



## LEGISLATIVE ACTION NEWSLETTER

June 2017

### 2017 Florida Legislation Affecting Special Districts

*Caldwell Pacetti Edwards Schoech & Viator LLP* represents special districts throughout the State of Florida. As a service to our clients and friends, we are providing a summary of the 2017 Florida general laws that are of interest to special districts. **If you would like more information, you may click on a bill's highlighted title, which will redirect you to the bill's House of Representatives' website.**

The 2017 Legislative Session started on March 7, 2017 and ended on May 8, 2017. The following are bills that have become laws and may be of interest to you. If you have any questions regarding this newsletter or any matters affecting special districts, please feel free to email or call us.

## **CS/SB10 Water Resources**

**CS/SB 10 WAS ENROLLED ON MAY 2, 2017. APPROVED BY GOVERNOR ON MAY 9, 2017. CHAPTER NO. 2017-10, LAWS OF FLORIDA. FOR STATUTORY REFERENCES CLICK ON LINK.**

**Summary:** Providing an exception to the requirement that bonds issued for acquisition and improvement of land, water areas, and related property interests and resources be deposited into the Florida Forever Trust Fund and distributed in a specified manner; requiring the South Florida Water Management District to seek proposals from willing sellers of property within the Everglades Agricultural Area for land that is suitable for the reservoir project; increasing the minimum annual funding for certain Everglades projects under specified circumstances.

**Effective Date:** Upon becoming a law

## **CS/CS/SB80 Public Records**

**CS/CS/SB80 WAS ENROLLED ON APRIL 25, 2017. APPROVED BY GOVERNOR ON MAY 23, 2017. CHAPTER NO. 2017-21, LAWS OF FLORIDA. SECTION 119.12, FLA. STAT.**

**Summary:** Revising the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce Chapter 119, Fla. Stat.; specifying circumstances under which a complainant is not required to provide certain written notice of a public records request; requiring a court to determine whether a complainant requested to inspect or copy a public record or participated in a civil action for an improper purpose; prohibiting the assessment and award of the reasonable costs of enforcement to a complainant who acted with an improper purpose; requiring the court to assess and award reasonable costs against the complainant if he or she is found to have acted with an improper purpose.

**Effective Date:** Upon becoming law

**CS/HB221 Transportation Network Company**

**CS/HB221 WAS ENROLLED ON APRIL 19, 2017. APPROVED BY GOVERNOR ON MAY 9, 2017. CHAPTER 2017-12, LAWS OF FLORIDA. SECTION 627.748, FLA. STAT.**

**Summary:** Specifies that Transportation Network Companies (e.g. Uber), TNC drivers, and TNC vehicles are governed exclusively by state law; prohibits local governmental entities and subdivisions, including special districts, from taking specified actions.

**Effective Date:** July 1, 2017

**CS/SB1108 Public Records/Firefighters and their Spouses and Children**

**CS/SB1108 WAS ENROLLED ON MAY 3, 2017. APPROVED BY GOVERNOR ON JUNE 14, 2017. CHAPTER NO. 2017-96, LAWS OF FLORIDA. SECTION 119.071, FLA. STAT.**

**Summary:** Expands exemption from public records requirements to include personal identifying and location information of certain firefighters, their spouses and children; provides for future legislative review and repeal of exemption; provides statement of public necessity.

**Effective Date:** October 1, 2017

**CS/CS/HB455 Tax Exemptions for First Responders and Surviving Spouses**

**CS/CS/HB455 WAS ENROLLED ON MAY 5, 2017. APPROVED BY GOVERNOR ON JUNE 14, 2017. CHAPTER 2017-105, LAWS OF FLORIDA. FOR STATUTORY REFERENCES CLICK ON LINK.**

**Summary:** Provides exemption from ad valorem taxation for certain first responders and surviving spouses of first responders; specifies documentation required to receive exemption; requires use of physician's certification; grants rule making authority; specifies procedures for receiving tax exemption for 2017; specifies procedures for denials of tax exemptions.

**Effective Date:** Upon becoming law

## **CS/CS/HB599 Public Works Projects**

**ENROLLED ON APRIL 28, 2017. APPROVED BY GOVERNOR ON JUNE 14, 2017. CHAPTER NO. 2017-113, LAWS OF FLORIDA. SECTION 255.0992, FLA. STAT.**

**Summary:** Prohibiting the state and political subdivisions that contract for public works projects from imposing restrictive conditions on certain contractors, subcontractors, or material suppliers or carriers; prohibiting the state and political subdivisions from restricting qualified bidders from submitting bids or being awarded contracts. Defines “public works project” to mean an activity of which 50% or more of the cost will be paid from state-appropriated funds.

**Effective Date:** July 1, 2017

## **CS/HB1027 Unmanned Devices**

**ENROLLED ON MAY 5, 2017. APPROVED BY GOVERNOR ON JUNE 23, 2017. CHAPTER NO. 2017-150, LAWS OF FLORIDA. FOR STATUTORY REFERENCES CLICK ON THE LINK.**

**Summary:** Citing this act as "Unmanned Aircraft Systems Act"; providing that the authority to regulate the ownership or operation of unmanned aircraft systems is vested in the state; prohibiting political subdivisions from enacting or enforcing ordinances or resolutions relating to the design, manufacture, testing, maintenance, licensing, registration, certification, or operation of an unmanned aircraft system; authorizing local governments to enact or enforce local ordinances relating to nuisances, voyeurism, harassment, reckless endangerment, property damage, or other illegal acts arising from the use of unmanned aircraft systems.

**Effective Date:** July 1, 2017

**CS/CS/HB1021 Construction**

ENROLLED ON MAY 5, 2017. APPROVED BY GOVERNOR ON JUNE 23, 2017. CHAPTER NO. 2017-149, LAWS OF FLORIDA. FOR STATUTORY REFERENCES CLICK ON THE LINK.

**Summary:** Prohibits county, municipality, special taxing district, public utility, or private utility from requiring separate water connection or charging specified water or sewage rate under certain conditions.

**Effective Date:** July 1, 2017

**CS/CS/SB1018 Pollution**

ENROLLED ON MAY 3, 2017. APPROVED BY GOVERNOR ON JUNE 14, 2017. CHAPTER NO. 2017-95, LAWS OF FLORIDA. FOR STATUTORY REFERENCES CLICK ON THE LINK.

**Summary:** Creates the “Public Notice of Pollution Act”; defining the term “reportable pollution release”; requiring an owner or operator of an installation at which a reportable pollution release occurred to provide certain information to the department within 24 hours after the discovery of the release; creating the State Watch Office within the Division of Emergency Management.

**Effective Date:** July 1, 2017

**Acronyms**

CS Committee Substitute

HB House Bill

SB Senate Bill

HJR House Joint Resolution

SJR Senate Joint Resolution

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The law firm of Caldwell Pacetti Edwards Schoech & Viator LLP was created in 1939. Throughout the years, the firm's partners and attorneys have met the ever-changing needs of their clients by guiding them through simple, as well as complex business and legal issues.

The firm of Caldwell Pacetti Edwards Schoech & Viator LLP has an AV Preeminent® Peer Review Rating, which is Martindale-Hubbell's highest rating, and provides legal services in the following areas of law: Special Districts, Water Management, Governmental and Constitutional Law, Administrative Law, Real Property, Environmental, Land Use and Zoning, Eminent Domain, Estate Planning, Probate and Trust Administration and Corporate Law.