



LEGISLATIVE ACTION

December 2017

Proposed 2018 Florida Legislation Affecting Special Districts

Caldwell Pacetti Edwards Schoech & Viator LLP represents a variety of special districts throughout the State of Florida. As a service to our clients and friends, we are providing a summary of various legislative bills that have been filed for consideration during the 2018 Legislative Session. ***If you would like more information, you may click on bill titles, which will redirect you to the House of Representatives' website.***

Acronyms

CS	Committee Substitute
HB	House Bill
SB	Senate Bill
HJR	House Joint Resolution
SJR	Senate Joint Resolution

The 2018 Legislative Session starts on January 9, 2018 and ends on March 9, 2018. Following conclusion of the 2018 Legislative Session, we will distribute a final report regarding the Legislature and Governor's actions on these matters. If you have any questions regarding this newsletter or any matters affecting special districts, please feel free to email or call us.

HB 7 Local Government Fiscal Transparency

Summary: Revises Legislative Auditing Committee duties; specifies purpose of local government fiscal transparency requirements; Requires local governments to post certain voting record information on websites; requires property appraisers and local governments to post certain property tax information and history on websites; requires public notices for public hearings and meetings prior to certain increases of local government tax levies; specifies noticing and advertising requirements; requires local governments to conduct debt affordability analyses under specified conditions; provides method for local governments that do not operate website to post certain required information.

Effective Date: July 1, 2018

Status: Bill released to House Calendar on October 10, 2017.

CS/HB 9 Federal Immigration Enforcement

Summary: Is designated as the act "Rule of Law Adherence Act"; prohibits sanctuary policies; requires state and local governmental agencies to comply with and support enforcement of federal immigration law; provides requirements concerning immigration detainers and certain arrested persons; prohibits restrictions on transfer of certain information related to enforcement of immigration law; authorizes law enforcement agency to transport unauthorized alien; authorizes ordinances for recovery immigration detainer costs; provides whistle-blower protections for certain officials; requires Attorney General to prescribe format for complaints; provides injunctive relief and civil penalties; prohibits expenditure of public funds for specified purposes; provides cause of action for personal injury or wrongful death attributed to sanctuary policy; prohibits discrimination on specified grounds; requires repeal of existing sanctuary policies.

Effective Date: July 1, 2018

Status: Bill referred to House Calendar on November 8, 2017.

Similar: **SB 308**

CS/HB 11 Government Accountability

Summary: Excludes water management districts from certain audit requirements; revises certain lodging rates for purpose of reimbursement to specified employees; provides requirements for statewide travel management system; revises responsibilities of specified entities to include establishment and maintenance of certain internal controls; revises auditing requirements for certain agencies, councils, and state schools; requires the Legislative Auditing Committee to determine whether governmental entity should be subject to state action under certain circumstances.

Effective Date: July 1, 2018

Status: Bill referred to House Calendar on November 8, 2017.

Similar: **CS/SB 354**

CS/HB 17 Community Redevelopment Organizations

Summary: Provides reporting requirements; revises requirements for operating community redevelopment agencies; prohibits creation of community redevelopment agencies after date certain; provides phase-out period; creates criteria for determining whether community redevelopment agency is inactive; provides hearing procedures; authorizes certain financial activity from inactive community redevelopment agencies; revises requirements for use of redevelopment trust fund proceeds; revises county and municipal government reporting requirements; revises criteria for finding that county or municipality failed to file report; requires Department of Financial Services to provide report to Department of Economic Opportunity concerning community redevelopment agencies with no revenues, no expenditures, and no debts.

Effective Date: October 1, 2018

Status: Bill referred to House Calendar on November 22, 2017.

Similar: **SB 432**

HB 79 Public Meetings

Summary: Specifies conditions under which members of board or commission of state agency or authority, or of agency or authority of county, municipal corporation, or political subdivision may participate in fact-finding exercises or excursions.

Effective Date: Upon becoming law

Status: In Oversight, Transparency and Administration Subcommittee on August 30, 2017.

