



FLORIDA
ASSOCIATION OF
COUNTIES
All About Florida

67 Counties / One Voice
FLORIDA



2022
LEGISLATIVE
Highlights



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WHY FLORIDA COUNTIES *Matter*



COUNTY POPULATION INFORMATION


7 URBAN COUNTIES
With a total population of 11,568,380

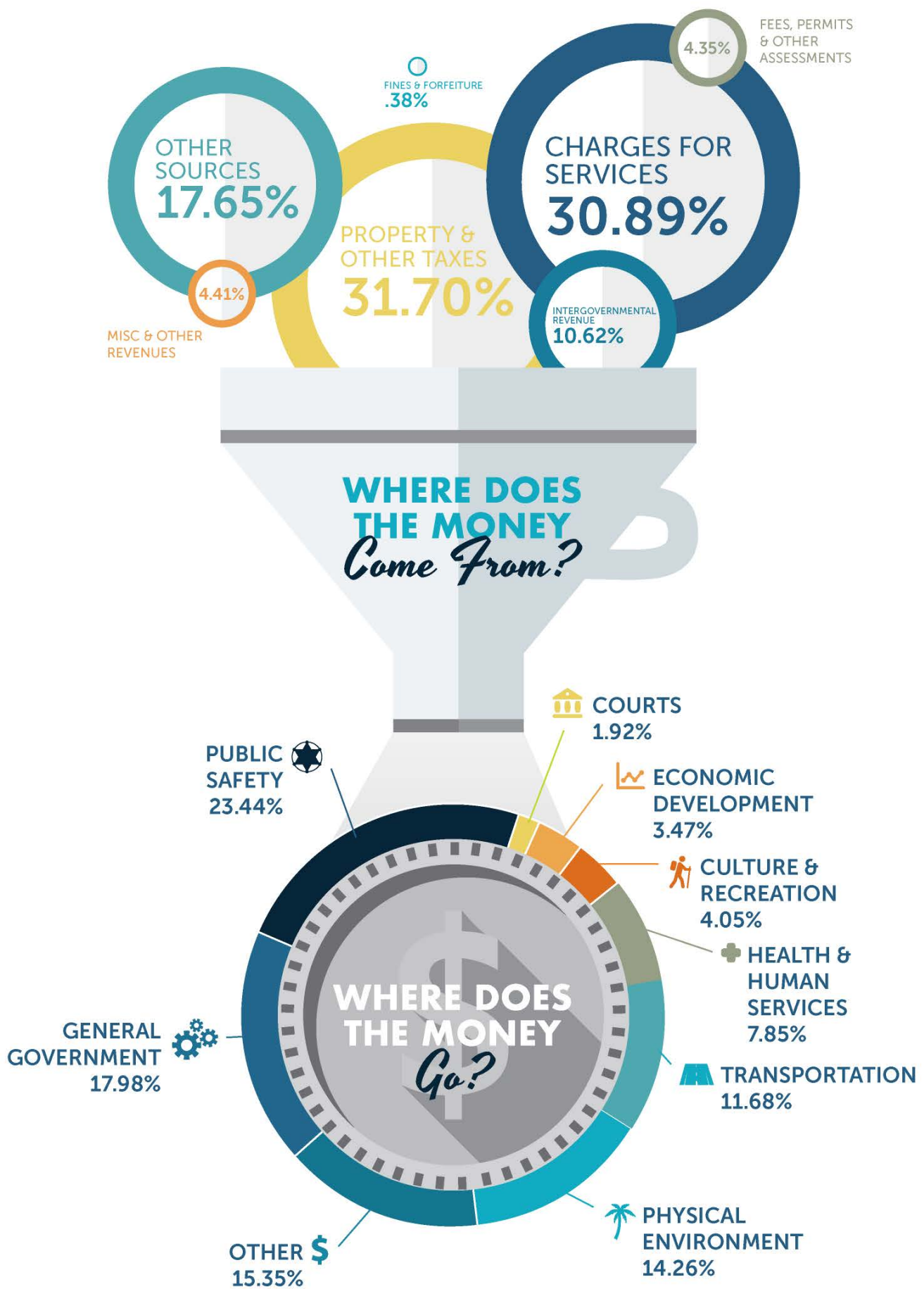

29 FISCALLY-CONSTRAINED COUNTIES
With a total population of 905,959


LARGEST COUNTY MIAMI-DADE
with 2,832,794 residents


31 MEDIUM COUNTIES
With a total population of 11,427,619


35 COASTAL COUNTIES
With 825 miles of beaches

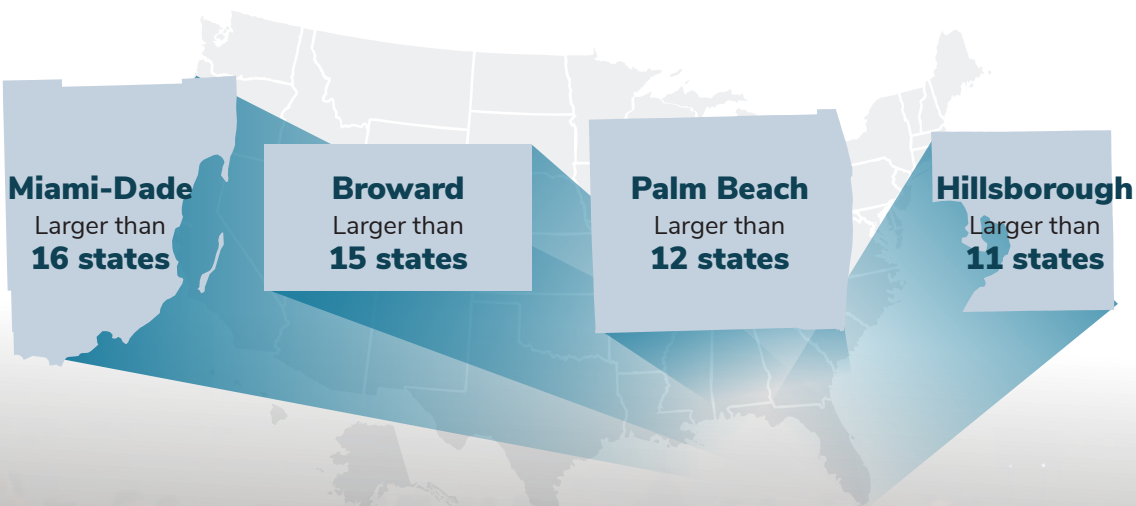

SMALLEST COUNTY LIBERTY
with 8,575 residents



PREEMPTIONS PERSIST

As Florida's population continues to grow and change, it is important that our communities continue to reflect local values. This is best accomplished by empowering local voters and their representatives and not by one-size-fits-all regulations from Tallahassee.


In the past year alone, measures have passed that take away local residents' ability to have a say in such basic questions as whether specialty contractors should be required to be licensed or whether the public should be able to regulate businesses in residential neighborhoods. State officials have considered measures that would have prevented local communities from enforcing regulations on vacation rentals, pet sales, plastic straws and nondiscrimination protections in the workplace. For the past few years, efforts have been made to require all local government actions to be specifically authorized by the Legislature. This would swell the ranks of Tallahassee bureaucracies, forcing citizens to navigate a network of approvals and appeals to tackle mundane administrative matters and tangling governments, businesses, and taxpayers in a technocratic web.








Key Message Points:

- Localism preserves the rights of our communities
The attack on home rule threatens to undermine the rights of Floridians to have an accessible and efficient government that reflects their values. Tallahassee regulations are bad for communities and business.

ALREADY PASSED PREEMPTIONS DURING 2021 SESSION

 Local Occupational Licensing	 Over-the-counter (OTC) proprietary drugs and cosmetics (Sunscreen)	 Cottage Food Preemption
 Fuel Pump Preemption		 Public Works Projects (HB 53/SB 1076)
 Gas Station Preemption	 Florida Seaports Preemption	
 Utility Services Preemption	 Solar Facility Preemption	 Firearms and Ammunition Preemption
 Florida Building Code	 Home-Based Businesses	

