

February 19, 2021

Fifth Committee Week of the 2021 Legislative Session

This week kicked off the last committee week of the year before a weeklong break. FAC is prepared and ready to hit the ground running into the 2021 Session starting on March 1st. Another chilly week for Legislators who gathered for a jam-packed week of committee meetings as bills move their way through the process. Bills ranged this week from, vacation rental pre-emptions, COVID-19 liability protections, growth management, online sales tax, to many pieces of environmental legislation.

Throughout Session, FAC will continue to release the Legislative Bulletin and our brand-new podcast, FAC-Ish, every Friday for a quick rundown on what's going on in Tallahassee. Occasionally, Action Alerts will be sent out on key legislation for counties to engage in. As we move into a vastly different Session from last year, we hope you remain active with the Association. Your efforts will be needed more than ever as COVID-19 protocols remain in place in the House and Senate to advocate for home rule. Stay tuned for the release of the Bill Tracker and updated Preemption Tracker on our website next week. We will get through this together and we look forward to seeing you all, whether it be virtually or in-person, this Session.

IN A HURRY?

[Click here](#) to listen to this week's FAC-ish Podcast: Legislative Update - all of the same legislative announcements, faster and easier than ever before!

[Register for the 2021](#)[Reserve Tallahassee](#)[COVID-19 Conference](#)

County

\$110

City/State/Federal

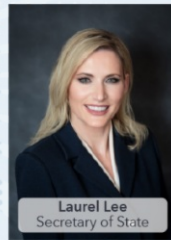
\$160

Business/Corporate

\$260



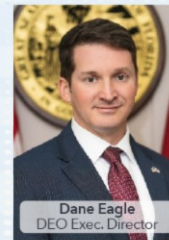
Nikki Fried
Commissioner of Agriculture



Laurel Lee
Secretary of State



Kevin Thibault
DOT Secretary



Dane Eagle
DEO Exec. Director



Noah Valenstein
DEP Secretary

Briefing Speakers

COMMUNITY & URBAN AFFAIRS

Vacation Rentals Passes First Hurdle in the Senate

[SB522 Vacation Rentals](#) by Representative Diaz was heard for the first time in Senate Regulated Industries. SB 522 adds “licensing” to the list of regulations of public lodging establishments and public food service establishments that are now expressly preempted to the state. It prohibits local laws, ordinances, or regulations from requiring the local inspection or licensing of the public lodging or public food service establishments.

A local government may regulate activities that arise when a property is used as a vacation rental if the regulation applies uniformly to all residential properties. Local governments may not prohibit vacation rentals or regulate the duration or frequency of vacation rentals. Local laws, ordinances, or regulations adopted on or before June 1, 2011 are not preempted, and a local government may amend such grandfathered regulations to be less restrictive.

The bill revises the “grandfathered” status for local laws, ordinances, or regulations for a jurisdiction within an area of critical state concern designation. Local governments in an area of critical state concern may continue to regulate and inspect vacation rentals, prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals, if the laws, ordinances, or regulations were adopted before June 1, 2011.

In addition, the bill preempts the regulation of advertising platforms to the state. An “advertising platform” is defined as a person who electronically advertises a vacation rental to rent for transient occupancy, maintains a marketplace, and a reservation or payment system.

Before approving the bill, the Committee adopted a strike-all amendment (now the committee substitute) which made the following changes:

- Amends s. 212.03(3), F.S., to include the tax collection and remittance requirements for advertising platforms within ch. 212, F.S., and to:
 1. Clarify that the taxes an advertising platform must collect and remit are based on the total rental amount charged by the owner or operator for use of the vacation rental.

2. Exclude service fees from the calculation of taxes remitted by an advertising platform to the Department of Revenue (DOR), unless the advertising platform owns, is related to, operates, or manages the vacation rental.
 3. Require the DOR and other jurisdictions to allow advertising platforms to register, collect, and remit such taxes.
- Includes “merchant business taxes” under s. 205.044, F.S., within the types of taxes an advertising platform must remit.
 - Revises the exemption in s. 509.032(7)(c), F.S., for local laws, ordinances, or regulations of a jurisdiction within an area of critical state concern to permit such jurisdictions to regulate and inspect vacation rentals, prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals, if the laws, ordinances, or regulations were adopted before June 1, 2011.
 - Redefines the term “temporary residence” in the context of sexual predator or offender registration requirements, to mean lodging in a vacation rental for 24 hours or more.
 - Authorizes the DOR to adopt emergency rules, which are effective for six months and may be renewed until permanent rules are adopted. This provision expires on January 1, 2023.