Similar: **SB 192**

SB 84 Municipal Conversion of Independent Special Districts

Summary: Adding a minimum population standard as a criteria that must be met before qualified electors of an independent special district commence a certain municipal conversion proceeding.

Effective Date: Upon becoming law

Status: Referred to Community Affairs; Ethics and Elections; Rules on August 28, 2017.

SB 126 Workers' Compensation for First Responders

Summary: Revising the standard by which a mental or nervous injury must be demonstrated for purposes of determining eligibility for benefits for employment-related accidents and injuries; removing the limitation that only medical benefits are payable for a mental or nervous injury unaccompanied by a physical injury; revising eligibility for certain payments provided under the Workers' Compensation Law.

Effective Date: July 1, 2018

Status: Referred to Banking and Insurance, Appropriations Subcommittee on General Government, Appropriations and Rules Committees on August 28, 2017.

Similar: **HB 629**, **HB 227** and **SB 376**

HB 131 Coastal Management

Summary: Revises criteria for state and local participation in authorized projects and studies relating to beach management and erosion control; revises procedures for prioritizing and funding beach restoration, beach management, and inlet management projects; requires certain funds from Land Acquisition Trust Fund be used for beach preservation and restoration projects.

Effective Date: July 1, 2018

Status: In Natural Resources & Public Lands Subcommittee on September 14, 2017.

Identical: **SB 174**

HB 225 Employment Discrimination

Summary: Prohibits employer from taking retaliatory personnel action against employee for evacuating under an emergency evacuation order issued by the President of the United States, the Governor, or a political subdivision of the state; provides exceptions; provides for remedies, relief, and attorney fees and costs.

Effective Date: July 1, 2018

Status: In Careers and Competition Subcommittee on October 12, 2017.

HB 273 Public Records

Summary: Prohibits an agency that receives request to inspect or copy records from responding to such request by filing a civil action against the individual or entity making request.

Effective Date: July 1, 2018

Status: In Oversight, Transparency & Administration Subcommittee on October 18, 2017.

Identical: **SB 750**

HB 285 Emergency Medical Services

Summary: Exempts certain governmental entities from requirement to obtain certificate of public convenience and necessity to provide advanced life support nontransport services under specified conditions.

Effective Date: July 1, 2018

Status: In Health Quality Subcommittee on October 18, 2017.

Identical: **SB 488**

SB 324 Impact Fees

Summary: Specifying the earliest time of collection that a local government may require for impact fees.

Effective Date: July 1, 2018

Status: On Community Affairs Committee agenda for December 5, 2017.

Similar: **HB 697**

HB 337 Community Development Districts

Summary: Requires community development districts to obtain a valuation before acquiring certain property.

Effective Date: July 1, 2018

Status: In Local, Federal & Veterans Affairs Subcommittee on October 26, 2017.

HB 393 Discrimination in Labor and Employment

Summary: Creates “Senator Helen Gordon Davis Fair Pay Protection Act”; prohibits employers, including political subdivisions, from providing less favorable employment opportunities to employees based on sex, with exceptions; provides civil penalties and exemption; prohibits employers from taking certain employment actions against employees, engaging in certain activities relating to employee wages and benefits, and requiring employees to sign certain waivers and documents; authorizes employers to confirm wage or salary history under certain conditions.

Effective Date: July 1, 2018

Status: In Careers & Competition Subcommittee on November 1, 2017.

Similar: **SB 594**

HB 411 Public Records and Public Meetings/Firesafety Systems

Summary: Provides exemption from public records requirements for firesafety system plans held by agency, exemption from public records and public meetings requirements for information relating to firesafety systems for certain properties and meetings relating to such systems and information, and exemption from public meetings requirements for portions of meetings that would reveal such plans held by agency; provides for retroactive application, for future legislative review and repeal, and statement of public necessity.

Effective Date: Upon becoming law

Status: In Oversight, Transparency & Administration Subcommittee on November 1, 2017.

Identical: **SB 738**

HB 461 Public Records/Trade Secrets Held by an Agency

Summary: Provides exemption from public record requirements for trade secret held by agency; provides notice requirements; provides process for responding to public record requests; provides exception to exemption; provides that agency employee is not liable for release of records in compliance with act; provides for future legislative review and repeal of exemption; provides statement of public necessity.