PROPOSED PREEMPTIONS

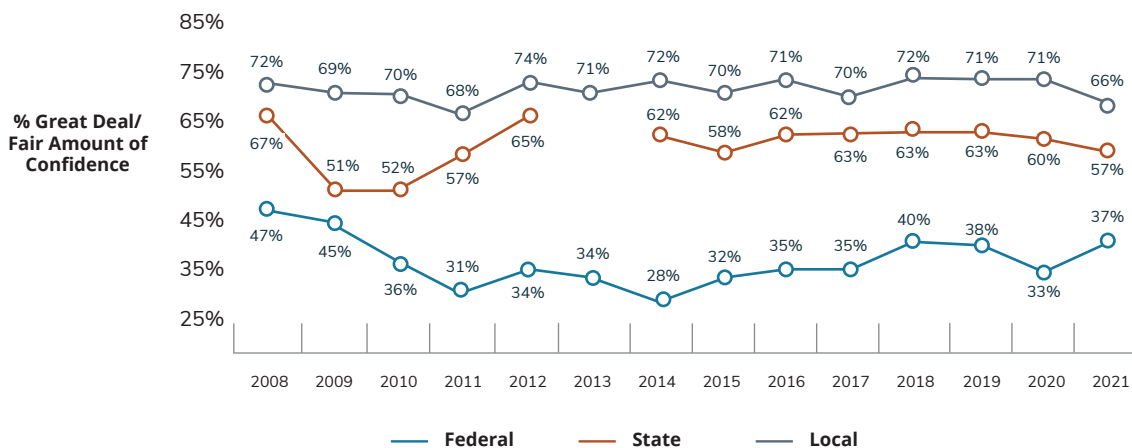
 Vacation rentals	 Plastic Straws
 Pet Sales	 Nondiscrimination Protections
 Tobacco products	

PREEMPTIONS PERSIST

- **Localism allows business to be accessible and nimble**

Businesses should not be forced to navigate the state legislative process for minor matters that are easily addressed at the local level. This is particularly problematic for small businesses, which may lack the resources to pursue matters legislatively. Local government are the most accessible venue to resolve business concerns because they are closest to the people and most familiar with their communities. Tallahassee is not equipped to address every problem in every community.

GALLUP POLLING DATA SHOWING THE MOST CONFIDENCE IN LOCAL GOVERNMENT



- **Localism allows for regulatory certainty**

Florida's statutes and case law has evolved under the home rule system. Depending that body of law will have far-reaching, unintended consequences. Business are conservative by nature, and economic uncertainty discourages investment and innovation. Even specific preemptions often have unintended consequences and frequently result in litigation. When Tallahassee picks the winners, Floridians lose.

Number of local bills
prior to 1968

2000+

Number of local bills
in 1975

212



BROADBAND ACCESS FOR ALL 67

Last year, the Florida Association of Counties began its ACCESS 67 Initiative to implement a comprehensive approach to empower Florida's counties to develop solutions to address the impacts of the lack of ACCESS to critical telecommunication and information technology resources in Florida communities. Counties play a crucial role as policymakers, funders, data aggregators, conveners, and partners in pursuing sustainable solutions to broadband access, affordability, and reliability.

Affordable and reliable, high-speed internet access is:

- Essential for Floridians to be prosperous, compete in a global economy, and achieve a high quality of life.
- As fundamental as acquiring electricity in the first half of the 20th century.
- Can be cost prohibitive for many Floridians further accelerating the Digital Divide.

FAC recognizes that the absence and/or lack of high-speed internet impacts small, medium and large counties, both rural and urban, and hinders:

- Equitable educational opportunities for school children and workforce development.
- Access to telemedicine to improve health outcomes without demanding travel and transportation needs.
- Rapid communication between the public and law enforcement agencies.
- Economic competitiveness limiting business investment, job growth, and career opportunities.

FAC Presidential Select Committee on Broadband



Larry Harvey
CHAIR
Putnam County



Gregg Weiss
VICE CHAIR
Palm Beach County

The comprehensive approach of the ACCESS 67 Initiative is based on the underlying principles of the Association's mission; Advocacy, Collaboration, and Education. This year, the work continues with the Presidential Select Committee on Broadband to prioritize the adoption of affordable and reliable, high-speed internet access. The Select Committee will:

- Advocate for the adoption, as well as, the implementation of state and federal policies that contribute to the development of solutions that address the lack of ACCESS in our local communities.
- Collaborate with key stakeholders who share a common goal in developing solutions to address the lack of ACCESS in our local communities.
- Educate our members with local solutions by sharing best practices among Florida's counties and similar communities and organizations from around the country.