CS/SB522 passed favorably (6-3) and moves to its next committee, Senate Appropriations. The House companion, [CS/HB219-Vacation Rental](#) by Representative Fischer was heard last week in House Regulatory Reform Subcommittee and passed favorably (10-7).

Public Works Projects Bill Advances Through House Subcommittee

[HB53 Public Works Projects](#) by Representative DiCeglie was heard for the first time during the House Governmental Operations Subcommittee. The bill preempts existing local ordinances related to the procurement process for public works projects when any state funds are used. Currently, state law preempts local ordinance preferences when 50% or more of the cost will be paid from state-appropriated funds. The bill removes this 50% threshold. The local ordinance preferences include those for wages, benefits, specific training, apprenticeship programs and local hiring passed via referendum. FAC opposing the bill. The bill passed (10-6) and moves to the House Public Integrity & Elections Committee. The Senate companion, [SB 1076-Public Works Projects](#) by Senator Brodeur, has not been heard yet.

Increased Interest Rate for Construction Projects Passes Senate Committee

[SB378- Payment for Construction Services](#) by Senator Bradley was heard in its second committee, Senate Governmental Oversight and Accountability. The bill increases from one percent to two percent the interest rate applied to unpaid amounts for construction services on state and local government projects. The bill also increases by one percent the interest rate set by the Chief Financial Officer pursuant to [s. 55.03, F.S.](#), on payment amounts wrongfully withheld for construction labor, services, or materials related to private sector construction projects. The bill was amended to increase the percentage to be added to the interest rate specified in [s. 55.03, F.S.](#), from “plus 1 percent” to “plus 12 percent per annum” under the private construction prompt payment provisions. CS/SB378 passed unanimously (5-0) and moves to Senate Rules. The House companion, [HB585-Payment for Construction Services](#) by Representative DiCeglie has been filed but not referenced to committees.

Property Rights Element Bill Moves in Second Subcommittee

[HB59-Growth Management](#) by Representative McClain was heard for the second time in House Civil Justice & Property Rights Subcommittee. The bill requires local governments to include a private property rights element in their comprehensive plans at the earlier of their next proposed plan amendment or by July 1, 2024. A local government may develop its own property rights language, if such language does not conflict with the bill’s model statement of rights which requires that a local government consider the following four elements in local decision-making:

- Physical possession and control of the property owner’s interests in the property, including easements, leases, or mineral rights;
- Use, maintenance, development, and improvement of the property for personal use or the use of any other person, subject to state law and local ordinances;
- Privacy and exclusion of others from the property to protect the owner’s possessions and property; and
- Disposal of the property owner’s property through sale or gift.

The bill also allows developers and local governments to amend or cancel a development agreement without seeking consent from other property owners subject to the agreement, unless the amendment or cancellation would directly modify the allowable uses or entitlements of those properties; specifies that development agreements for certain developments of regional impact may be amended using the process adopted by the local government for amending development orders; and requires the Florida Department of Transportation, when selling a parcel of land, to provide a right of first refusal to the prior owner of the land and provides a process for implementing this right of first refusal.

The Subcommittee adopted an amendment altered the dates by which a local government must include the property rights element in its comprehensive plan. More specifically, the amendment authorized a

local government with a population of:

10,000 or more to include a property rights element in their comprehensive plan by the earlier of the adoption of their next proposed plan amendment or July 1, 2024.

Less than 10,000 to include a property rights element in their comprehensive plan in conjunction with their next scheduled comprehensive plan evaluation and appraisal.

CS/CS/HB59 passed (12-6) and now heads to the State Affairs Committee. A similar bill, [SB496-Growth Management](#) by Senator Perry has been referenced to its first committee, Senate Community Affairs, but has not been scheduled for a hearing yet.

Home-Based Business Preemption Legislation Moves in House

[HB403- Home-based Businesses](#) by Representative Giallombardo was heard in the House Regulatory Reform Committee. Some local governments have enacted ordinances specific to regulating businesses which operate out of a residence. Local regulations address the type of businesses that may be carried on at a residence, while others regulate the space in which the business operates.

