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City of Delray Beach

End of Session Report

2025

2025 End of Session Report

On June 16th the Legislature finally ended the 105-day 2025 Legislative Session and on July 1, Governor DeSantis concluded his approval or vetoes of legislation that passed.

During the 2025 session, many of the bills proposed mirrored those from previous years related to local governments. A significant number were filed that would have affected local government operations and while a majority did not pass, as usual some did. Measures related to affordable housing, building permits, local land development regulations, and various other issues successfully navigated the process.

In all, 1,989 bills were filed this Session, and 247 bills passed both the House and the Senate and were signed into law by the Governor. Three bills became law without the Governor's signature, and 11 bills were vetoed by the Governor.

This year's Session was complicated by a significant disagreement on the State's tax cut package and budget. Leaders from both chambers could not come to an agreement on even topline budget numbers that would allow for negotiations between the House and Senate before the scheduled end of Session on May 5th.

On Day 60, which is usually the final day of the Legislagtive Session, the House and Senate passed a concurrent resolution to extend Session into June with only Budget-related bills and SB 110 as viable for passage.

In the end, the House and Senate came to agreement on both a $1.3 billion tax cut package and a $115.1 billion state budget for fiscal year 2025-2026. Furthermore, on June 30th the Governor signed the budget and tax cut package into law with a significant number of line-item vetoes.

Below is a brief overview of some of the most relevant bills affecting the City. In the interest of space, only a summary is provided here. Please let us know if you need additional information on any specific piece of legislation.

Appropriations

As previously mentioned, the State's Budget for FY 2025-2026 took longer than expected to be completed due to significant disagreements. Before budget conference, the House ($112.95 billion) and Senate ($117.36 billion) were over $4 billion apart – an enormous gap.

This gap and a contentious disagreement between the House and Senate regarding the Annual Tax Package were the key issues holding up the budget process. With both Chambers offering vastly different tax cuts and the Governor also at odds with the proposed tax changes, the budgetary process was at a standstill. In addition to the disagreement over the tax package, the fight for appropriations requests to be included in the budget was as competitive as any year in recent memory.

Because of the projected budget deficit beyond 2025-2026, lawmakers issued warnings that member appropriations requests would be considered more stringently than in past years. Expectations were set by legislative leadership that the 2025-2026 budget would be lean and competitive for the few dollars remaining.

On June 16th, the Legislature passed a $1.3 billion tax cut package, and a $115.1 billion FY 2025-2026 state budget.

On June 30th (the day before the beginning of the new fiscal year), the Governor signed the budget and released his line-item veto list. The list of line-item vetoes totaled over $1.3 billion and included roughly several hundred individual line-items. Many vetoes were local government water projects and local transportation projects. The reason given for many of the vetoed projects was the Governor's office preference that local water and road projects go through the already established grants process to properly vet each project and to have a holistic approach to water and transportation funding.

We worked with your staff to advocate for your appropriations requests. Below are your filed appropriations projects for the 2025 Legislative Session and their status after the Governor's line-item vetoes and approval.

City of Delray Beach Appropriation Requests 2025

1) Delray Beach City Wide Crime Prevention Enhancements - Phase 2

by Rep. Gossett-Seidman	by Sen. Berman
Requesting: $1,000,000	Local Match: $50,000

This project will expand the reach of the Delray Beach Police Department's existing Real-time Crime Center by creating a robust Closed-Circuit Television (CCTV) camera network on the barrier island along South Ocean Blvd. (A1A), into City Parks/parking lots, and other city buildings within the City of Delray Beach. These cameras will be placed in overt locations to act as a deterrent to those wanting to commit criminal acts and heighten the feeling of safety to residents and visitors. In addition, the cameras can be used to monitor the area from the Delray Beach Police Department's Real Time Crime Center when applicable, conduct overwatch during special events, and be used to search for evidence after a crime or suspicious acts occurs.

2) SW 8th Ave Roadway Restoration

by Rep. Gossett-Seidman	by Sen. Berman
Requesting: $1,000,000	Local Match: $1,000,000

The roadway of Southwest 8th Ave in Delray Beach has significant degradation issues causing sinking of the roadway in multiple areas due to lack of drainage and other right of way issues. This project will restore the roadway and improve the area to ensure roadway stays in service for residents and in good condition for years to come.