ACCESS 67 and the Select Committee on Broadband are focused on:



- Identifying community needs, assets, and barriers necessary to meet the goal of universal access to high-speed Internet.



- Leverage resources with state and federal partners to deliver cost-effective broadband solutions which provide a return on investment to both the public and private interest.

Legislation and Program Supporting Access 67

In the 2020 legislative session, HB 969 was signed into law which designated the DEO as the lead state entity to facilitate the expansion of broadband, established the Florida Office of Broadband and encouraged expansion of broadband services in unserved and underserved areas.

In the 2021 legislative session, FAC supported the Florida Legislature in passing HB 1239, the "Florida Broadband Deployment Act of 2021". The bill requires the state to complete a strategic plan for broadband by June 2022 and provided resources to develop a state broadband internet service map to identify connectivity gaps to end users. FAC has stressed that the strategic plan be based on up-to-date and location-specific mapping that identifies broadband internet speeds at a granular, census block level to accurately assess internet access needs of the public and private sector.

Office of Broadband at Department of Economic Opportunity (DEO)

The Florida Office of Broadband is procuring a vendor to develop, by June 30, 2022, geographic information system maps of broadband internet service availability throughout the state in a manner that is consistent with the FCC's new reporting standards.

Through the ACCESS 67 Initiative, FAC is working with counties to identify a County Champion for broadband to assist DEO with the Local Technology Planning Team process. FAC hopes to serve as a vital collaborative partner bringing together local counterparts in education, healthcare, economic development, as well as Internet Service Providers to bridge the internet deployment gap.

ACCESS 67 County Champions

- County Champion for broadband will have their “eye on the ball” on current developments to improve internet access and serve as county lead for DEO Local Technology Planning Team.
- ACCESS 67 County Champions will encourage the use of broadband, especially in the rural, unserved, and underserved communities of the state.
- Each county should designate a county staff person that will assist their local effort in matters related to the ACCESS 67 Broadband Initiative.
- FAC staff will regularly communicate with the ACCESS 67 County Champions on news, state & federal legislative updates, and coordinate with the Office of Broadband.
- FAC will keep a communication network consisting of the designated County Champions and the supporting staff person to facilitate collaboration with stakeholders, both private and public.

Broadband’s Impact



EDUCATION:
REMOTE
LEARNING



HEALTHCARE



ECONOMIC
DEVELOPMENT
AND
INFRASTRUCTURE



AGRICULTURE –
MODERN
TECHNOLOGY



MOBILITY
EXPANSION



CIVIC ENGAGEMENT:
REMOTE MEETINGS, LIVE
STREAMING
SERVICES



PUBLIC SAFETY-
IMPROVED EMERGENCY MANAGEMENT



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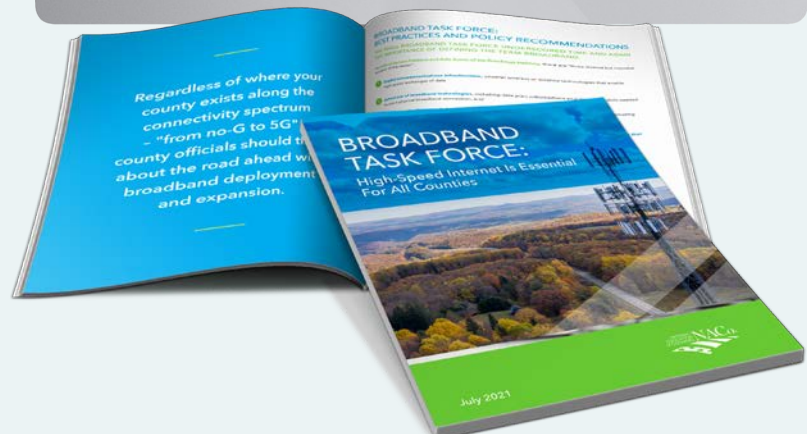
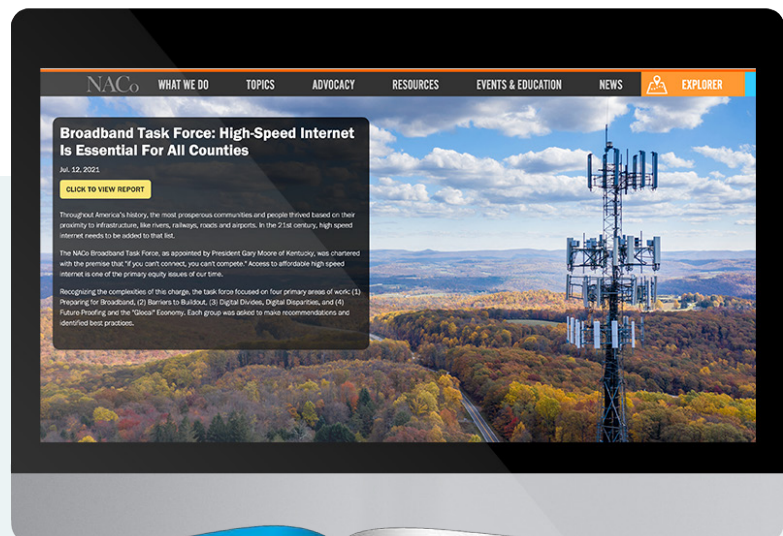
The National Association of Counties (NACo) has launched the TestIT app allowing people across the country to test their download speed and for NACo and its partners to aggregate the data to see where the highest needs are for broadband.