HB 403 provides that local governments may not enact or enforce any ordinance, regulation, or policy, or take any action to license or otherwise regulate a home-based business in a manner that is different from other businesses located within the local government's jurisdiction. To be considered a home-based business, the bill requires that:

- The business operates, in whole or in part, from a residential property;
- The employees of the home-based business reside in the residence, except for up to two employees that do not reside at the residence. However, employees of the home-based business that do not primarily work at the residential dwelling are not required to reside in the dwelling;
- Parking for the business activities of the home-based business complies with local zoning requirements;
- When viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property, but incidental and short-term business uses and activities are permitted; and
- The activities of the home-based business are secondary to the property's use as a residential dwelling.

The bill provides that home-based businesses will only be subject to applicable business taxes in the county and municipality where the home-based business is located. Lastly, the bill allows an adversely affected current or prospective home-based business owner to challenge any local government action regulating home-based businesses. The prevailing party in such action may recover its reasonable attorney fees and costs.

HB403 passed favorably (10-6) and heads to its last committee of reference, the House Commerce. The Senate companion, [SB266-Home-based Businesses](#) by Senator Perry has yet to be heard.

Transportation Legislation Passes House Committee

[HB57-Transportation](#) by Representative Andrade was heard on Wednesday in House Tourism, Infrastructure, & Energy. The bill revises provisions relating to motor vehicle sales tax, specifically reduces sales tax by \$50 on the sale of each motor vehicle sold in fiscal years 2021-2022 and 2022-2023. The bill also revises solicitations, flashing lights on vehicles, airport restrictions, and revises statutory provisions regarding the State Arbitration Board within DOT. HB57 passed unanimously (18-0) and moves to Ways and Means Committee. A similar bill, [SB1194- Transportation](#) by Senator Hooper has been referenced to committees but not yet heard.

FAC Contact:

For additional information, please contact Eddy Labrador at elabrador@fl-counties.com.

COVID-19 AD HOC

COVID-19 Liability Protections House Bill Passes Last Committee

[CS/HB 7 – Civil Liability for Damages Relating to COVID-19](#) by Representative McClure was heard in its last committee on Tuesday, House Judiciary. CS/HB7 provides liability for businesses, educational entities, governmental entities, and religious institutions against COVID-19 claims. Under this bill, when a covered entity proves “good faith” evidence that it substantially complied with applicable COVID-19

guidelines, they are immune from civil liability from a COVID-19-related civil action.

The bill also provides that for any COVID-19-related civil action against a covered entity, a plaintiff must:

- Plead its complaint with particularity
- Submit, at the time of filing suit, a physician's affidavit confirming the physician's belief that the plaintiff's COVID-19-related injury occurred because of the defendant's conduct
- Prove, by clear and convincing evidence, that the defendant was grossly negligent

A COVID-19 related claim must be brought within one year after the action accrues, unless the claim accrued before the bill's effective date, which then allows the plaintiff to bring the civil action within one year after the bill takes effect.

The bill was amended by Representative McClure to:

- Add to the list of "healthcare providers" to include a licensed provider under chapter 394 or 397, a continuing care facility, or a pharmacy
- Add a defendant that made a good faith effort in substantially complying with one or more set of standards or guidelines is immune from liability
- Makes a technical change to statute of limitations

After much debate and public testimony, CS/HB 7 was reported favorably (14-7). The Senate companion, [SB72-Civil Liability for Damages Relating to COVID-19](#) by Senator Brandes was temporarily postponed in Commerce and Tourism on Monday.

Rep. Colleen Burton Carries the Health Care Liability Proposed Committee Bill

[HHS1-Health Care Civil Liability](#) a proposed committee bill by House Health & Human Services was heard for the first time on Wednesday. HHS1 limits civil claims against healthcare providers related to COVID-19. Under this bill, health care entities will be granted liability protections for negligence claims stemming from existing medical malpractice and long-term care facility litigation statutes (Chapters 400, 429 and 766). Senate companion, [SB74 COVID-19-related Claims Against Health Care Providers](#) passed (6-4) in Senate Judiciary last week.