Effective Date: On the same date that HB 459 or similar legislation takes effect.

Status: In Oversight, Transparency & Administration Subcommittee on November 1, 2017.

Linked & Similar: [HB 459](#), [SB 958](#) and [SB 956](#)

HB 545 Prohibition Against Contracting with Scrutinized Companies

Summary: Prohibits company that is on Scrutinized Companies that Boycott Israel List or that is engaged in boycott of Israel from bidding on, submitting proposal for, or entering into or renewing contract with agency or local governmental entity for goods or services; provides exceptions; requires specified provision in such contracts; requires company to make specified certification in specified circumstances; provides for preemption.

Effective Date: July 1, 2018

Status: In Oversight, Transparency & Administration Subcommittee on November 15, 2017.

Identical: [SB 780](#)

SB 560 Public Meetings and Records/Imminent Litigation

Summary: Expanding an exemption from public meetings requirements to allow specified entities to meet in private with an attorney to discuss imminent litigation if certain conditions are met; requiring the transcript of a private meeting concerning imminent litigation to be made public upon the occurrence of a certain circumstance; providing for future legislative review and repeal of the exemption; providing a statement of public necessity.

Effective Date: July 1, 2018

Status: In Governmental Oversight and Accountability on November 14, 2017.

Similar: [HB 439](#)

HB 589 Public Meetings

Summary: Specifies that certain boards and commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.

Effective Date: July 1, 2018

Status: In Oversight, Transparency & Administration Subcommittee on November 15, 2017.

SB 608 Public Records/Identity Theft and Fraud Protection Act

Summary: Citing this act as the "Identity Theft and Fraud Protection Act"; requiring an agency to review for information susceptible to use for purposes of identity theft or fraud before making postings to a publicly available website; requiring an agency to establish a policy providing for requests to remove an image or a copy of a public record containing information susceptible to use for purposes of identity theft and fraud.

Effective Date: July 1, 2018

Status: Referred to Governmental Oversight and Accountability; Judiciary; and Rules Committees on November 2, 2017.

SB 658 Tourist Development Tax

Summary: Authorizing counties imposing tourist development tax to use the tax revenues for costs related to public facilities to increase tourist-related business activities in the county or subcounty special district.

Effective Date: July 1, 2018

Status: On Community Affairs Committee agenda for December 5, 2017.

Similar: **HB 585**

HB 665 Retirement

Summary: Specifies minimum amount of the factor used to calculate the cost-of-living adjustment of benefits for certain retirees and beneficiaries of the Florida Retirement System; provides declaration of important state interest.

Effective Date: July 1, 2018

Status: In Oversight, Transparency & Administration Subcommittee on November 27, 2017.

Identical: **SB 722**

HB 715 Direct Purchases of Tangible Personal Property by Contractors

Summary: Authorizes governmental entities to allow specified entities to use its certificate of entitlement of exemption for certain tangible personal property; provides procedures for allowing such use; requires letter of authorization to specify issues regarding risk of damage or loss of property.

Effective Date: July 1, 2018

Status: In Oversight, Transparency & Administration Subcommittee on November 27, 2017.

HB 725 Permit Fees

Summary: Requires governing body of local government to post its permit and inspection fee schedules and link to annual building permit and inspection utilization report on its website; provides reporting requirements.

Effective Date: July 1, 2018

Status: In Local, Federal & Veterans Affairs Subcommittee on November 27, 2017.

HB 761 Public Records/Voters and Voter Registration

Summary: Provides public records exemption for specified information regarding voter or voter registration applicant and information concerning preregistered voter registration applicants; authorizes disclosure of confidential and exempt information under certain circumstances; provides for future legislative review and repeal; provides statement of public necessity.

Effective Date: July 1, 2018

Status: Filed on November 20, 2017.