3) Gulfstream Blvd / SE 36th Ave Streetscape Improvements
by Rep. Gossett-Seidman by Sen. Berman
Requesting: $1,000,000 Local Match: $1,000,000

The roadway of Gulfstream Blvd / SE 36th Ave in Delray Beach has significant degradation issues causing sinking of the roadway in multiple areas due to lack of drainage and other right of way issues. This project will restore the roadway and improve the area to ensure roadway stays in service for residents and in good condition for years to come.

4) Swinton Ave & Atlantic Ave Intersection Improvements
by Rep. Gossett-Seidman by Sen. Berman
Requesting: $4,000,000 Local Match: $4,000,000

The subject intersection, which is the current gateway into the downtown area currently experiences traffic congestion and high pedestrian volumes. The project aims to improve safety for all road users and reduce congestion. The downtown area frequently holds regionally significant events such as an ATP tour tennis event, art festivals, weekend markets and street fairs.

As previously discussed, the City had multiple appropriation projects that were at least partially funded in the House or Senate Budget, then included in the final General Appropriations Act, and lastly, left in place after the Governor's Vetoes. Congratulations.

- Delray Beach Real Time Crime Center - Phase 2…. $525,000
- Delray Beach Gulfstream Blvd / SE 36th Ave Streetscape Improvements… $1,000,000

Select Committee on Property Taxes

During the last week of April, the Florida House announced the establishment of a "Select Committee on Property Tax" to review and suggest changes to collection of property taxes in the State of Florida. The goal of the committee is to provide policy changes to the House in order to pass the suggested changes during the first week of the 2026 Legislative Session in January.

The Committee will begin by exploring a variety of potential reforms including:

- Requiring every city, county, and special district to hold a referendum on the question of eliminating property taxes on homestead properties.
- Creating a new $500,000 homestead exemption, as well as a $1 million homestead exemption for properties owned by Floridians aged 65 and older, or who have had a homestead for 30 years, applicable to all non-school taxes.
- Authorizing the Legislature to increase the homestead exemption to any value by general law.
- Modifying the assessment increase limitations on property values:
    - For homestead properties, changing the cap from the lower of 3% or CPI to a flat 3% over any three-year period for all taxes.

    - For non-homestead properties, changing the cap from 10% annually to 15% over any three-year period for all non-school taxes.
- Eliminating the ability to foreclose on a homestead property due to a property tax lien.

Per the Florida Constitution, the suggested changes would require constitutional amendments that would go before Florida voters in the upcoming 2026 election.

As the committee begins their work, our team will keep you and your staff up to date on developments as they occur, as well as collaborate on your legislative agenda pertaining to property taxes.

Legislation That Passed

HB 7031- Taxation by Rep. Duggan (R- Duval) (Passed)

During the waning days of the 2025 Session, the Legislature passed HB 7031, their tax reduction package, as part of the larger budget. Governor DeSantis signed HB 7031 into law on June 30th but used his line-item veto authority to veto one provision in HB 7031, eliminating a $1,000,000 appropriation and study of the elimination or reduction of property taxes in Florida. Legislators are still expected to consider the reduction of property taxes during the 2026 Legislative Session; the Governor's action simply removes a study that would have been conducted prior to the start of the 2026 Session and proposed funding for the study, the Governor's rationale that the consideration of reduction or elimination of property taxes does not require a state funded study.

There are many provisions contained in HB 7031 that revise state taxation policies, modify property tax processes, and expand certain tax exemptions and credits in the state, including:

- Authorizes new uses of local tourist development tax (TDT) revenues, including for American Red Cross-certified lifeguards on coastal beaches:
  To employ, train, equip, insure, or otherwise fund the provision of lifeguards certified by the American Red Cross, the 559 Y.M.C.A., or an equivalent nationally recognized aquatic training program, for beaches on the Gulf of America or the Atlantic Ocean.

Of note, a much-publicized proposal to transfer all tourist development tax (TDT) revenues away from tourism entities and to local governments was **NOT** included in HB 7031.