COVID-19 News & Resources

State and Local Coronavirus Fiscal Recovery Funds

The House Committee on Oversight and Reform unveiled its [reconciliation bill](#), the State and Local Coronavirus Fiscal Recovery Funds, that would provide \$350 billion to help states, counties, cities, other municipalities, and tribal governments cover increased expenditures, replenish lost revenue and mitigate economic harm from the COVID-19 pandemic. This includes \$65.1 billion for counties alone. NACo has developed a couple resources to assist with our advocacy efforts to secure additional aid to counties of all sizes:



- **NACo COVID-19 Advocacy Packet:** Linked below, please find NACo's advocacy packet that contains talking points for local leaders, an analysis of the House Oversight and Reform's reconciliation bill, overview of the county role in addressing COVID-19 and a new report outlining counties' position in supporting our nation's recovery. **As you engage with your members of Congress about additional state and local aid, please use this packet as a resource.**
- **County-by-county estimations for State and Local Coronavirus Fiscal Recovery Funds:** NACo developed a [searchable table](#) that contains projected allocations for counties from the U.S. Treasury, if the proposal is signed into law. The values are informed by the House Oversight Committee and the Congressional Research Service (CRS). The estimates are not official values from the U.S. Treasury and are subject to change.

NACo Advocacy Packet - Counties and the COVID-19 Pandemic

Four new vaccine sites coming to Florida, including one in Miami
South Florida Sun Sentinel

The federal government will open four COVID-19 vaccination sites in Florida that will give up to 3,000 shots a day. The sites will open in Miami at Miami Dade Community College North Campus; in Orlando at Valencia College West Campus, in Tampa at Tampa Greyhound Track and in Jacksonville at Gateway Mall. These sites will open on March 3 and will operate seven days a week from 7 a.m. to 7 p.m. Each site will administer 2,000 vaccines per day. Additionally, each site will have two smaller, mobile satellite sites that will conduct 500 vaccinations per day in nearby underserved areas.

[Read more.](#)

FAC Contact:

For additional information, please contact Tonnelle Graham at tgraham@flcounties.com.

HEALTH, SAFETY, & JUSTICE

Public Records Exemptions in Emergencies Legislation Passes Both Committees

Both the House and Senate bills related to public records exemptions during an emergency were heard this week in committees. The identical bills create a public records exemption of the name, address, and phone number of a person held by an agency impacted during an emergency. The public records exemptions will protect sensitive information of people impacted by a disaster. FAC supports public records exemption for information obtained by a local government while providing emergency management services.

[SB418-Public Records/Persons Seeking Shelter](#) by Senator Burgess was heard in Senate Military and Veteran Affairs, Space, and Domestic Security and [HB327- Public Records/Persons Seeking](#) by Representative Rommel in House Pandemics and Public Emergencies. Both bills passed unanimously. SB 418 moves to Senate Governmental Affairs and Accountability and HB 327 moves to House Government Operations Subcommittee.

Bill Protecting Sadowski Trust Fund Sweeps Clears Second Senate Committee

SB510-State Funds by Senator Hooper was heard for its second committee stop in Senate Finance and Tax on Thursday morning and passed unanimously. The bill would prohibit further sweeping of funds from the State and Local Government Housing Trust Funds, known as the Sadowski Affordable Housing Fund. Therefore, the Legislature could no longer transfer these funds to the Budget Stabilization Fund and the General Revenue Fund. Last week, the Revenue Estimating Conference estimated the bill had no fiscal impact. FAC supported the bill this week. The House companion, HB13-State Funds by Representative Killebrew was referenced to its first committee, Infrastructure & Tourism Appropriations Subcommittee, but has not been heard.

FAC Contact:

For additional information, please contact Tonnelle Graham at tgraham@flcounties.com.

WATER & ENVIRONMENTAL SUSTAINABILITY

Bill Establishing a Statewide Office of Resiliency Passes Senate Committee

[SB514-Resiliency](#) by Senator Ray Rodrigues was heard for the first time in Senate Environment and Natural Resources. The bill establishes the Statewide Office of Resiliency within the Executive Office of the Governor and headed by a Chief Resilience Officer appointed by the Governor. SB514 creates the Statewide Sea-Level Rise Task Force adjunct to the SOR for the purpose of recommending consensus projections of the anticipated sea-level rise and flooding impacts along the state's coastline. The bill allows technical advisory groups to assist with data and decision-making. The recommended consensus

projections will be submitted to the Environmental Regulation Commission for adoption or rejection by January 1, 2022. FAC supported the bill this week. SB514 passed favorably (6-0) and heads to the Appropriations Subcommittee on Agriculture, Environment, and General Government. The House companion, [HB315 Resiliency](#) by Representative LaMarca was referenced to its first committee, Environment, Agriculture, and Flooding Subcommittee, but has not been heard.