FAC 2nd Vice President and Okeechobee Commissioner
Terry Burroughs



along with Palm Beach Commissioner
Gregg Weiss
served on NACo's Broadband Task Force.

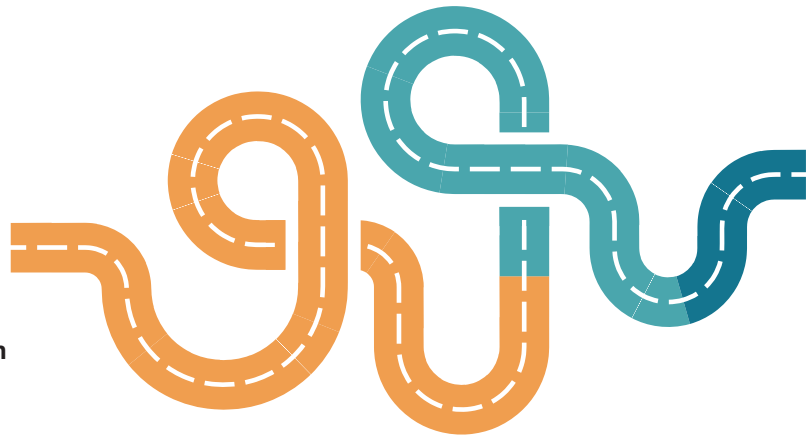


TRANSPORTATION FUNDING

Counties are responsible for maintaining the County Road System. These road systems make up 58% of the total centerline miles in the state with over 70,000 miles of roadways. Of these roads, 20% of these road miles are unpaved, totaling 13,6320 miles of unpaved roads in 2020.

CENTERLINE MILES

- County Roads System**
58%
70,558.1 miles
- City Roads**
32%
38,507.7 miles
- State Highway System**
10%
12,155.5 miles



A primary source to fund roads are local option fuel taxes. 31 counties have all 12 local option gas tax pennies in place, which raise over \$900 M for road construction and maintenance. All 67 counties have the first 6 cents in place. 54 counties levy the ninth cent gas tax and 36 counties levy the second 1 to 5 cent gas tax.

Unlike state gas taxes, local option gas taxes are not indexed to inflation. Local Gas taxes are a set number of pennies per gallon. Local gas revenues only increase as consumption increases. Hybrid and electric vehicles reduce consumption of gas and therefore erode the tax base. The State's fuel tax, which was 6.9 cents/gallon has since risen to 14.5 cents/gallon in 2021 due to the tax being indexed to inflation. According to the Florida Department of Transportation website, "The department (FDOT) received about \$792 million additional revenue in fiscal year 2019-20 when compared to what collections would have been without fuel tax indexing."

