residents aware of and to combat such incidents in this state.”

The bill also provides that the term “antisemitism” does not include criticism of Israel that is similar to criticism of any other country, and that its provisions may not be construed to diminish or infringe upon any right protected under the First Amendment to the U.S. Constitution or to conflict with federal or state antidiscrimination laws.

**HB 473**      **Cybersecurity Incident Liability** – *Effective Date Upon Becoming Law; if approved by Governor*

The bill provides that a county or municipality that has substantially complied with cybersecurity protocols established by the Department of Management Services and that has timely notified the state and the local sheriff of a serious incident related to cybersecurity is not liable for civil damages related to the incident.

The bill also provides that a sole proprietorship, partnership, corporation, trust, estate, cooperative, association, or other commercial entity or third-party agent that acquires, maintains, stores, processes, or uses personal information is not liable in connection with a cybersecurity incident if the entity substantially complies with the Florida Information Protection Act (FIPA), adopts standards and guidelines in substantial alignment with the current version of any of ten national standards listed, adopts standards and guidelines that substantially align with all of the five federal laws that may apply to the entity (including HIPAA and Gramm-Leach-Bliley, and other similar requirements), and updates its standards and guidelines within 1 year after an update to the prevailing standard.

The protection afforded by the bill is an affirmative defense where the defendant entity has the burden of proof on applicability. The bill further provides that its provisions apply to any suit filed on or after the effective date of the bill and to any putative class action not certified on or before the effective date of the bill.

**HB 621**      **Property Rights** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-44*

Property owners have noted increased incidences of squatters taking over homes and staying after discovery due to inadequate legal remedies. The bill creates an optional new procedure for a property owner to request that a sheriff’s officer remove an unauthorized person from residential real property. The property owner must contact the sheriff and file a complaint under penalty of perjury listing the relevant facts that show eligibility for relief. The complaint form is in the bill. If the complaint shows that the owner is eligible for relief and the sheriff can verify ownership of the property, the sheriff must remove the unauthorized person. The property owner must pay the sheriff the civil eviction fee plus an hourly rate if a deputy must stand by and keep the peace while the unauthorized person is removed.

A person wrongfully removed pursuant to this procedure has a cause of action against the owner for three times the fair market rent, damages, costs, and attorney fees. The bill also creates three new crimes relating to unlawfully occupying a dwelling or fraudulently advertising property for sale or lease.

**HB 5401**      **Judges** – *Effective Date July 1, 2024; if approved by Governor*

The bill amends ss. 26.031 and 34.022, F.S., to establish two new circuit court judgeships (one

in the First Judicial Circuit and one in the Twentieth Judicial Circuit) and seven new county court judgeships (three in Orange County, two in Hillsborough County, one in Santa Rosa County, and one in Columbia County). The Supreme Court issued Order No. SC2023-1586, dated November 30, 2023, certifying the need for one additional circuit court judge (Twentieth Circuit) and five additional county court judges (three in Orange County and two in Hillsborough County).

The bill conforms to HB 5001, the Fiscal Year 2024-2025 General Appropriations Act, which includes \$3,749,038 in General Revenue funding, and authorizes 20 full-time equivalent positions with an associated salary rate of \$2,219,713, for the newly established judgeships and associated judicial assistants and attorney staffing.

## Regulated Industries

### **SB 280**      **Vacation Rentals** – *Effective Date July 1, 2024; if approved by Governor*

The bill revises the regulation of vacation rentals by the state and by local governments. A vacation rental is a unit in a condominium or cooperative, or a single, two, three, or four family house that is rented to guests more than three times a year for periods of less than 30 days or one calendar month, whichever is shorter, or held out as regularly rented to guests. Vacation rentals are licensed by the Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (DBPR).

#### Exemptions

Current law does not allow local laws, ordinances, or regulations that prohibit vacation rentals or to regulate the duration or frequency of the rental of vacation rentals. However, this prohibition does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011. The bill permits “grandfathered” local laws, ordinances, or regulations adopted on or before June 1, 2011, to be amended to be less restrictive or to comply with local registration requirements. Additionally, a local government that had such a “grandfathered” regulation in effect on June 1, 2011, is authorized by the bill to adopt a new, less restrictive ordinance. The bill does not affect vacation rental ordinances in jurisdictions located in an area of critical state concern. The bill also “grandfathers” any county law, ordinance, or regulation initially adopted on or before January 1, 2016, that established county registration requirements for rental of vacation rentals, and any amendments thereto adopted before January 1, 2024. However, such county law, ordinance, or regulation may not be amended or altered except to be less restrictive or to adopt registration requirements as provided in the bill.

#### Preemptions

The bill preempts the licensing of vacation rentals and regulation of advertising platforms to the state. An advertising platform is a person, which may be an individual or a corporation, who electronically advertises a vacation rental to rent for transient occupancy, maintains a marketplace, and a reservation or payment system.

#### Local Registration Programs

A local government may require vacation rentals to be registered and charge a reasonable fee for registration and for specified inspections of a vacation rental.

Before implementing a vacation rental registration program, local governments must prepare a

business impact estimate in accordance that includes identifying any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible, and an estimate of the local regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The bill establishes the registration requirements, including requiring applicants to:

- Submit identifying information about the owner and operator of the vacation rental;
- Provide proof of a division-issued vacation rental license;
- Obtain all required tax registrations, receipts, or certificates issued by the Department of Revenue, a county, or a municipal government;
  
- Update required information on a continuing basis;
- Pay in full all recorded municipal or county code liens;
- Designate and maintain a responsible person to respond to complaints and emergencies by telephone at a provided telephone number 24 hours a day, 7 days a week; and
  
- State the maximum occupancy for the vacation rental which does not exceed either two persons per bedroom, plus an additional two persons in one common area; or more than two persons per bedroom if there is at least 50 square feet per person, plus an additional two persons in one common area, whichever is greater.

The bill permits a local government to:

- Impose a \$500 fine on a vacation rental operator for violations of the local registration requirements, and to file and foreclose on a lien based on the fine if the property is not subject to homestead protections against foreclosure.
  
- Suspend a registration for violations that occur on and are related to the vacation rental property, including suspensions of up to:
  - o 30 days based on one or more violations on five separate days during a 60-day period;
  - o 60 days based on one or more violations on five separate days during a 30-day period;
  - or
  - o 90 days based on one or more violations after two prior suspensions.

A local government may not suspend a vacation rental for a violation not directly related to the vacation rental premises and must give the operator an opportunity to cure registration violations that are not related to maximum occupancy rate.

A local government must provide notice of the suspension and must state the start date of the suspension, which must be at least 21 days after the notice is sent. A vacation rental operator may appeal a denial, suspension, or revocation to the circuit court which may award attorney fees, costs, and damages to the prevailing party. After January 1, 2026, a local government must use the information system established in the bill to notify the division that the vacation rental's local registration has been suspended.

The bill authorizes a local government to revoke or refuse to renew a registration in certain situations including if the registration has been suspended three times or if there is an unsatisfied recorded municipal or county lien.

The bill does not supersede any current or former governing document for a condominium, cooperative, or homeowners' association.



### State Regulation of Vacation Rentals

The bill authorizes the division to revoke, refuse to issue or renew, or suspend a vacation rental license for not more than 30 days or the same length of a local suspension if:

- The vacation rental violates a condominium, cooperative, or homeowners' association lease or property restriction as determined by a final order or judgment;
- The local registration is suspended or revoked; or
- The premises or its owner is the subject of an order or judgment directing the termination of the premises' use as a vacation rental. If the division suspends a license on the basis of a local suspension of a vacation rental registration, the suspension must run concurrently.