- Adjusts property tax valuations for specific agricultural lands, citrus packinghouses, and processors, and amends procedures for property tax appeals and refunds. Regarding property tax appeals:
  Once the notification required by paragraph (a) is issued, the department, at any time, may respond to contact initiated by a taxpayer to discuss the audit, and the taxpayer may provide records or other information, electronically or

otherwise, to the department. The department may examine, at any time, documentation and other information voluntarily provided by the taxpayer, its representative, or other parties; information already in the department's possession; or publicly available information. Examination by the department of such information does not commence an audit if the review takes place within 60 days after the notice of intent to conduct an audit. The requirement in paragraph (a) does not prohibit the department from making initial contact with the taxpayer to confirm receipt of the notification or to confirm the date that the audit will begin. If the taxpayer has not previously waived the 60-day notice period and believes the department commenced the audit before the 61st day, the taxpayer must object in writing to the department before the issuance of an assessment or the objection is waived. If the objection is not waived and it is determined during a formal or informal protest that the audit was commenced before the 61st day after the issuance of the notice of intent to audit, the tolling period provided for in s. 213.345 shall be considered lifted for the number days equal to the difference between the date the audit commenced and the 61st day after the date of the department's notice of intent to audit.

- Creates or expands property tax exemptions, including affordable housing projects and certain flight simulation devices. Between lines 1012 and 1133 of HB 7031, there is significant language speaking to property tax exemptions beginning with the 2026 tax roll relating to government owned property and income challenged persons and families. Property tax exemptions for childcare facilities with Gold Seal Quality status language can be found between lines 1185 and 1193.
- Alters documentary stamp tax distribution, including removing certain allocations and expanding permitted uses of transportation funds.
- Revises communications services tax rates, limiting local rate increases and requiring prioritization of permitting activity:
  The local communications services tax rate in effect on January 1, 2023, may not be increased before January 1, 2031. Each county and municipality must prioritize the use of proceeds distributed pursuant to s. 202.18(3)(c) on the timely review, processing, and approval of permit applications for the use of rights-of-way by communications services providers to ensure that the county or municipality

complies with state and federal law, including, but not limited to, the timelines under s. 337.401(7)(d).

- Phases out and repeals certain aviation fuel taxes, modifies natural gas fuel tax schedules, and restructures related fines and reporting.
- Repeals the sales tax on rental or licensing of real property and revises multiple sales and use tax exemptions, such as for aviation fuel and designated back-to-school items. There are several specific back-to-school items and categories that are exempted from sales tax during the full month of August, including clothing, footwear, school supplies costing $50 or less per item, and computers and computer equipment costing $1,500 or less per item. A full list of August back-to-school exempted items can be found on lines 2475-2534. HB 7031 also makes permanent sales tax collection for a variety of items such as batteries, smoke detectors, fire extinguishers and portable generators. The list of newly permanent tax-exempt items can be found on lines 2700-2750.
- Creates the Rural Community Investment Program incentivizing investments in rural communities through total approved tax credits.
- Establishes the Home Away From Home tax credit program, providing tax credits for contributions to organizations that house families of critically ill children.
- Modifies thoroughbred racing requirements, reduces certain slot machine taxes, and redistributes racing and breeding incentive funds.
- Eliminates commercial lease taxes, revises distribution of alcoholic beverage excise taxes, and creates new administrative processes for verifying tax credits and allocations. Of the approximately $1.3 billion of recurring state tax cuts contained in HB 7031, nearly $905 million of those cuts is achieved through the elimination of sales tax on commercial leases, known more commonly as the Business Rent Tax. Florida is the only state in the US that places a sales tax on commercial leases. This tax has been chipped away at in recent years, but HB 7031 finishes the job by completely eliminating the remaining sales tax percentage and repealing Florida statute authorization for the tax.
- Finally, HB 7031 creates a sales tax holiday from September 8, 2025, through December 31, 2025, for hunting, fishing and camping supplies and equipment, including firearms and firearm ammunition. The list of eligible products can be found on lines 4924 through 5008.
- Equally noteworthy to what tax release measures were included in this Session's tax package are several high-profile proposals that were ultimately not included. **Not included in this year's budget** was a proposed .75 % across the board state sales tax reduction, the Governor's proposed one-time $1000 property tax credit, or the complete transfer of tourist development tax (TDT) from tourism and convention entities to local governments. Consideration of some or all of these proposals may be in play during the 2026 Legislative Session and beyond.