Private Waste Companies Legislation Advances to Next Committee

[SB694-Displacement of Private Waste Companies](#) by Senator Ray Rodrigues was heard in Senate Environment and Natural Resources. The bill would eliminate the option of a local government to pay a displaced waste company in lieu of providing a three-year notice period. The bill increases the payment for displacing a private waste company to an amount equal to the company's preceding 18 months' gross receipts (currently 15 months) and provide for the three-year notice period. FAC is currently surveying the potential impacts of the proposed legislation. The bill passed through favorably (6-0) and heads to Community Affairs. The House companion, [HB331-Displacement of Private Waste Companies](#) by Representative McClure has been referenced to committees but not yet heard.

Bills Honoring Former Commissioner/Representative Kristin Jacobs Pass both Committees

Both the Senate and House companion bills that rename the Southeast Florida Coral Reef Ecosystem Area to honor former Broward County Commissioner Kristin Jacobs were heard this week. In 2018, Jacobs passed the legislation creating the Southeast Florida Coral Reef Ecosystem Area which runs from Martin County to Biscayne Bay. [HB217-Conservation Area Designations](#) by Representative Hunschofsky was heard in the Environment, Agriculture, & Flooding Subcommittee while [SB588-Conservations Area Designations/Kristin Jacobs Coral Reef Ecosystem Conservation Area](#) by Senator Book was heard in the Appropriations Subcommittee on Agriculture, Environment, and General Government. FAC supported both bills. Both bills passed through their committees unanimously.

FAC Contact:

For additional information, please contact Jeff Scala at jscala@fl-counties.com.

AGRICULTURE & RURAL AFFAIRS

Agritourism and Farmer Liability Protections Legislation Clears Second Committee

[SB88-Farming Operations](#) by Senator Brodeur was heard in Environment and Natural Resources on Monday. The bill amends the Florida Right to Farm Act to include agritourism in the definition of farm operations. Furthermore, the bill provides strong liability protections for farming operations from public and private nuisance lawsuits including agritourism activities. The bill further limits nuisance claims to those which violate existing environmental laws but appear to preempt such claims based on local ordinances. SB88 passed favorably (4-1) and moves to Senate Rules. Currently, there is no House companion legislation filed.

FAC Contact:

For additional information, please contact Jeff Scala at jscala@fl-counties.com.

OTHER TECH INDUSTRIES

Drones Use Legislation Advances Through Committees

[SB44- Drones](#) by Senator Wright was heard in its second committee Senate Military and Veterans Affairs, Space, and Domestic Security. The bill provides exemptions for law enforcement use of drones for traffic management and collection of evidence at a crime or traffic scene. Additionally, the bill allows state agencies and local governments to assess damage due to flood, wildfire, or any other natural disaster as well as monitoring vegetation or wildlife management on publicly land or water. During committee, the bill

was amended to remove drone use exemptions for crowds over 50 people. The bill passed favorably (7-0) and the next stop is Senate Rules. A comparable bill, [HB433- Use of Drones by Governmental Agencies](#) by Representative Andrade was heard in House Pandemics and Public Emergencies Committee on Wednesday. The bill provides exceptions for a state agency or political subdivision to assess damage due to hurricane, flood, wildfire, or any other natural disasters. HB433 passed favorably (18-0) and heads to House Judiciary Committee. Another comparable bill, [SB 518-Drones](#) by Senator Diaz has been referenced to committees but not heard.

FAC Contact:

For additional information, please contact Jeff Scala at jscala@fl-counties.com.