### Vacation Rental Information System

To facilitate compliance with the requirements in the bill by vacation rental licensees and advertising platforms, the bill requires the division to create and maintain a vacation rental information system. The system must:

- Facilitate prompt compliance with ch. 509, F.S., relating, in relevant part, to public lodging establishments, by a licensee or an advertising platform;
- Allow advertising platforms to search by and verify the status of a unique vacation rental license number, applicable local registration number;
- Allow a local government to notify the division of a revocation or failure to renew, or the period of suspension of a local registration; and
- Allow registered users to subscribe to receive automated notification of changes to a vacation rental license or registration.

### State Regulation of Advertising Platforms

The bill requires an advertising platform to display the vacation rental license number with the associated unique identifier and, if applicable, the local registration number of each property that advertises on its platform. Effective July 1, 2026, an advertising platform must:

- Remove any advertisement or listing vacation rental license number with a unique identifier and, if applicable, the local registration number within 15 business days after notification that the license, or if applicable, a local registration:
  - Has been suspended, revoked, or not renewed; or
  - Fails to display a valid vacation rental license number or, if applicable, a local registration number.
- Quarterly provide a list of all vacation rentals which are advertised on its platform within Florida, including the uniform resource locator for the Internet address of the vacation rental advertisement, and the vacation rental license number, and, if applicable, the local registration number.

The division may fine an advertising platform an amount not to exceed \$1,000 per offense for a

violation of the provisions in the bill or rules of the division.

### Tax Collection

The bill requires advertising platforms and vacation rental operators listing a vacation rental on an advertising platform to collect and remit any taxes imposed under chs. 125, 205, and 212, F.S., that result from payment for the rental of a vacation rental property on its platform. The bill allows platforms to exclude service fees from the taxable amount if the platforms do not own, operate, or manage the vacation rental. It allows the division to take enforcement action for noncompliance.

### Appropriation

For Fiscal Year 2024-2025, the bill appropriates \$327,170 in recurring funds and \$53,645 in nonrecurring funds from the Hotel and Restaurant Trust Fund, \$645,202 in recurring funds from the Administrative Trust Fund, and \$3,295,884 in nonrecurring funds from the General Revenue Fund to the DBPR, and nine full-time equivalent positions for the purposes of implementing the provision of the bill.

### **SB 804**      **Gaming Licenses and Permits** – *Effective Date July 1, 2024; if approved by Governor*

The bill revises gaming permitting and licensing procedures, including the method for serving official communications and administrative complaints upon permitholders and licensees licensed under chs. 550 and 551, F.S., (Pari-mutuel Wagering and Slot Machines, respectively), by the Florida Gaming Control Commission (commission).

The bill provides that the commission may deny a license to, or revoke, suspend, or place conditions or restrictions on a person who has been subject to a provisional suspension or period of ineligibility by the federal Horseracing Integrity and Safety Authority, or on a person suspended or ineligible for licensing related to the finding of a prohibited substance in an animal's hair or bodily fluids. If the commission summarily suspends an occupational license, the bill requires a licensee to be offered a post-suspension hearing within 72 hours after commencement of the suspension.

The bill authorizes the commission to deny an application for license, or to suspend or revoke a license, if an applicant for a license or a licensee has falsely sworn in a signed oath or affirmation to a material statement, including, but not limited to, their criminal history.

The bill revises requirements for the transmission of racing and jai alai information, effective upon the bill becoming a law, to authorize a licensed horse track to receive broadcasts of horseraces conducted at horse racetracks outside Florida, if the track:

- Conducted a full schedule of live racing in the preceding fiscal year; or
- Is not required to conduct a full schedule of live racing under current law.

Under the bill, the commission is authorized to waive certain restrictions related to slot machine occupational licensing, similar to the waiver authority in current law for pari-mutuel wagering occupational licensing. Current law authorizes the commission to deny, revoke, or refuse to renew a slot machine occupational license if the applicant or the licensee has been convicted of a felony or misdemeanor in Florida, another state, or under federal law which is related to gambling or bookmaking.

Under the bill, the commission will be able to waive the restriction on criminal convictions for slot machine licenses if all of the following are established:

- The applicant is of good moral character;
- The applicant has been rehabilitated;
- The applicant's criminal conviction is not related to slot machine gaming; and
- The applicant's criminal conviction is not a capital offense.

The bill requires each licensed permitholder to report the money received on pari-mutuel pools, cardroom gross receipts, and slot machine revenues to the commission within 120 days after the end of the permitholder's fiscal year.

Except for the provision relating to the transmission of racing and jai alai information by licensed horse tracks which is effective upon the bill becoming a law.

**HB 1147      **Broadband** – *Effective Date June 30, 2024; Approved by Governor; Chapter No. 2024-98***

The bill amends s. 288.9963, F.S., to extend the date—from July 1, 2024, to December 31, 2028—through which municipal electric utilities are to offer to broadband providers a promotional \$1 per wireline attachment per pole, per year, wireline attachment rate for any new attachments necessary to make broadband service available to an unserved or underserved end user within a municipal electric utility service territory. The bill would also have the effect of extending the \$1 promotional rate for any currently existing wireline attachments made under the existing s. 288.9963, F.S., from July 1, 2024, to December 31, 2028.

**HB 1645 — **Energy Resources** – *Effective Date July 1, 2024; if approved by Governor***

The bill amends several sections of Florida law and creates new statutory provisions relating to energy resources. In summary, the bill:

- Creates limitations on local government regulation of natural gas resiliency and reliability infrastructure. After July 1, 2024, a local government may not amend its local land regulations to conflict with a resiliency facility as an allowable use. A “resiliency facility” is defined as a facility owned and operated by a public utility for the purposes of assembling, creating, holding, securing, or deploying natural gas reserves for temporary use during a system outage or natural disaster.”
- Revises energy guidelines for public businesses, deleting requirements relating to the Florida Climate-Friendly Preferred Products List, Green Lodging Program, and state vehicle fuel efficiency.
- Adds “community development district created pursuant to chapter 190” to a provision that prohibits a municipality, county, special district, or other political subdivision of the state from enacting or enforcing a resolution, ordinance, rule, code, or policy or taking any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied by utilities, gas districts, natural gas transmission companies, and certain liquefied petroleum gas dealers, dispensers, and cylinder exchange operators.
- Adds “community development district created pursuant to chapter 190” to a provision that prohibits a municipality, county, special district, or other political subdivision of the state from restricting or prohibiting the use of an appliance using the fuels or energy types supplied by the entities above.

- Requires all rural electric cooperatives and municipal electric utilities to enter into and maintain certain mutual aid agreements and submit an annual attestation to qualify to receive state financial assistance for disaster recovery.
- Requires public utilities to provide notice to the Public Service Commission (PSC) 90 days before the full retirement of an electrical power plant if such retirement does not coincide with the retirement date in the public utility's most recently approved depreciation study. The PSC then may schedule a hearing regarding whether the retirement is prudent and consistent with the energy policy goals established in s. 377.601(2), F.S., as amended in the bill.
- Permits the PSC to approve upon petition by a public utility, certain electric vehicle (EV) charging programs if the PSC determines that the public utility's general body of ratepayers, as a whole, will not pay to support recovery of its electric vehicle charging investment by the end of the useful life of the assets dedicated to the electric vehicle charging service.
- Amends s. 403.503, F.S., which provides definitions for the Florida Electrical Power Plant Siting Act. The act does not apply to an electrical power plant of less than 75 megawatts in gross capacity (unless an applicant applies for such certification). The amendment creates a definition for "gross capacity," to be "the maximum generating capacity based on nameplate generator rating, and for a solar electrical generating facility, the capacity measured as alternating current which is independently metered prior to the point of interconnection to the transmission grid."
- Requires the PSC to conduct an annual proceeding to determine prudently incurred natural gas facilities relocation costs for cost-recovery by natural gas public utilities through a charge separate from the utilities' base rates.
- Substantially revises legislative intent as it pertains to ch. 377, part II, F.S., which provides energy resource planning and development policies for Florida. The revisions also provide updated energy policy goals and state policies as they relate to energy resource planning and development.
- Eliminates a requirement that the Department of Agriculture and Consumer Services (DACS), when analyzing the energy data collected and preparing long-range forecasts of energy supply and demand, forecasts contain plans for the development of renewable energy resources and reduction in dependence on depletable energy resources, particularly oil and natural gas. Instead, such forecasts must contain an analysis of the extent to which domestic energy resources, including renewable energy sources, are being utilized in the state. It also revises certain related considerations and assessments.
- Revises the duties of the DACS as it relates to the promotion of the development and use of renewable energy sources. The section deletes a requirement that the DACS establish goals and strategies for increasing the use of renewable energy in the state.
- Prohibits the construction or expansion of:
  - o An offshore wind energy facility, including buildings, structures, vessels, and electrical transmission cables to the site.
  - o A wind turbine or wind energy facility within one mile of a coastline—defined as the mean high water line.
  - o A wind turbine or wind energy facility within one mile of the Atlantic Intracoastal Waterway or Gulf Intracoastal Waterway.