SB 180 Emergencies by Sen. DiCeglie (R-Pinellas) (Passed)

SB 180 has been met with some concern from several local governments post-Session despite passing the Legislature nearly unanimously and with no substantive opposition during the committee process. SB 180 is a comprehensive bill that revises Florida's emergency preparedness, response and reporting protocols, and there are many new requirements contained in this bill. As with all new legislation, we recommend that your legal department fully review SB 180 and opine as to how the bill may affect the City. Although the bill was written to primarily address local government emergency responses to hurricanes and tropical storms, there are several provisions of the bill that affect how local governments may address permitting, construction and land use following such storms. Key provisions of the bill include:

- Restricts counties and municipalities in certain hurricane-impacted areas from imposing moratoriums or more stringent development rules and establishes a judicial remedy for violations:

  Section 18. Section 252.422, Florida Statutes, is created to read:

  252.422 Restrictions on county or municipal regulations after a hurricane. –

  (1) As used in this section, the term "local impacted government" means a county listed in a federal disaster declaration located entirely or partially within 100 miles of the track of a storm declared to be a hurricane by the National Hurricane Center while the storm was categorized as a hurricane or a municipality located within such a county.

  (2) For 1 year after a hurricane makes landfall, an impacted local government may not propose or adopt:

  (a) A moratorium on construction, reconstruction, or redevelopment of any property.

  (b) A more restrictive or burdensome amendment to its comprehensive plan or land development regulations.

  (c) A more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined in s. 163.3164.

  Also:

  Section 28. (1) Each county listed in the Federal Disaster Declaration for Hurricane Debby (DR-4806), Hurricane Helene

(DR-1322 4828), or Hurricane Milton (DR-4834), and each municipality within one of those counties, may not propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027, and any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio. This subsection applies retroactively to August 1, 2024.

- Exempts or proportionally reduces impact fees for reconstruction or replacement of a previously existing structure without increasing its intensity of use:

Section 3. Subsection (14) is added to section 163.31801, 247 Florida Statutes, to read:

163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges. -

(14) A local government, school district, or special district may not assess an impact fee for the reconstruction or replacement of a previously existing structure if the replacement structure is of the same land use as the original structure and does not increase the impact on public facilities beyond that of the original structure. However, if the replacement structure increases the demand on public facilities due to a significant increase in size, intensity, or capacity of use, a local government, school district, or special district may assess an impact fee in an amount proportional to the difference in the demand between the replacement structure and the original structure. Any such fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the reconstruction or replacement of a previously existing structure.

- Prohibits participating local governments from adopting cumulative substantial improvement ordinances for flood protection purposes:

Section 2. Section 163.31795, Florida Statutes, is created to read:

163.31795 Participation in the National Flood Insurance Program. -

(1) For purposes of this section, the term:

(a) "Cumulative substantial improvement period" means the period during which an aggregate of improvements or repairs are considered for purposes of determining substantial improvement as defined in s. 161.54(12).

(b) "Local government" has the same meaning as in s.163.2514.242

(2) A local government that is participating in the National Flood Insurance Program may not adopt or enforce an ordinance for substantial improvements or repairs to a structure which includes a cumulative substantial improvement period.

Other provisions of SB 180:

- Requires landlords to provide tenants with notice or opportunities to retrieve belongings from damaged premises.
- Increases the homestead property damage threshold that may be rebuilt without a full assessment adjustment from 110% to 130% of prior square footage and from 1,500 to 2,000 total square feet.
- Prioritizes public hurricane shelter construction funding for projects in counties with deficits and expands medical care authorization for servicemembers during emergencies.
- Refines the state's comprehensive emergency management plan to include updated public health collaboration, minimum training hours for local officials, and annual hurricane readiness sessions.
- Allows caregivers and people with special needs to shelter together and requires certain state agencies to provide information on registering for special needs shelters.
- Mandates transparent reporting of state contracts and expenditures exceeding 90 days during extended emergencies, with annual updates to legislative leadership.
- Requires local governments to post essential storm recovery information online, develop post storm permitting plans, freeze permit fees for 180 days after a declared emergency, and adopt expedited rebuilding protocols.
- Requires new contract provisions penalizing breaches by vendors or service providers during an emergency recovery period.
- Directs state agencies to identify vulnerable infrastructure and compile a Flood Inventory and Restoration Report with periodic updates.