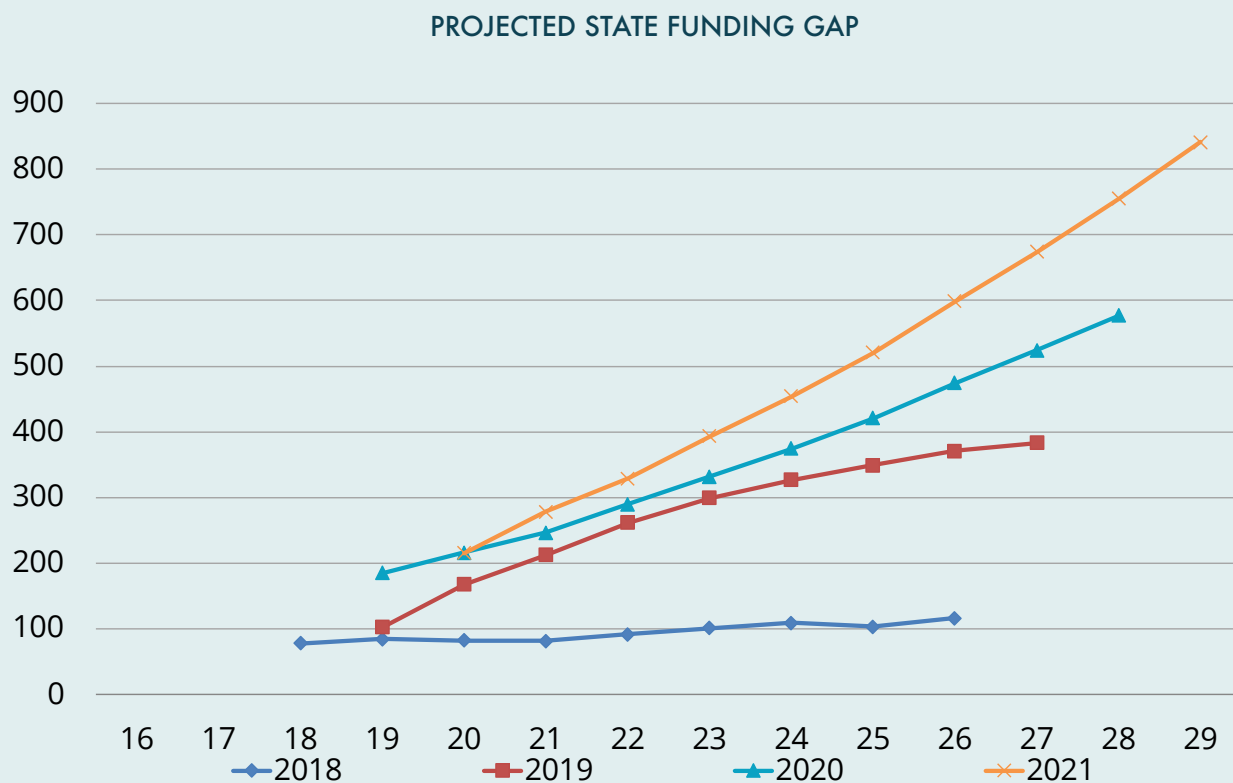
Another source to fund transportation expenditures at the county level are local option sales taxes. There are two sales surtaxes that can be imposed to provide transportation infrastructure – the Charter County and Regional Transportation Surtax and the Local Government Infrastructure Surtax. Both surtaxes require a referendum to be imposed. The Charter County and Regional Transportation surtax is only authorized to 31 counties; the other 36 counties can't even ask their citizens if they would like to tax themselves to provide for better transportation and transit systems. Small counties have to choose between the Small County Surtax and the Local Government Infrastructure Surtax as the combined rate of those surtaxes is limited to 1%. The Small County Surtax can be used for operating expenses to make up for deficient property tax bases in small counties, and 29 of the 31 counties eligible levy the Small County Surtax. Of the 31 counties eligible to levy the Small County Surtax, 24 cannot levy either of the Charter County and Regional Transportation Surtax or the Local Infrastructure Surtax.

WATER QUALITY & SUPPLY PROJECTS

Water quality and water supply issues are among the most challenging issues facing Florida. All levels of government must adopt and enforce policies that proactively address the various sources of nutrient pollution as well as plan to sustainably meet the water supply needs of a growing population. In short, clean and abundant water is paramount to preserving our way of life. The overall goal of all of these charts is to show the growing need for investment in water infrastructure.

- **Increase water quality funding**

To reduce nutrient pollution in Florida's impaired water bodies, the State must increase funding for water quality improvement projects. These projects must be comprehensive in nature recognizing that multiple sources, rather than a single source, contribute to nutrient loading, including, but not limited to, wastewater and septic systems, industrial, agricultural, fertilizer, and residential water use.