- o A wind turbine or wind energy facility on state waters and submerged lands.
- Requires the Department of Environmental Protection (DEP) to review federal wind energy lease applications and signify the DEP's approval or objection.
- Repeals the Florida Energy and Climate Protection Act (which includes the Renewable Energy and Energy-Efficient Technologies Grants Program), Florida Green Government Grants Act, Energy Economic Zone Pilot Program, and Qualified Energy Conservation Bonds provisions.
- Provides procedures for handling existing applications and contracts relating to the above repealed programs.
- Increases the minimum length of an intrastate natural gas pipeline that requires certification under the Natural Gas Transmission Pipeline Siting Act from 15 miles to 100 miles.
- Prohibits homeowners' associations from prohibiting certain types or fuel sources of energy production and appliances that use such fuels in their governing documents.
- Directs the PSC to coordinate, develop, and recommend a plan under which an assessment of the security and resiliency of the state's electric grid and natural gas facilities against both physical threats and cyber threats may be conducted. The provision also requires the PSC to submit a report to the Legislature. The PSC, in developing the plan, is to consult with the Division of Emergency Management (DEM) and, in its assessment of cyber threats, with the Florida Digital Service. The PSC must submit its recommended plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2025.
- Directs the PSC to study and evaluate, and in consultation with the DEP and the DEM, the technical and economic feasibility of using advanced nuclear power technologies, including small modular reactors (SMRs), to meet the state's electrical power needs, and research means to encourage and foster the installation and use of such technologies at military installations in the state in partnership with public utilities. The PSC must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 1, 2025.
- Directs the Florida Department of Transportation (FDOT), in consultation with the Office of Energy within the DACS, to study and evaluate the potential development of hydrogen fueling infrastructure, including fueling stations, to support hydrogen-powered vehicles that use the state highway system. The FDOT must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 1, 2025.

## **Transportation**

### **HB 287      Transportation – Effective Date July 1, 2024; if approved by Governor**

The bill addresses various transportation-related provisions. Specifically, the bill:

- Prohibits the Florida Department of Transportation (FDOT) from annually committing more than 20 percent of the revenues derived from state motor fuel taxes and motor vehicle license-related fees to public transit projects and specifies exceptions to this limit.
- Increases from five to eight the number of basic driver improvement courses an individual may take during his or her lifetime.

- Requires the Department of Highway Safety and Motor Vehicles to annually review changes made to traffic laws and requires course content for specified driving courses to be modified to reflect such changes.
- Amends provisions relating to FDOT’s authority regarding public-private partnerships to:
  - o Replace the term “public-private partnership agreement” with the term “comprehensive agreement.”
  - o Require an “independent,” instead of an “investment grade,” traffic and revenue study prepared by a traffic and revenue expert, which must be accepted by national bond rating agencies for the financing that supports the comprehensive agreement for the project.
  - o Revise the timeframe, to between 30 and 120 days, based on the project’s complexity, during which FDOT will accept other proposals for the same project after it receives an unsolicited public-private partnership proposal.
  - o Authorize FDOT to enter into an interim agreement with a private entity proposing the development or operation of a qualifying project and provides provisions that may be included in the interim agreement. o Limits FDOT secretary’s ability to authorize a comprehensive agreement term of up to 75 years to projects partially or completely funded from project user fees.
  - o Require FDOT to notify the Division of Bond Finance prior to entering into an interim or comprehensive agreement.
- Provides that a local governmental entity may not deem reclaimed asphalt pavement as solid waste.
- Clarifies that FDOT must receive at least three letters of interest in order to proceed with requests for proposals for both design-build and phased design-build projects.
- Revises provisions requiring a motor vehicle used in the performance of road or bridge construction or maintenance work for an FDOT project must be registered in compliance with Florida law.
- Authorizes FDOT to allow the issuance of multiple contract performance and payment bonds for phased design-build contracts.
- Provides that a claimant must institute an action against a contractor or surety within 365 days after the performance of the labor or completion of delivery of the materials or supplies, instead of after completion of the contract work.
- Revises a presumption of sole proximate cause on the part of a driver of a vehicle involved in a crash within a construction zone to exclude low-THC cannabis.
- Defines the terms “contract documents,” “contractor,” “design engineer” and “traffic control plans” as those terms relate to limitations on liability for FDOT’s contractors and design engineers.
- Expands contractor limits of liability for personal injury, property damage, or death arising from specified performance of work on a transportation facility or from specified acts or omissions of a third party.
- Revises the application of immunity when the proximate cause of the injury, damage, or death



is a latent condition, defect, error, or omission created by the contractor and in the contract documents, or when the proximate cause was the contractor's failure to perform, update, or comply with the maintenance of traffic control plans, instead of with the traffic safety plan.

- Revises provisions regarding when FDOT, a contractor, or design engineer may not be named on a jury verdict form or be found at fault for the injury, death, or damage.
- Provides that, if within 10 years after FDOT acquires a property, the previous property owner wishes to reacquire the property, he or she must notify the appropriate FDOT district secretary of his or her interest to receive right of first refusal if FDOT wishes to dispose of the property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley.
- Requires the local governmental entity operating the fire station on Alligator Alley to provide specified information to FDOT and that this information be reviewed and adopted as part of the interlocal agreement.
- Requires funding for the fire station on Alligator Alley to be included in FDOT's work program and the local governmental entity's budget and capital comprehensive plan.

**HB 1113      Use of Lights and Sirens on Emergency Vehicles** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-34*

The bill revises the authorized use of lights and sirens on emergency vehicles. Specifically, the bill:

- Amends the definition of the term “authorized emergency vehicles” to include organ transport vehicles, emergency management vehicles, county ambulances and emergency vehicles, and authorized vehicles of the Department of Agriculture and Consumer Services.
- Defines the term “organ transport vehicle” to mean any dedicated and marked vehicle operated by an organ procurement organization, transplant center, or its contracted service provider to transport organs or surgical teams for organ recovery and transplant.
- Requires an operator of an organ transport vehicle to complete a 16-hour emergency vehicle operator course.
- Provides that an authorized emergency vehicle when transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location may exercise the current law privileges available to authorized emergency vehicles to bypass certain uniform traffic safety laws, provided that the vehicle is driven with due regard for the safety of all persons.
- Provides that organ transport vehicles may show or display red lights or display and used red warning signals while transporting organs or surgical teams for organ donation or transplant while en route to a hospital, an airport, or other designated location.