- Increases the maximum hurricane evacuation clearance time for the Florida Keys Area from 24 to 24.5 hours, with guidelines for future building permit allocations.
- Clarifies and updates references, reporting requirements, and training protocols for various agencies and emergency programs.
- Establishes safety requirements for cranes during hurricane events, with Florida Building Commission guidance, and revises definitions for building renovations following natural disasters.

Key takeaways from SB 180 include:

- A local government participating in the NFIP may not adopt or enforce an ordinance for substantial improvements or repairs to a structure that includes a cumulative substantial improvement period.
- A local government, school district, or special district may not assess an impact fee for the reconstruction or replacement of a previously existing structure if the replacement structure is of the same land use as the original structure and does not increase the impact on public facilities beyond that of the original structure.
- Each county and municipality shall develop a post storm permitting plan to expedite recovery and rebuilding by providing for special building permits and inspection procedures after a hurricane or tropical storm.
- By May 1, annually, each county and municipality shall publish on its website a hurricane and tropical storm recovery permitting guide for residential and commercial property owners.
- On or before May 1, 2026, each county and municipality must provide an online option for receiving, reviewing, and accessing substantial damage and substantial improvement letters.

Despite opposition from many local governments, the Governor approved SB180 on June 26, 2025. The statutory changes in this bill have the potential of recurring, unintended impacts on all local governments and updates are expected in future Sessions.

SB 268 Public Records/Public Officers by Sen. Jones (D-Miami-Dade) /HB 789 – Public Records/ Public Officers by Sen. Valdes (R- Hillsborough) (Passed)

A bill designed to protect elected officials throughout the state, SB 268 by Sen. Jones, is a public records exemption to prevent the public disclosure of personal information of public officers. In our review, the bill does the following, but we recommend having your appropriate staff review the bill if it is of interest.

“Public Officer” is defined in the bill as a person who holds a state or local office.

The bill exempts several pieces of personal information including the partial home address of the officer, their spouse, and their adult children; telephone numbers of their spouse and their children;

and the name, birthdate, home address, telephone number, name and location of the school and/or daycare of a public officer's minor child.

SB 268 was amended and passed unanimously through its second Senate committee on February 18th. The bill was amended to provide that the following specific officers would qualify for the exemption: Governor, Chief Financial Officer, Attorney General, Agriculture Commissioner, State Representative, State Senator, Property Appraiser, Supervisor of Elections, School Superintendent, School Board Member, Mayor, City Commissioner or County Commissioner.

The amendment also provides that a current public officer's telephone number is also exempted from public records disclosures, and that all exemptions related to a current public officer expire once the public officer vacates their position. In addition, the amendment requires an individual requesting an exemption to provide supporting documentation.

HB 789 was substituted for SB 268 which passed with a 113-2 vote and was signed into law by the Governor.

HB 551 Fire Prevention by Rep. Borrero (R-Miami-Dade)/ SB 1078 by Sen. McClain (R-Alachua, Levy, Marion) (Passed)

HB 551 is designed to streamline the permitting process for fire safety projects in Florida. The bill redefines a "fire alarm system project" to include the replacement of an existing fire alarm panel with the same make and model. It requires local enforcement agencies to issue permits for fire alarm or sprinkler system projects, either in person or electronically, within two business days of receiving a completed application. Contractors are allowed to begin work immediately after submitting the completed application.

If an inspection is required, the local enforcement agency must provide it within 24 hours of the request. Should additional documentation be needed, the contractor must submit it—either in paper form or electronically—within four business days following the inspection.

The bill also includes an enforcement mechanism: if a local government fails to meet the permitting deadline, it must reduce the permit fee by 10 percent for each business day the deadline is missed. This reduction is based on the original permit fee, unless the parties agree in writing to a reasonable extension due to applicant-caused delays or force majeure events.

Lastly, the bill mandates that by October 1, 2025, all local enforcement agencies establish a simplified and streamlined permitting process that complies with these requirements.

Both HB 551 and its Senate counterpart SB 1078 have been amended and replaced by Committee Substitutes which include the following:

- If the local enforcement agency determines that it needs additional documents for recording purposes, the contractor must provide such documentation in paper or electronic form to

the local enforcement agency within 4 business days after the inspection or 4 days after the documentation is requested, whichever is later.