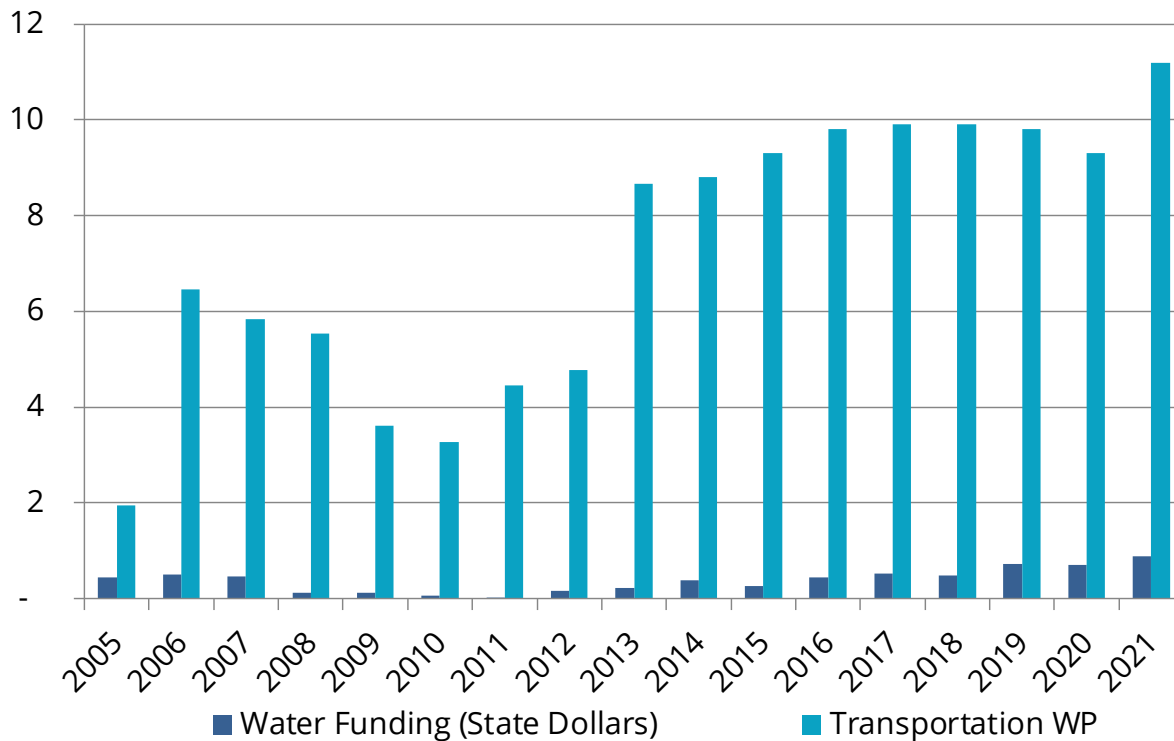


WATER QUALITY & SUPPLY PROJECTS

- **State match for county funding**

The State should match a county's investment of local funds to restore impaired springs, estuaries, lagoons and other waterbodies.

CHALLENGE REQUIRES RECURRING FUNDING SUPPORT (BILLIONS)



- **Allow for more flexibility from possible local funding sources**

Restrictions on funding sources should be removed, allowing counties to use any and all available funding for local and regional water supply development and water quality projects.