**HB 1301      Department of Transportation** – *Effective Date July 1, 2024; Approved by Governor; Chapter No. 2024-57*

The bill revises provisions related to the Florida Department of Transportation (FDOT). Specifically, the bill:

- Provides for direct appointment by the Governor of the Secretary of Transportation.
- Updates FDOT's program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT's inspector general.
- Provides \$15 million in recurring revenue from the State Transportation Trust Fund be made available for the next five fiscal years for the Intermodal Logistics Center Infrastructure Support Program.
- Requires airport land use compatibility zoning regulations to "address," rather than "consider" issues specified in statute.
- Adds an exception to airport buffer zone requirements to allow residential property within the buffer zone of a public-use airport meeting specified requirements.
- Updates FDOT's statutory mission, goals, and objectives.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes and requires the governmental entity to consider such input.
- Increases from three years to 10 years the length of time before an inactive prepaid toll account becomes unclaimed property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley, including up to \$2 million in funding for the next fiscal year from toll revenues and funding going forward based on needs adopted into a comprehensive plan.
- Requires funding for the fire station on Alligator Alley to be included in FDOT's workprogram and the local governmental entity's budget and capital comprehensive plan.
- Prohibits FDOT from spending state funds on transportation entities violating s. 381.00316, F.S., relating to discrimination based on health care choices.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter into service contracts with the Florida Department of Transportation Financing Corporation for Moving Florida Forward projects.
- Authorizes FDOT to retain the interest earned from Moving Florida Forward-related appropriations, which interest must be used for such projects.
- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the criteria for the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes.
- Requires lane repurposing for public transit purposes to be approved by a two-thirds vote of the transit authority's board.
- Requires any action of eminent domain for public transit facilities to be discussed at a public

meeting of the transit provider's board.

- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System. This provision expires June 30, 2026.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities, including any wraps displayed on a transit bus.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs. This provision excludes rail transit providers.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires year-over-year increases in administrative costs by a public transit provider of five percent or more to be reviewed and approved by FDOT.
- Grants the Florida Rail Enterprise the power and duty to preserve and acquire future rail corridors and rights of way.
- Includes subsidiaries of an electric utility into the definition of "streetlight provider" as it relates to limitations on liability for providers of streetlights, security lights, and other similar lights.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings.
- Increases penalties, to \$500 for a first offense and \$1,000 for a second or subsequent offense and requires six points on a driver license, for violations associated with railroad-highway grade crossings.
- Incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and the driver license points statutes.
- Conforms numerous cross-references and makes other conforming changes.

**SB 1380**      **Transportation Services for Persons with Disabilities and the Transportation Disadvantaged** – *Effective Date Upon Becoming Law if approved by Governor*

The bill revises numerous provisions relating to special transportation services for persons with disabilities and the transportation disadvantaged. Specifically, the bill:

- Requires the Florida Department of Transportation (FDOT), unless otherwise provided by state or federal law, to ensure that grants and agreements between it and paratransit providers contain:
  - o Performance requirements for the delivery of services, including penalties for repeated or continuing violations;
  - o Minimum liability insurance requirements for all transportation services purchased,

- provided, or coordinated for the transportation disadvantaged through a contracted vendor or its subcontractor;
  - o Complaint and grievance processes for paratransit users, including a requirement that all reported complaints, grievances, and resolutions be reported to FDOT; and
  - o A requirement that the above provisions be included in any agreement between the grant recipient and its contractors or subcontractors providing paratransit service.
- Increases the membership of the Commission for Transportation Disadvantaged (CTD), from seven to 11 members and revises the commission's membership.
- Repeals fingerprinting and background check requirements for CTD members.
- Repeals the CTD's technical working group.
- Provides requirements for contracts entered into or renewed after October 1, 2024, with providers of paratransit services. Providers must agree to:
  - o Provide training to each driver which meets specified requirements established by the Agency for Persons with Disabilities.
  - o Establish reasonable time periods between a request for service and the arrival of the provider, and in the event of a pattern of late arrivals, allow the local government to authorize another provider to provide such paratransit services.
  - o Provide transparency regarding the quality of service provided by the transportation service provider, including data on the timeliness of service and the handling of complaints.
- Requires contracts entered into with providers after October 1, 2024, to be procured using competitive procurement and prohibits use of statutory provisions regarding exceptional purchases.
- Requires the CTD to establish a model system for reporting and investigating adverse incidents during the provision of paratransit service to persons with disabilities.
- Requires the investigation of a reported adverse incident to commence within 48 hours after receiving the report.
- Requires local governments or transportation service providers to submit quarterly reports of adverse incidents to the CTD.
- Requires the Center for Urban Transportation Research, by January 1, 2025, to deliver a report to FDOT on model policies and procedures or best practices for paratransit providers to complete trips within an acceptable time.
- Requires the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab, by January 1, 2025, to deliver a comprehensive report on technology and training improvements to better support persons with disabilities using paratransit services.
- Requires FDOT, by January 1, 2025, to issue a comprehensive report on transportation disadvantaged services and the CTD. The report must include:
  - o A review of the services rendered by transportation coordinators or transportation operators, specifically addressing specified issues;
  - o A review of transportation delivery models, and a review of alternative models;

- o The role of paratransit services as used by providers of services to the transportation disadvantaged and the differences between paratransit services and the services provided by the CTD;
- o The role of health care transportation services as used by the transportation disadvantaged;
- o A breakdown of funding provided by CTD on a contractual level;
- o A review of eligibility criteria, including relevant demographic information;
- o A review of challenges and opportunities to better support rural counties administering such programs; o Recommendations on efficiencies and challenges from adopting an alternative format of delivering services;
- o Best practices for limiting the duration of travel times for persons receiving paratransit service; and
- o A review of emerging and other technology opportunities for the provision of services.

***\*Bill summaries provided by House and Senate staff analyses.***

## Fiscal Year 2024-25 Budget Details

### **HB 5001 — General Appropriations Act**

The bill, relating to the General Appropriations Act for Fiscal Year 2024-2025, provides for a total budget of \$117.46 billion, including:

- \$49.4 billion from the General Revenue Fund (GR)
- \$2.5 billion from the Education Enhancement Trust Fund
- \$1.5 billion from the Public Education Capital Outlay Trust Fund (PECO TF)
- \$64.1 billion from other trust funds (TF)
- 113,630.26 full time equivalent positions (FTE)

### **Increased Reserves and Debt Reduction**

- Total Reserves: \$10 billion
  - \$5.1 billion General Revenue Unallocated
  - \$4.4 billion Budget Stabilization Fund (\$300 million added)
  - \$500 million added to the Emergency Preparedness and Response Fund
- \$500 million authorized to retire outstanding state debt

### *Major Issues*

### **Compensation and Benefits**

- Three percent pay increase for all state employees
- Additional Pay Increases for:
  - FDLE Special Agents
  - Agency for Health Care Administration
  - Department of Agriculture & Consumer Services
- State Employees and Retirees Health Insurance Premiums held constant
- Inclusion of the Florida College System for State Group Health Insurance

### **Education Capital Outlay Total Appropriations: \$2.0 billion**

- State University System Projects - \$616.2 million
- Florida College System Projects - \$133.6 million
- Charter School Repairs and Maintenance - \$230.8 million
- Small School District Special Facilities - \$193.2 million
- Developmental Research School Repairs and Maintenance - \$9.2 million

### **Education Appropriations Total Appropriations: \$30.1 billion**

**Total Funding - Including Local Revenues: \$45.6**

### **Early Learning Services Total: \$1.7 billion**

- Partnerships for School Readiness - \$34.4 million
- School Readiness Program - \$1.2 billion • Early Learning Standards & Accountability - \$4.9 million
- Voluntary Prekindergarten Program - \$438.1 million
  - Decrease of 1,885 fewer students - (\$9.6 million)
  - 3 percent increase to the BSA - \$12.5 million



- o Increase to Administration from 4 percent to 5 percent - \$4.1 million
- o Summer Bridge Program - \$4.1 million