- A local government that fails to meet a deadline must refund the permit fee by 10 percent for each business day after such failure, unless the local government and contractor agree in writing to a reasonable extension of time, the delay is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstances. Each 10-percent refund shall be based on the original amount of the permit fee.

SB 1078 received a 37-0 vote and was later substituted for HB 551 which passed on the Floor with a 112-2 vote. The bill was signed into law by the Governor.

HB 567 Transportation by Rep. McFarland (R-Sarasota) / SB 462 by Sen. DiCeglie (R-Pinellas) (Passed)

SB 462 and House companion HB 567 is the Department of Transportation bill for the 2025 legislative session. As a reminder, the bill covers a vast variety of topics and issues, but there are several issues that affect local governments. In our review, the bill does the following that affect local governments, but we recommend having your appropriate staff review the bill if it is of interest.

Since our last update the bill has undergone several amendments, but it remains the same that under the bill, each county must annually provide the Florida Department of Transportation with uniform project data. The data must conform to the county's fiscal year must include, but not limited to, details on transportation revenues by source of taxes or fees, expenditure of such revenues for projects that were funded, and the unexpended balance of such revenues.

The details of the project must include the cost, location, and scope of each project, and the scope of each project must be categorized broadly such as road widening, repair and rehabilitation, addition of sidewalks, or any similarly broad categorization. Any revenues not dedicated to specific projects must be detailed as to what programs the revenues are supporting.

SB 462 ER, Section 12-

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

The bill also prohibits the designation of any new Metropolitan Planning Organizations (MPO) in the State of Florida after July 1, 2025, except in urbanized areas, as defined by the US Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated

before the 2020 census. And the bill includes "Reduce traffic and congestion" as one of the key strategies that must be in long-range transportation plans.

SB 462 ER Section 22

After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census, ~~in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the 1231 urbanized area and the state to coordinate plans and 1232 transportation improvement programs. 1233 b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Finally, SB 462 restructures the funding process for public use airports and the usage of public private partnerships. SB 462 outlines the following:

- FDOT may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government
- FDOT may initially fund up to 75 percent of the cost of land acquisition for a new airport or 795 for the expansion of an existing airport which is owned and operated by a municipality, a county, or an authority
- FDOT shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

SB 462 ER Section 13

(7) "Eligible agency" means a political subdivision of the 738 state or an authority, or a public-private partnership through a lease or an agreement under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

Additionally, SB 462 authorizes local governments to regulate minimum age requirements, IDs, and training regarding electric bicycles, motorized scooters, and micromobility devices.

SB 462 ER Section 2

(41) MICROMOBILITY DEVICE. —A motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed

of typically less than 15 miles per hour but no more than 28 miles per hour. This term includes both a human powered and a nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet ~~Any motorized transportation device made available for private use by 57 reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in this chapter.~~

HB 567 received a vote of 114-0 and was substituted for SB 462 which after several amendments received a 37- 0 vote. The bill was signed into law by the Governor.

HB 579 Development Permits and Orders by Rep. Overdorf (R-Martin) / SB 1080 by Sen. McClain (R-Marion) (Passed)

HB 579 and its Senate companion SB 1080 aim to streamline the zoning and development application process for local governments by requiring them to clearly outline, in writing, the minimum information needed for various types of applications. This information must be made publicly accessible through application portals, pre-application meetings, or government websites. The bills establish deadlines for application processing: local governments must confirm receipt within five business days and notify applicants of incomplete submissions within 30 days.

For applications not requiring public or quasi-judicial hearings, final action must be taken within 120 days of completion; for those requiring such hearings, the deadline extends to 180 days. Local governments cannot limit the number of hearings per month if doing so delays application reviews. If an applicant makes a significant change, defined as a 15% or greater alteration in density, intensity, or square footage, the review timeline resets.

Governments are not obligated to refund fees if delays are due to applicant actions, mutual extensions, or extraordinary circumstances. SB 1080 mirrors HB 579 but adds a provision clarifying that a second public hearing for comprehensive plan amendments satisfies state requirements if held within 180 days of receiving agency feedback, even if final approval occurs later.

Both HB 579 and SB 1080 have undergone amendments to include the following:

- Requires counties and municipalities to clearly specify the essential information for zoning and permit applications and provide access to this information online or during preapplication meetings.
- Sets a stringent timeline for confirming application receipt within 5 business days and dictates a review within 30 days to determine if further information is needed.