FINANCE, TAX, & ADMINISTRATION

Rebate Program Encouraging Florida Entertainment Clears First Committee

[SB704-Entertainment Industry](#) by Senator Gruters was heard in Senate Commerce and Tourism. The bill creates the Film, Television, and Digital Media Targeted Rebate Program within the Department of Economic Opportunity (DEO) under the supervision of the Commissioner of Film and Entertainment. The bill authorizes applicants to receive rebates up to 23% of qualified expenditures, or \$2 million, whichever is less with the requirement to make a good faith effort to use existing providers of infrastructure or equipment, employ at least 60% of Florida residents, spend at least 70% of their production time in Florida, and additional guidelines. The Florida Film and Entertainment Advisory council must determine the score for each qualified project. The goal is to encourage family-friendly productions, broaden Florida's entertainment industry, and enhance tourism within the state. The Rebate Program will expire June 30, 2025. SB704 passed favorably (9-2) and heads to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development. FAC supports the bill as it aligns with FAC's guiding principle to support state and local policies, programs, and funding mechanisms that not only preserve, but enhance, the Florida tourism and film industries. The House companion, [HB757-Film, Television, and Digital Media Targeted Rebate Program](#) was referenced to committees but has not been heard.

Remote Commerce Workshop in House Committee

The House Ways and Means Committee conducted a workshop on the remote commerce. The focus of the workshop was how Florida needs to pass such legislation in order to provide Florida's businesses with a competitive playing field with out of state businesses. The Committee heard from several Florida businesses which reported to the committee that they are already required to collect and remit sales tax to other states, and that businesses in other states should be similarly required to collect and remit Florida's sales tax when they sell goods to Florida residents.

Online Sales Tax Bill Clears Second Committee

[SB50-Sales and Use Tax](#) by Senator Gruters was heard in its second committee, Senate Finance and Tourism. The bill applies Florida's sales and use tax to online/e-commerce sales from out of state retailers regardless of whether the entity has a physical presence within the state. Currently, 43 of 45 states that collect sales tax have authorized sales tax on out-of-state vendors since the 2018 SCOTUS decision, *Wayfair v. South Dakota*, authorizing the practice. Last week, the Revenue Estimating Conference determined that in FY20-21 the bill would increase the General Revenue Fund by \$937.6 million and \$1.08 billion each year after. Furthermore, in FY21-22 local government revenues will increase by \$229.5 million and \$253.7 million each year after. FAC waived in support of the bill. SB50 passed unanimously (8-0) and moves to the next stop, Senate Appropriations. The House companion bill, [HB15-Sales and Use Tax](#) by Representative Clemons has not been heard.

FAC Contact:

For additional information, please contact Bob McKee at bmckee@fl-counties.com.

PREEMPTION TRACKER

Among Other, Some Preemptions to Look out for This Session

[HB 215 Prohibition of Public Funds for Lobbying by Local Governments](#) by Representative Sabatini, among other things, prohibits a local government from using public funds to retain a lobbyist to represent the local government before the legislative or executive branch. However, a full-time employee of the local government may register as a lobbyist and represent that local government before the legislative or executive branch. Except as a full-time employee, a person may not accept public funds from a local government for lobbying. HB215 has been referenced to committees but not heard. As of yet, there is no Senate companion and the bill has not been scheduled for any committee agendas.

[HB219/SB 522 Vacation Rentals](#) by Representative Fischer and Senator Diaz preempts the regulation of vacation rentals to the state. This bill prohibits a local law, ordinance, or regulation from allowing or requiring inspections or licensing of vacation rentals and preempts the regulation of advertising platforms for vacation rentals. HB219 passed favorably with a vote of (10-7) last week in its first committee, House Regulatory Reform Subcommittee. SB522 passed favorably (6-3) this week in its first committee, Senate Regulated Industries.

[HB 267/SB426 State Preemption of Seaport Regulations](#) by Representatives Roach and Sirois and Senator Boyd preempts to the state the regulation of commerce in state seaports. The bill prohibits a local government from regulating commerce in seaports in the state, including but not limited to, regulating or restricting a vessel's type or size, source or type of cargo, or the number, origin, or nationality of passengers, all matters will be preempted to the state. Under the bill, any provision of a county or municipal charter, ordinance, resolution, regulation, or policy that is preempted by bill and that existed before, on, or after the effective date of the bill, will be automatically voided. Both bills have been referenced to committees but not yet heard. This week, Senate Transportation held a panel discussion on seaport regulations. To see the conversation: Committee on Transportation (flsenate.gov)

[SB268/HB735 Preemption of Local Occupational Licensing](#) by Senator Perry preempts licensing of occupations to the state and prohibits local government from imposing or modifying additional licensing requirements unless specified. Under the bill, "licensing" means any training, education, test, certification, registration, or license that is required for a person to perform an occupation. Any licensing of occupations authorized by general law is exempt from the preemption. Also, the bill authorizes counties and municipalities to issue journeyman licenses in the plumbing, pipe fitting, mechanical, electrical, alarm system, or HVAC trades. Both SB268 and HB735 have been referenced to committees but not yet heard.