**Public Schools/K12 FEFP Total Funding: \$28.4 billion**

- FEFP Total Funds increase is \$1.8 billion or 6.73 percent
- FEFP increase in Total Funds per Student served by a district is \$240.01, a 2.75 percent increase (from \$8,718.58 to \$8,958.59)
- Base Student Allocation (BSA) increase of \$191.25 or 3.72 percent
- FEFP Base Funds (flexible \$) increase of \$1.27 billion or 7.22 percent
- Required Local Effort (RLE) increase of \$483.4 million
- Safe Schools Allocation - \$40 million increase for a total of \$290 million for School Safety Officers and school safety initiatives
- Mental Health Assistance Allocation - \$20 million increase for a total of \$180 million to help school districts and charter schools address youth mental health issues

**Public Schools/K12 Non-FEFP & Ed Media Total: \$627.4 million**

- Capital Projects - \$66 million State Board of Education Total: \$308.2 million
- Assessment and Evaluation - \$129.2 million
- ACT and SAT Exam Administration - \$8 million
- Vocational Rehabilitation \$257.4 million
- Blind Services \$72.6 million

**Private Colleges -Total: \$243.2 million**

- Historically Black Colleges and Universities (HBCU) – \$31.4 million
- HBCU Facility Hardening Funds - \$15 million
- Effective Access to Student Education (EASE) - \$134.8 million
  - o EASE Plus - \$9.6 million

**Student Financial Aid Total: \$1.05 billion**

- Bright Futures - \$616.9 million
- Benacquisto Scholarship Program - \$39 million
- Children/Spouses of Deceased or Disabled Veterans - \$21.5 million
- Florida First Responder Scholarship Program - \$10 million
- Open Door Grant Program - \$35 million
- Graduation Alternative to Traditional Education (GATE) Scholarship - \$7 million

**School District Workforce - Total: \$812.1 million**

- Nursing Education Initiatives - \$20 million
- Graduation Alternative to Traditional Education (GATE) Program - \$5 million
- Student Success in Career and Technical Education Incentive Funds - \$2.5 million
- No tuition increase

**Florida College System Total: \$2.4 billion**

- College System Program Fund - \$1.6 billion
- Nursing Education Initiatives - \$59 million
- Student Success Incentive Funds - \$30 million

- o 2+2 Student Success Incentive Funds - \$17 million
- o Work Florida Incentive Funds - \$13 million

**State University System -Total: \$6.8 billion**

- Metric Based Performance Funding - \$645 million
  - o State Investment - \$350 million
  - o Institutional Investment - \$295 million
- Performance-based Excellence Recognition Program - \$100 million
- Preeminent State Research Universities - \$100 million
- Lastinger Center for Learning at University of Florida - \$58.2 million
- Nursing Education Initiatives - \$46 million
- Community School Grant Program - \$20.1 million total
- Children/Spouses of Deceased or Disabled Veterans - \$21.5 million
- Florida First Responder Scholarship Program - \$10 million
- Open Door Grant Program - \$35 million
- Graduation Alternative to Traditional Education (GATE) Scholarship - \$7 million

**School District Workforce - Total: \$812.1 million**

- Workforce Development - \$451.2 million
- Pathways to Career Opportunities Grant Program for apprenticeships - \$20 million
  - o Increase for “Grow Your Own Teacher” Apprenticeship Program - \$5 million
- Nursing Education Initiatives - \$20 million
- Graduation Alternative to Traditional Education (GATE) Program - \$5 million
- Student Success in Career and Technical Education Incentive Funds - \$2.5 million
- No tuition increase

**Florida College System -Total: \$2.4 billion**

- CAPE Incentive Funds for students who earn Industry Certifications - \$20 million
- College System Program Fund - \$1.6 billion
- Nursing Education Initiatives - \$59 million
- Student Success Incentive Funds - \$30 million
  - o 2+2 Student Success Incentive Funds - \$17 million
  - o Work Florida Incentive Funds - \$13 million
- No tuition increase

**State University System Total: \$6.8 billion**

- Metric Based Performance Funding - \$645 million
  - o State Investment - \$350 million
  - o Institutional Investment - \$295 million
- Performance-based Excellence Recognition Program - \$100 million
- Preeminent State Research Universities - \$100 million
- Lastinger Center for Learning at University of Florida - \$58.2 million
- Nursing Education Initiatives - \$46 million
- Community School Grant Program - \$20.1 million total, which includes a \$9.1 million workload increase

**Health and Human Services Appropriations -Total Budget: \$46.5***Major Issues***Agency for Health Care Administration Total: \$34.7**

- Individuals with Developmental Disabilities Pilot Program - \$38.4 million
- Medicaid Provider Rate Increases - \$333.1 million
  - o Nursing Homes - \$247.9 million
  - o Pediatric Physicians - \$43.1 million
- Graduate Medical Education - \$10.5 million
- Program of All-inclusive Care for the Elderly - \$29.7 million
- Florida Health Care Connections (FX) - \$92.1 million

**Department of Children and Families Total: \$4.7 billion**

- Independent Living Programs Eligibility Expansion - \$8.1 million
- Adoption Incentive Benefit Increase and Eligibility Expansion - \$9.4 million
- Adoption, Guardianship, and Foster Care Subsidies - \$26.4 million
- Homeless Housing Opportunities - \$10 million
- Domestic Violence Services - \$10 million
- Human Trafficking Emergency Bed Expansion - \$5 million
- Optional State Supplementation Personal Needs Allowance Increase - \$6.7 million
- Opioid Settlement - Treatment, Prevention, and Recovery Services - \$83.9 million
- State Mental Health Treatment Facilities - \$88.8 million
- Integrated Behavioral Health Clinics - \$7 million
- Behavioral Qualified Residential Treatment Program - \$5.7 million
- Community-Based Mental Health/Substance Abuse Services - \$21.5 million
- Florida System and Child Welfare Information System Modernization - \$54.1 million
- Economic Self Sufficiency (ESS) Call Center - \$12.3 million
- Fixed Capital Outlay for State Mental Health Treatment Facilities - \$6.5 million

**Department of Health -Total: \$4.1 billion**

- Florida Cancer Innovation Fund - \$40 million
- Sickle Cell Treatment and Research - \$10 million
- Rural Hospital Capital Improvement Grant Program - \$10 million
- Fixed Capital Outlay for Public Health Laboratories - \$9.7 million

**Criminal and Civil Justice Appropriations Total Budget: \$7.3 billion**

- Correctional Facilities Capital Improvement - \$100 million
- DOC Education Expansion - \$11.1 million
- DJJ Florida Scholars Academy - \$12.8 million
- Children In Need of Services/Families In Need of Services (CINS/FINS) - \$6.3 million
- Statewide Prosecution Workload - \$10.9 million;
- State Assistance for Fentanyl Eradication (S.A.F.E.) in Florida - \$8.5 million
- Biometric Identification Solution (BIS) Modernization - \$11.9 million

**Department of Corrections Total: \$3.6 billion**

- Correctional Facilities Capital Improvement - \$100 million
- DOC Education Expansion - \$11.1 million
- Community Corrections Statewide Firearms Transition - \$2.1 million

- Offender Based Information Technology Modernization - \$17 million
- Technology Restoration Plan - \$9.2 million
- Food Service Contract - \$12 million
- Contracted Inmate Health Services - \$21.3 million
- Operation New Hope - \$9.8 million

**Florida Department of Law Enforcement -Total: \$494.9 million**

- Biometric Identification Solution (BIS) Modernization - \$11.9 million
- Criminal Justice Network Bandwidth Increase - \$3 million
- State Assistance for Fentanyl Eradication (S.A.F.E.) in Florida Program - \$8.5 million
- Community Violence Intervention and Prevention Grant - \$2.5 million
- School Safety Security Assessment Grant Program - \$5 million
- Jacksonville Sheriff's Office Community Outreach and Engagement Initiative - \$3 million
- Investigative Support and Laboratory Inflationary Costs - \$2.5 million