Similar: **SB 532**

HB 765 Truth in Millage Notices

Summary: Authorizes property appraiser to make proposed property tax and non-ad valorem assessment notices available on property appraiser's website; requires that property appraiser's website provide option for taxpayer to request and receive e-mail notification when such notices are posted on website; requires property appraiser to mail postcard containing specified information for first 3 years in which he or she implements web-based noticing system.

Effective Date: July 1, 2018

Status: Filed on November 20, 2017.

HB 767 Pay-For-Success Contracts

Summary: Authorizes state agency to enter into pay-for-success contract with private entity under certain conditions, subject to appropriation & specified language in GAA; authorizes carryforward of specified unexpended appropriations; provides contract requirements; authorizes cancellation of contract; specifies services & programs that may be eligible for funding under contract; prohibits private entity from viewing or receiving personal client information that is otherwise confidential & exempt from public records law; requires agency to provide annual report to legislative appropriations committees by specified date; requires DMS to prescribe certain procedures by specified date.

Effective Date: July 1, 2018

Status: Filed on November 20, 2017.

HB 769 Public Deposits

Summary: Specifies that assessments for qualifying improvements do not have priority over previously recorded liens; specifies information to be included in financing agreements; requires local governments to provide certain disclosures in finance agreements; requires lenders to include certain disclosures in loan agreements; authorizes property owner to cancel finance agreement within specified time period; revises terms applicable to Florida Security for Public Deposits Act to add credit unions to list of entities that may qualify as “qualified public depository”; revises evidence of insurance required to be submitted by public depositor to Chief Financial Officer.

Effective Date: July 1, 2019

Status: Filed on November 21, 2017.

SB 858 Daylight Saving Time

Summary: Exempting the State of Florida and its political subdivisions from daylight saving time; requiring that the state and all of its political subdivisions observe standard time.

Effective Date: January 1, 2019

Status: Filed on November 13, 2017.

SB 980 Publicly Funded Retirement Programs

Summary: Revising minimum requirements for actuarial reports for retirement systems or plans subject to Part VII of Chapter 112, Florida Statutes; requiring the governing body responsible for the retirement system or plan to review the enrolled actuary’s statement within a specified timeframe; requiring the unfunded liability of retirement systems or plans established on or after a certain date to be amortized within a specified timeframe

Effective Date: Except as otherwise expressly provided in this act, this act shall take effect on July 1, 2018.

Status: Filed on November 21, 2017.

HB 6005 Sports Development

Summary: Repeals provision relating to state funding for sports facility development by unit of local government, or by certified beneficiary or other applicant, on property owned by local government.

Effective Date: July 1, 2018

Status: In Careers and Competition Subcommittee on August 30, 2017.

Similar: **SB 778**

HB 7003 Local Government Ethics Reform

Summary: Provides that contractual relationships held by business entities are deemed held by public officers or employees in certain situations; provides ethics training requirements; prohibits certain governing board members from voting in official capacity on specified matters; requires certain members of municipality governing body to file disclosure; provides for future repeal of provisions relating to local government authority to enact rule or ordinance requiring lobbyists to register with local government; provides for future repeal of provisions relating to registration and reporting for lobbying water management districts; requires Commission on Ethics to create Local Government Lobbyist Registration System; requires lobbyists to register with commission before lobbying specified governmental entities; provides responsibilities of Governor; provides civil penalties.

Effective Date: July 1, 2018

Status: Bill referred to House Calendar on November 13, 2017.

Linked: **HB 7005** which is contingent upon passage of HB 7003

HB 7007 Ethics Reform

Summary: Repeals provisions relating to state, state university, and community college employee lobbyists; prohibits certain public service announcements; prohibits public officer/agency employee from soliciting specified employment/contractual relationships; authorizes Commission on Ethics to investigate certain disclosures; prohibits certain compensated representation for specified period following vacation of office; deletes provision prohibiting former legislators from acting as lobbyists before certain entities and persons for specified period following vacation of office; prohibits certain officers and employees from soliciting employment/contractual relationships from or negotiating same with certain employers; requires lobbyist to electronically register with commission; revises lobbyist registration, compensation report, principal designation cancellation, and investigation requirements.

Effective Date: July 1, 2018

Status: Filed on November 9, 2017.

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