[SB856/HB839 State Preemption of Energy Infrastructure Regulations](#) by Senator Hutson provides that regulation of the construction of energy infrastructure is preempted to the state. Local governments cannot implement any regulations that restrict new construction or that expands, repairs, or updates existing energy infrastructure. SB856 has been referenced to committees but not heard. A similar bill, HB839 by Representative Fabricio, was filed this week but has not been referenced to committees.

[View the Full 2021 Preemption Tracker Online](#)

FAC Contact:

For additional information, please contact Eddy Labrador at elabrador@fl-counties.com.

UPDATE ON ACCESS 67 AND THE LOCAL GOVERNMENT EFFICIENCY TASK FORCE

Broadband Grant Opportunity

A broadband grant is open for applications through March 5, 2021. The \$1 million Expanding Potential in Communities (EPIC) Grant program is funded by Truist Bank and administered by the Internet

Society <https://www.internetsociety.org/grants/epic/>. This program provides grants for eligible communities across the southeast United States, including Florida, ranging from \$125,000-180,000.

Non-profit organizations, local governments, municipalities, townships, public-private partnerships, and cooperative organizations are eligible to apply for the Truist EPIC Grant. The grant is geared towards networks that serve low-income communities with significant Black, Indigenous, and diverse populations. Grant funding may be used to build a new network or expand an existing one.

For more information visit Access 67 at [Access 67 | Florida Association of Counties \(fl-counties.com\)](https://www.fl-counties.com/access67)



AVAILABILITY & ACCESSIBILITY OF BROADBAND INTERNET SERVICE

TAKE THE SURVEY NOW

The Florida Office of Broadband within the Department of Economic Opportunity (DEO) is conducting a survey on the availability and accessibility of broadband internet service.



Broadband, or high-speed internet access, is becoming increasingly vital to businesses and residents in the state of Florida as being online has become an important part of our everyday lives – from email and tele-medicine to online banking and virtual schooling. Broadband provides a faster, more convenient way of accessing a huge range of services.

The Florida Office of Broadband works with local and state government agencies, community organizations, and private businesses to increase the availability and effectiveness of broadband internet throughout the state, specifically in small and rural communities. Through these partnerships, the Office encourages investment in grant funding opportunities for the broadband program that focus on the expansion of broadband.

Please help to complete the Office of Broadband's short, three-minute survey to better understand the availability and accessibility of broadband internet service across the state. Your response will assist the office in identifying the goals, challenges, and the outlook of broadband internet service in your area.

The survey is available until March 1 and can be accessed at [Access 67 | Florida Association of Counties \(fl-counties.com\)](https://access67.org/).

CLICK HERE TO ACCESS THE SURVEY

Local Government Efficiency Task Force

The 2020 Legislature created the Local Government Efficiency Task Force via Ch. 2020-114, Laws of Florida. The law directs the Office of Program Policy Analysis and Governmental Accountability to provide the task force research support. The purpose of the task force is to review the governance structure and function of local governments and determine if changes are necessary to make such governments more efficient. The task force's final report is due by June 1, 2021.

Monday, February 22nd Meeting Agenda

FAC Contact:

For additional information, please contact Tiffany Henderson at thenderson@fl-counties.com.

DATA POINT #5: COASTAL IMPACTS -
CURRENT AND FUTURE IMPACTS OF SEA-LEVEL RISE

Coastal Impacts: Current and Future Impacts of Sea-Level Rise

Thirty-five coastal counties with 1,350 coastal miles span across the state of Florida. State and local leaders are calling for quick action when it comes to protecting their coastlines from sea-level rises, storm surges, flooding, and an overall negative economic impact in their coastal communities.