**State Court System Total: \$741.3 million**

- Due Process Resources - \$2.6 million
- Court Reporting Resources - \$4.1 million
- Case Processing Support - \$1.9 million
- Certification of Additional Judgeships - \$3.7 million
- Cybersecurity Resources - \$2 million
- Child Support Enforcement Hearing Officer Resources - \$1.8 million
- Maintenance and Repair Needs for the 5th District Court of Appeal Courthouse - \$1.8 million

**Transportation, Tourism, and Economic Development Appropriations -Total Budget: \$20.4 billion***Major Issues***Department of Commerce -Total: \$2.3 billion****Law Enforcement Recruitment Bonus Program - \$17 million**

- Florida Job Growth Grant Funding - \$75 million
- Fully funds Live Local:
  - o State Housing Initiatives Partnership (SHIP) Program - \$174 million
  - o Affordable Housing (SAIL) Program - \$84 million
- Emergency Revolving Bridge Loan - \$20 million
- VISIT FLORIDA - \$80 million
- Space Florida o Financing Program for Aerospace Industry - \$6 million
  - o Operations - \$5 million
- Information Technology o Cloud Hosting Infrastructure and Services - \$6.6 million
  - o Reemployment Assistance Claimant Services Enhancement - \$5 million
  - o Reemployment Assistance - Operations and Maintenance - \$11.4 million
  - o Florida Planning, Accounting, and Ledger Management (PALM) Readiness - \$645,900
- Economic Development Toolkit - \$24 million
- Community Development Block Grant - Disaster Recovery Grant Funding - \$396 million
- Community Services Block Grant - \$3 million
- Broadband Equity, Access and Deployment (BEAD) Programmatic Funding - \$100 million
- Low Income Home Energy Assistance Program (LIHEAP) - \$100 million
- State Small Business Credit Initiative - \$175.2 million

- Housing & Community Development Initiatives - \$29.8 million
- Florida Sports Foundation Additional Funding - \$2 million

**Department of Highway Safety and Motor Vehicles-Total: \$600 million**

- Additional Equipment for the Florida Highway Patrol - \$1.3 million
- Replace Pursuit Vehicles - \$3.3 million
- Credentialing Equipment and Maintenance - \$5.5 million
- Motorist Modernization Project - Phase II - \$13.2 million

**Department of State Total: \$231.8 million**

- Libraries Maintenance of Effort - \$21.5 million and Additional Aid - \$2million
- Cultural and Museum Program Support Grants and Initiatives - \$60.8million
- Historical Preservation Grants and Initiatives - \$50.6 million
- African American Cultural and Historic Grants - \$4.7 million
- Library Construction Grants - \$5.7 million
- Sunbiz System Modernization - \$3.8 million
- Division of Corporations Call Center Services - \$2.7 million
- Restoration of Historical Properties - Lead-based Paint Abatement - \$7.1 million

**Department of Transportation Total: \$15.7 billion**

- Transportation Work Program - \$13.98 billion
- Information Technology
  - o Florida Planning, Accounting, and Ledger Management (PALM) Readiness - \$13.8 million
  - o Data Infrastructure Modernization - \$3.2 million
- Increase Operating Costs Department-wide - \$10.9 million
- Transportation Disadvantaged - \$3 million • Fixed Capital Outlay Projects - \$13.2 million

**Agriculture, Environment, and General Government Appropriations -Total Budget: \$9.9 billion***Major Issues***Department of Agriculture & Consumer Services Total: \$3.1 billion**

- Rural and Family Lands Protection Program - \$100 million
- Wildfire Suppression Equipment - \$12.4 million
- Road/Bridge and Facility Maintenance - \$14 million
- Citrus Canker Eradication Judgments - \$5.5 million
- Citrus Protection and Research - \$33.5 million
- Lake Okeechobee Agriculture Projects - \$10.2 million
- Feeding Programs/Farm Share/Feeding Florida - \$25 million
- Emergency Food Distribution Program - \$33.2 million
- Conner Complex Construction - \$80 million
- Florida State Fair - \$12 million

**Department of Citrus Total: \$33.8 million**

- Citrus Marketing - \$4 million
- Citrus Recovery Program - \$2 million

**Department of Environmental Protection - Total: \$3.4 billion**

- Everglades Restoration and South Florida Water Management District Operations - \$702 million
- Water Quality Improvements - \$1.7 billion
  - o Wastewater Grant Program - \$135 million
  - o Water Supply Grant Program - \$25 million
  - o Indian River Lagoon WQI - \$75 million
  - o Biscayne Bay Water Quality Improvements - \$20 million
  - o Caloosahatchee WQI - \$25 million
  - o Water Projects - \$410.4 million
  - o C-51 Reservoir - \$100 million
  - o Water Quality Improvements - Everglades - \$50 million
  - o Total Maximum Daily Loads - \$25 million
  - o Alternative Water Supply - \$55 million
  - o Water Quality Improvements - Blue Green Algae Task Force - \$10.8 million
  - o Innovative Technology Grants for Harmful Algal Blooms - \$10 million
  - o Harmful Algal Bloom Grants - \$10 million
  - o Springs Restoration - \$55 million
- Flood and Sea-Level Rise Program - \$125 million
- Florida Forever Programs and Land Acquisition - \$528.6 million
  - o Division of State Lands - \$100 million
  - o Florida Recreational Development Assistance Grants - \$14.3 million
  - o Rattlesnake Key Land Acquisition - \$8 million
  - o Grove Land Reservoir - \$400 million (Back of the Bill)
- Florida Keys Area of Critical State Concern - \$20 million
- Lake Apopka Restoration - \$5 million
- Petroleum Tanks Cleanup Program - \$220 million
- Hazardous Waste and Dry Clean Site Cleanup - \$14 million
- Beach Management Funding Assistance - \$50 million
- Water Infrastructure Improvements - \$178.3 million
- Small County Wastewater Treatment Grants - \$8 million
- Land and Water Conservation Grants - \$16.9 million
- Local Parks - \$17.9 million
- State Parks Maintenance and Repairs - \$15.5 million

**Department of Management Services Total Budget: \$862.5 million**

- Florida Facilities Pool (FFP) Fixed Capital Outlay - \$87.2 million
- Statewide Law Enforcement Radio System (SLERS) Issues - \$15.2 million
- Florida PALM Readiness - \$11 million
- Emergency 911 Public Safety Answering Points Upgrade - \$12 million

*\*Budget details provided by Senate Staff Analysis and reflect amounts before Gubernatorial Vetoes*



**FLORIDA LEGISLATURE 2024 - REGULAR SESSION STATISTICS REPORT**

| <b>SENATE BILLS</b>      | <b>FILED</b> | <b>PASSED SENATE</b> | <b>PASSED BOTH CHAMBERS</b> |
|--------------------------|--------------|----------------------|-----------------------------|
| CONCURRENT RESOLUTIONS   | 7            | 1                    | 1                           |
| RESOLUTIONS(ONE CHAMBER) | 31           | 23                   | 0                           |
| GENERAL BILLS            | 898          | 134                  | 110                         |
| LOCAL BILLS              | 5            | 0                    | 0                           |
| JOINT RESOLUTIONS        | 10           | 2                    | 1                           |
| MEMORIALS                | 10           | 6                    | 4                           |
| TOTALS                   | 961          | 166                  | 116*                        |