- **Maximize use of reclaimed water**

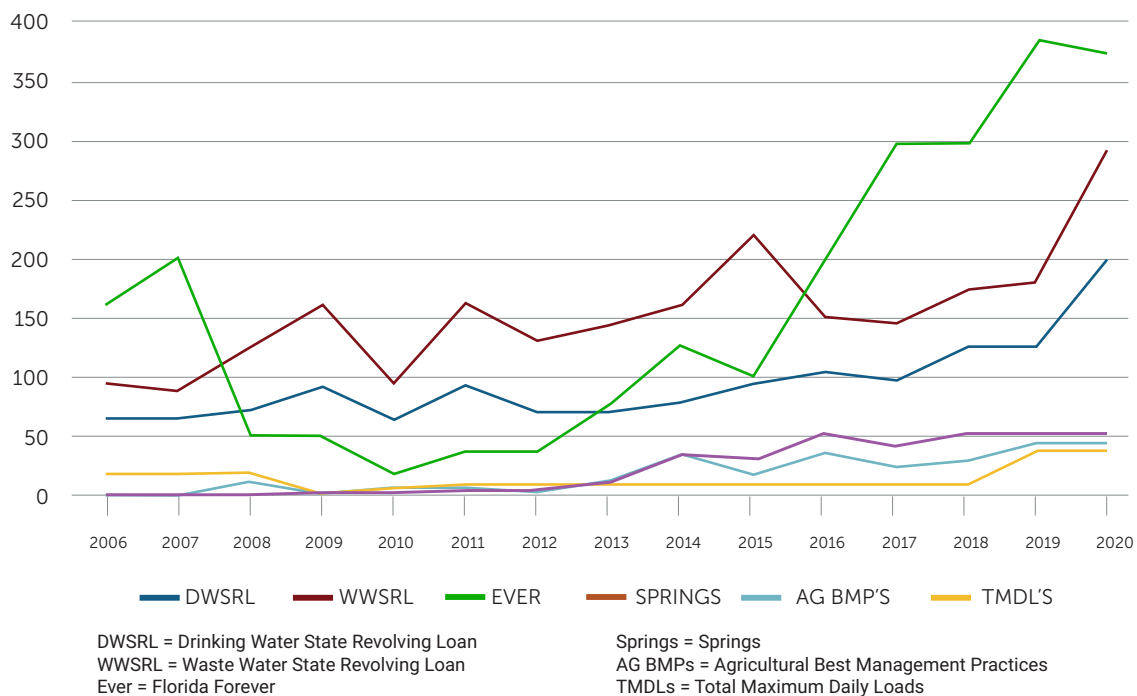
Incentivizing infrastructure investment for the reliable and safe distribution of reclaimed water would decrease the ever-increasing demand on Florida's limited water supply. Reclaimed water that is economically, technically and environmentally feasible can be used for reuse service areas and prioritized irrigation and other nonpotable uses.

Background

Increased demands on Florida's water supply are forcing many diverse interests to work with county government to plan the future of water policy in Florida.

Significant investment is needed in coming years to upgrade and replace aging water infrastructure, restore impaired waterbodies, and develop alternative water supplies to meet the needs of a growing population. Additionally, securing funding for local water projects can be a frustrating process for local officials as state legislative leadership changes and priorities shift; thus, a long-term or multi-year water plan at the state level is needed to ensure that appropriate investments are being made in the state's water infrastructure.

STATE PROGRAMMATIC FUNDING (2006-2020)



Florida's Resilient Future

Counties are leading in regional collaboration focused on resiliency.

Counties are maximizing resources, sharing information, analysis, and best practices.

State and Federal partners must support adaptation and mitigation strategies critical to addressing local governments' initiatives to address:

1. Ecosystem sustainability
2. Long-term water supply
3. Flood protection
4. Public health and safety
5. Economic prosperity.

State support of comprehensive policies is essential to reduce a county's risk to the impacts of:

1. Coastal, inland, and nuisance flooding
2. Water quality degradation
3. Extreme weather
4. Sea level rise
5. Climate change.

Resilient Florida Grant Program

In 2021, the Florida Legislature established the Resilient Florida Grant Program within the Department of Environmental Protection to assess and address inland and coastal flooding and sea level rise.

The Resilient Florida Grant Program provides funding to local governments for the costs of resilience planning and projects to adapt critical assets.

Counties along with DEP will create a "Comprehensive Statewide Flood Vulnerability and Sea Level Rise Data Set and Assessment," with an update every five years to identify vulnerable areas, infrastructure, and critical assets.

DEP must annually submit plans proposing up to \$100 million in funding for projects that address risks from flooding and sea level rise.

2021-2022 EXECUTIVE COMMITTEE



**Commissioner
Ralph C. Thomas, Jr.**
PRESIDENT
Wakulla County



**Commissioner
Lee Constantine**
PRESIDENT ELECT
Seminole County



**Commissioner
Bill Truex**
FIRST VICE PRESIDENT
Charlotte County



**Commissioner
Terry Burroughs**
SECOND VICE PRESIDENT
Okeechobee County



**Commissioner Melissa
McKinlay**
PRESIDENT
Palm Beach County



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