Sea-Level Rise and Effects

SeaLevelRise.org estimates that the sea-level around Florida has increased 8 inches since 1950. Sea levels are rising by 1 inch every three years. Sea-level rise creates an abundance of challenges for the state including flood insurance rates increasing, property insurance increasing, property value diminishing, flooding, and storm surges from hurricanes and tropical storms in Florida communities. Sea-level concerns have the potential to negatively impact the economy, tourism, and real estate. According to the American Flood Coalition, Florida has lost a collective of \$5.42 billion due to flooding therefore affecting local governments revenues. Particularly, three counties that are hit hard by storm surges include Miami-Dade, Lee, and Collier counties who make up about half of the average annual losses in the state. The devaluation of Florida properties could lead to homeowners leaving the state, a loss of revenue and spending, and a devastating impact on our tourism industry.

Mitigating the Risk through Organizations, Legislation, and Funding

Over the past few years, resiliency appears to be a top priority for the state as sea-level rise mitigation projects are being addressed through community efforts, legislation, and the Governor's budget recommendations. The Miami-Dade community has been taking on climate change and released a strategy known as *Resilient305*. [Resilient305](#) created by Greater Miami & Beaches is a collaboration of universities, government entities, and NGOs are working together to lead research on mitigation efforts, which includes enhancing design and planning, improving mobility and housing option in the city, and expanding economic opportunities within the community. On the state level, Senator Rodriguez and Representative LaMarca are addressing sea-level rising by establishing a Statewide Office of Resiliency within the Executive Office of the Governor and that creates the Statewide Sea-Level Rise Task Force to gather consensus projections of anticipated sea-level rise and flooding impacts across Florida's coastlines. This legislation [SB514/HB315](#) Resiliency would create an independent office to report on the environmental impacts that are facing coastal counties and make recommendations for government-funded projects. From a funding standpoint, Governor DeSantis proposes a \$1 billion investment for Resilient Florida programs over the next four years to tackle environmental challenges on the local levels. Counties are on the frontlines of protecting their residents from sea-level and flooding concerns while dealing with the economic implications on their communities and building resiliency initiatives.

Conclusion

As our homeowners and tourism grows as visitors across the world flock to visit our beautiful state, from its beaches, cities, to our rural communities; addressing and mitigating sea-level, flooding, and natural disasters will be crucial in preserving our state, creating a stronger economy able to withstand environmental changes, and protecting Floridians for generations to come.

To learn more, visit:

Tampa Bay Regional Resiliency Coalition: [Resiliency Coalition – TBRPC](#)

Florida Resilient Coastline Program: [Florida Resilient Coastlines Program | Florida Department of Environmental Protection](#)

Southeast Florida Regional Compact Climate Change: [Unified Sea Level Rise Projections - Southeast Florida Regional Climate Compact \(southeastfloridacclimatecompact.org\)](#)

McKinsey Business Report: [MGI Climate Risk Case Studies Florida May2020.pdf \(mckinsey.com\)](#)

FLORIDA COASTAL DEMOGRAPHICS

16
MILLION

Approximately
16 million people
live in Florida's
coastal zone

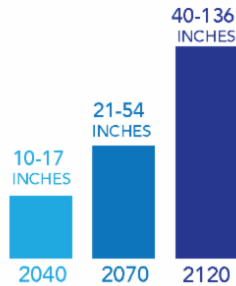
10%

of population is located
less than 1.5 meters
above sea-level

RISKS ON COMMUNITIES DUE TO SEA-LEVEL RISES

- Coastal Erosion
- Stormwater Management
- Flooding
- Agriculture
- Saltwater intrusion
- Infrastructure/Insurance/Property Impacts
- Loss of Habitat
- Tourism

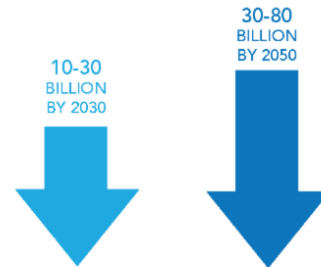
SEA-LEVEL RISES NEAR KEY WEST, FLORIDA:



BREAKING DOWN A RISK:

Property Value

Estimated in property value devaluation due to flooding:



FAC Contact:

For additional information, please contact Sara Henley at shenley@fl-counties.com.

Florida Association of Counties (fl-counties.com)