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**FLORIDA LEGISLATURE 2024 - REGULAR SESSION STATISTICS REPORT**

| <b>HOUSE BILLS</b>       | <b>FILED</b> | <b>PASSED HOUSE</b> | <b>PASSED BOTH CHAMBERS</b> |
|--------------------------|--------------|---------------------|-----------------------------|
| CONCURRENT RESOLUTIONS   | 6            | 4                   | 4                           |
| RESOLUTIONS(ONE CHAMBER) | 43           | 41                  | 0                           |
| GENERAL BILLS            | 834          | 213                 | 181                         |
| LOCAL BILLS              | 30           | 23                  | 22                          |
| JOINT RESOLUTIONS        | 18           | 2                   | 1                           |
| MEMORIALS                | 10           | 1                   | 1                           |
| TOTALS                   | 941          | 284                 | 209*                        |

| <b>SENATE AND HOUSE BILLS</b> | <b>FILED</b> | <b>PASSED FIRST CHAMBER</b> | <b>PASSED BOTH CHAMBERS</b> |
|-------------------------------|--------------|-----------------------------|-----------------------------|
| CONCURRENT RESOLUTIONS        | 13           | 5                           | 5                           |
| RESOLUTIONS(ONE CHAMBER)      | 74           | 64                          | 0                           |
| GENERAL BILLS                 | 1732         | 347                         | 291                         |
| LOCAL BILLS                   | 35           | 23                          | 22                          |
| JOINT RESOLUTIONS             | 28           | 4                           | 2                           |
| MEMORIALS                     | 20           | 7                           | 5                           |
| TOTALS                        | 1902         | 450                         | 325*                        |



**Michael A. Grissom** *Principal, Government Relations* michael.grissom@bipc.com  
t: 850 681 4238 | Tallahassee, FL

#### Practices

Government Relations & Public Policy

Destination Florida

#### Education

B.A., University of Central Florida, American Politics and Policy and Communications, 2002

### How Mike Helps Clients

Mike's career in the political arena has taken him across thirteen states on both local, state and federal levels. As a result, Mike has formed longstanding relationships with key decision-makers and business leaders in Florida and around the country that enables him to serve as a problem-solver for his clients. He uses his extensive experience to advocate for his clients and help advance their business interests in Florida, specifically related to economic development issues, including aerospace and aviation, agriculture, advanced manufacturing, information technology, financial services, foreign direct investment, rural infrastructure and corporate relocation.

Mike's prior roles include time in private practice and serving as Executive Vice President of Enterprise Florida, Inc. (EFI), a public private partnership charged with job creation in the state, where he led legislative and external affairs efforts on behalf of the organization. In this role, Mike acted as the point person for communications between EFI and the Executive Office of the Governor, State Legislature, and state agencies including the Department of Economic Opportunity, the Department of Environmental Protection, the Department of Revenue, CareerSource Florida, Florida Department of Transportation, and VisitFlorida. Mike also served as Executive Director of the Republican Party of Florida and as Senior Director of Political Affairs at the Florida Chamber of Commerce where he was the chief Liaison between the Florida Chamber and the Governor, Attorney General, Chief Financial Officer, Agriculture Commissioner, and House and Senate Campaigns. Mike also has worked as political strategist for former Governor Rick Scott and former Attorney General Bill McCollum, and worked with key officials in Kentucky, South Carolina, Maryland, and Pennsylvania.

*Relationships matter, but lobbying is more than that. Hard work, dedication, and an understanding of the needs of your clients are the things that move issues.*

### What Clients Can Expect

Mike is a detail-oriented strategist who throws himself into his clients' issues and problems. Their interests are his interests, and he will use his deep political knowledge to help them meet their goals and objectives.

### Outside the Office

Mike resides in Tallahassee, Florida with his wife Kristen and their son, Henry. He is an avid sportsman who enjoys hunting, fishing, golf, and exploring Florida's great outdoors.

### Proof Points

- Working to grow and diversify Florida's economy has allowed me to determine how to best serve the needs of business.
- Facilitating introductions between business and government to allow both to gain from each prospective.



## **Kim McGlynn**

*Principal, Government Relations*

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t: 850 681 4240 | Tallahassee, FL

### **Practices**

Government Relations &  
Public Policy

### **Education**

B.S., Florida State University

Lawyer's Assistant Program of  
the National Center for  
Paralegal Training, ABA  
Approved Certificate, With  
Honors, 1994

### **Courts & Admissions**

Florida

Kim McGlynn represents entities and individuals with interests before the Florida Legislature, Governor and Cabinet, and state agencies. She is highly thought of by her clients because of the added value she brings to their advocacy efforts with her work ethic, principles and sound judgement. Kim actively engages with her clients to maneuver the state legislative process to advance their objectives.

With over 25 years of experience in political and governmental arenas, she has quality relationships in both parties. Her clients represent a wide variety of industries, including property and casualty insurance, agriculture, hospitality and tourism, education, healthcare and local governments. Recently, she led the effort within the Constitution Revision Commission to place a victims' rights initiative, known as Marsy's Law, on the ballot. She is now working to pass the implementation language required through the Legislature.

Kim was previously employed at the Republican Party of Florida, where she held several roles, including Senate Finance Director. She has also managed a congressional campaign and has been involved with several statewide and legislative campaigns. Additionally, she has served in the Majority office of the Florida Senate and as Legislative Affairs Manager at the Florida Lottery.

Kim is the head of the firm's Tallahassee office.



## **Mallory Harrell, Esq.**

*Principal, Government Relations*

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### **How Mallory Helps Clients**

Mallory Harrell concentrates her practice in the areas of administrative law, such as state contracts, public procurements, bid protests and rule challenges. She has more than 20 years of experience in the area of contracts and state procurement.

Mallory has been selected to *The Best Lawyers in America*, since 2019 in the Government Relations Practice category.

Before joining Buchanan, Mallory gained experience serving as general counsel for a technology firm. She also served as Deputy Secretary at Florida Department of Management Services, where she oversaw state procurement and General Counsel's Office for the Department. Prior to moving to Tallahassee, she worked in Washington, DC at the Washington Post Company as director of Public Policy for the Post Companies and Kaplan Educational and at ProServ Inc., a sport management and marketing firm, as director of contracts.

### **Proof Points**

- Represented and consulted with numerous clients regarding competitive procurement processes at both the state and county levels, from initial response development through legal proceedings related to final award.
- Represented and advised cannabis related companies and ancillary businesses in both legal and legislative capacities regarding regulatory matters for the past several years as this emerging market in Florida grew from legislation to licensing for both medical marijuana and hemp.
- Frequent presenter on topics such as Florida procurement law, public purchasing guidelines and public records. Most recently presented at the 2018 FPTA/CTD Annual Conference and EXPO; "Destination: 21st Century Public Procurement."

#### **Practices**

Litigation

Cannabis

Government Relations &  
Public Policy

Energy

Affordable Housing

Blockchain & Crypto Assets

#### **Education**

J.D., University of Oklahoma  
College of Law

B.A., Phillips University,  
American Studies, 1992

#### **Courts & Admissions**

District of Columbia

Florida

Oklahoma



### Practices

Government Relations & Public Policy

### Education

M.A., Florida State University, Applied American Politics

B.S., Florida State University, Political Science

## Brett Bacot

*Senior Advisor, Government Relations*

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Brett Bacot is a member of Buchanan's State Government Relations Group with 27 years of experience representing clients on a wide variety of issues before the Florida Legislature, Executive Branch and state agencies.

Throughout his career, he has worked in various policy areas, focusing on health reform, Medicaid, long-term care, behavioral health, transportation, education and various local government issues.

Brett also concentrates his practice in appropriations requests, navigating the complex state budgeting process and assisting clients in securing funding for special projects.

Some of his recent accomplishments include:

- Worked to pass SB 598 Higher Educational Facilities Financing bill that allows private colleges and universities to access private capital to build facilities.
- Assisted in passage of HB 783 Opioid Abatement that allows the usage of pre-filled injectable naloxone devices to combat opioid overdoses.
- Facilitated funding of the Effective Access to Student Education at \$120 million, a \$54 million increase over the previous year. EASE assists eligible students with \$3,500 in tuition assistance.
- Collaborated with stakeholders to fund to create a database of all companies in Florida who export their goods and/or services overseas, contributing to increased sales, revenue and potential new jobs in Florida.

Brett has worked as a legislative aide in the Florida House of Representatives and has experience in grassroots advocacy work.

### Affiliations

Member of the Florida Association of Professional Lobbyists



## **W. Pierce Schuessler**

*Advisor, Government Relations*

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t: 850 681 4237 | Tallahassee, FL

With more than a decade of experience in and around the Florida Capitol, Pierce brings a wealth of political expertise, strategic acumen, and a deep understanding of Florida's budget process that will enable him to deliver key victories for our clients. Throughout his service in several senior roles, Pierce has amassed an extensive network that has proven to be a major asset in advancing statewide policy.

Early in his career, Pierce served as Legislative Affairs Director for former Florida Secretary of State Kurt Browning. Later, he served in the Governor's Office of Policy and Budget developing and drafting the Governor's Budget Recommendations for various state agencies. Pierce continued his public service in several other leadership positions, including Budget and Legislative Affairs Director for Florida Secretary of State Ken Detzner and Director of Legislative Affairs for the Florida Department of Environmental Protection.

Pierce also served as Chief of Staff for then-Senator Tom Lee, and as a special advisor to Congresswoman Laurel Lee when she served as Florida's Secretary of State.

### **Practices**

Government Relations &  
Public Policy

### **Education**

B.S., Florida State University,  
Political Science, 2008





## Raquel (Rocky) A. Rodriguez

Shareholder

raquel.rodriguez@bipc.com

t: 305 347 5913 | Miami, FL

### How Rocky Helps Clients

Rocky helps clients resolve problems and achieve business objectives using a 360-degree perspective she has gained throughout her career in law, business, and government.

Whether representing Fortune 500 or closely held companies, life science companies, nonprofit entities, high net worth individuals or entrepreneurs, Rocky dives into understanding the client's business and goals to develop strategies to achieve those goals. She looks beyond the obvious and seeks novel approaches. In confronting regulatory issues, for example, this may mean lobbying to change the law, something she's achieved in both the insurance and financial fields in Florida, which has permitted her clients to expand their businesses in the state and attract newcomers as well.

From 2002 to 2007, Rocky served as general counsel to former Florida Governor Jeb Bush, during which she counseled Governor Bush on more than 200 judicial appointments across all levels of the Florida judiciary. During her tenure Rocky worked on some of the most critical issues facing the state, including conceiving and co-drafting the legislation for and negotiating the then-largest economic development project in state history - a \$310 million economic incentive grant to The Scripps Research Institute. Her leadership on the Scripps Florida project led her to develop expertise in the life sciences industry, an industry in which remains deeply involved, counseling some of the most prestigious research institutes and life science companies in the world.

Rocky brings over three decades of state and federal litigation experience in banking, commercial, international, real estate, constitutional, administrative and election law. She provides counseling on corporate governance and related employment matters including trade secrets, crisis and risk management, data breaches, dispute resolution and strategy, economic development and incentives, government relations, and government investigations. Her experience extends into domestic and international arbitration, and she currently serves on an arbitration panel in an investment treaty dispute at the Permanent Court of Arbitration in The Hague.

Using her background in government, Rocky has advised both domestic and international clients on issues involving Florida business, financial and healthcare regulations, the U.S. Foreign Corrupt Practices Act, the U.S.A. Patriot Act and government investigations.

### Honors and Awards

- The *Daily Business Review* Lifetime Achievement Award
- Named to the *Best Lawyers in America* list consecutively since 2016
- Selected for inclusion in *Florida Super Lawyers* since 2008

#### Practices

Litigation

Life Sciences

Finance

Healthcare Regulatory & Compliance

Government Relations & Public Policy

Nonprofit Organizations

International Services

Cybersecurity & Data Privacy

White Collar Defense, Compliance & Investigations

Corporate Compliance

Criminal Defense & Government Enforcement

Internal Investigations

#### Education

J.D., University of Miami School of Law, class valedictorian, summa cum laude, Law Review Editorial Board, 1985

B.A., University of Miami, Politics & Public Affairs; minors in history and economics, class valedictorian, Golden Key National Honor Society, Delta Theta Mu, Phi Kappa Phi, 1982

#### Admissions

Florida

Supreme Court of the United States (SCOTUS)

### Admissions (cont.)

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. District Court for the Southern District of Florida

U.S. District Court for the Northern District of Florida

U.S. District Court for the Middle District of Florida

U.S. District Court for the District of Colorado

U.S. Bankruptcy Court for the Southern District of Florida

- Named leader in Florida Litigation: General Commercial - *ChambersUSA* (2009-2017)  
Named one of the "Top Women in Law" by the *Daily Business Review* (2017)
- Selected as one of the 25 Most Influential Business Women, *South Florida Business Journal* (2011)
- Selected as a Key Partner by the *South Florida Business Journal* (2011)
- *Florida Trend's Legal Elite*, Government Lawyers (2005-2006), International (2010-2011)
- *South Florida's Legal Guide*, "Top Lawyers"
- AV Peer Review Rated by Martindale-Hubbell
- Exceptional Participation Pro Bono Service Award, Dade County Bar Association and Eleventh Judicial Circuit "Put Something Back"

### Proof Points

- Represented chairman of public entertainment conglomerate in suit against United States Department of Justice to enjoin service of Chilean Letters Rogatory pursuant to Inter-American Convention on Letters Rogatory
- Represented bank in lender liability action by borrower alleging fraud and breach of contract against bank resulting in involuntary dismissal of counterclaims and foreclosure judgment against borrowers and guarantors in bench trial
- Represented Spanish-language radio network in obtaining dismissal of federal constitutional rights claim by former head of Cuban National Air Force, who claimed radio personalities had encouraged his mistreatment for advocating normalization of relations with Cuba; also obtained Rule 11 sanctions against plaintiff's counsel
- Co-counsel for major petroleum marketer in defense of a putative class action suit by Florida boat owners alleging damage to fuel tanks and systems from use of ethanol-blended gasoline; class certification was denied
- Co-counsel for advocacy group in putative class action suit alleging peer-to-peer text messages violated the Telephone Consumer Privacy Act (TCPA); case settled before class certification
- Party-appointed arbitrator in investor-state treaty arbitration at Permanent Court of Arbitration
- One of the lead attorneys representing the Republican Party of Miami-Dade County during the 2000 Presidential Election recounts before the Miami-Dade Canvassing Board and the state courts
- Counseled publicly traded biotech company with respect to Florida healthcare and clinical laboratory regulations

- Lead lawyer for the State of Florida Governor's Office on over \$1.5 billion in state and local incentive deals involving Florida biotechnology sector, including conceived the structure, co-wrote the legislation, and negotiated the contract terms for the award and oversight of \$310 million in state incentives to The Scripps Research Institute
- Developed the strategy and structure for obtaining nearly \$200 million in state and local incentives for the Max Planck Society, one of the leading scientific research institutes in the world in the establishment of the Max Planck Florida Institute for Neuroscience in Jupiter, Florida
- Successfully led multi-year effort to change Florida international banking laws to create new section in Chapter 663 allowing qualified limited service affiliates
- Defeated injunction and obtained summary judgment in favor of Clerk of City of Miami in injunction action seeking to remove strong mayor referendum from 2018 general election ballot
- Defeated injunction and obtained dismissal of action by neighborhood group seeking to invalidate City of Miami's license for 2019 Ultra Music Festival on Virginia Key

### Affiliations

American Bar Association – former positions: Standing Committee on Election Law; Chair, Young Lawyers Division; House of Delegates; Executive Committee, Section of International Law

Florida Bar – former positions: International Law Section, Executive Council and Co-Chair, Amicus Committee; Judicial Nominations Procedures Committee

Dade County Bar Association - former position: President , Young Lawyers Section

Federalist Society – former position: President, Miami Lawyers Chapter

Permanent Court of Arbitration in the Hague, Arbitrator

### Civic & Charitable

Board of Directors, BioFlorida, Co-Chair, Government Affairs Committee

Board of Trustees, Foundation for Florida's Future; past member, Audit Committee

Member, Investment Advisory Committee, Barbara Bush Foundation for Family Literacy

National Board of Directors, Warriors at Ease