- Stipulates a decision timeline of 120 days for applications not needing a hearing, and 180 days for those requiring quasi-judicial or public hearings.
- Prohibits limiting the number of monthly hearings if it delays processing.
- Defines "substantive change" in applications as changes in density, intensity, or square footage exceeding 15%, which requires restarting the specified review timeframes.
- Implements a refund scheme penalizing delays in notification of application completeness or final decision making, with penalties ranging from 10% to 100% of the application fee based on delay durations.
- Specifies that refunds are not required if delays are due to applicant actions, agreed extensions, or extraordinary circumstances.
- Ensures both counties and municipalities provide formal denial notices citing legal reasons and stipulates that development permits do not guarantee further necessary state or federal permits.

HB 579 received a 29-8 vote and was substituted for SB 1080 which after failing on the Senate Floor, underwent amendments and has most recently received a 26-8 vote. The bill was signed into law by the Governor.

HB 651 Department of Agriculture and Consumer Services by Rep. Tuck (R-Highlands) / SB 700 by Sen. Truenow (R-Lake) (Passed)

HB 651 and its similar Senate companion SB 700 is the Department of Agriculture and Consumer Services bill for the 2025 legislative session. The bill covers a vast variety of topics and issues, but there are several issues that affect local governments. In our review, the bill does the following that affect local governments, but we recommend having your appropriate staff review the bill if it is of interest.

The bill requires local governmental entities to issue permits for electric vehicle charging stations based solely upon standards established by a Florida Department of Agriculture and Consumer Services rule and other applicable provisions of state law. The department will prescribe by rule the time period for approving or denying a permit application.

In addition, before a charger at an electrical vehicle charging station is placed into service for use by the public, the charger must be registered with the department, and the department shall have authority to inspect an electric vehicle charging station, conduct investigations, and enforce the provisions of this bill and any rules adopted.

The department is given the authority to impose an issuance of a warning letter or the imposition of an administrative fine in the Class II category against a person that violates this bill, or any rule adopted. The department can issue a final order prohibiting the use of any electric vehicle charging

station if the department determines that an electric vehicle charging station or any associated equipment presents a threat to the public health, safety, or welfare.

The bill also defines and prohibits the use of any additives in public water systems that do not meet the definition of a water quality additive.

SB 700 ER, Section 31-

(19) "Water quality additive" means any chemical, additive, or substance that is used in a public water system for the purpose of:

(a) Meeting or surpassing primary or secondary drinking water standards;

(b) Preventing, reducing, or removing contaminants; or

(c) Improving water quality.

SB 700, Section 32 -

(8) The use of any additive in a public water system which does not meet the definition of a water quality additive as defined in s. 403.852(19).

Additionally, the bill has been amended to define agricultural land use as it pertains to local building standards:

SB 700 ER, Section 2-

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing. If a written notice of intent is required to be submitted to the Department of Health pursuant to s. 381.0083, the appropriate governmental entity with jurisdiction over the agricultural lands may also require submittal of a copy of the written notice.

HB 651 received an 88-27 vote and has been replaced by SB 700 which received an 88-27 vote. The bill was signed by the Governor on May 15th , 2025.

HB 683 Construction Regulations by Rep. Griffitts Jr. (R-Bay) / SB 712 by Sen. Grall (R-St. Lucie) (Passed)

HB 683 and its Senate companion SB 712 preempts local governments from regulating the use of synthetic turf in single-family residential areas. In our review, the bill does the following, but we recommend having your appropriate staff review the bill if it is of interest.

The bill preempts local governments from regulating the use of synthetic turf installed in single family residential areas one acre or less in size, and the bill also authorizes the Department of Environmental protection to adopt rules to implement the bill.

HB 683 was most recently amended to include the following:

- Defines "synthetic turf" and mandates the Department of Environmental Protection to set installation standards for single-family properties not exceeding 1 acre.
- Prohibits local governments from regulating synthetic turf inconsistently with the state's standards.
- Requires local governments to approve or deny contractor-submitted change order price quotes within 35 days to enhance prompt processing.
- Prevents discrimination in public works project bid evaluations based on the volume of work a bidder performs for the state or local government.
- Specifies that elevator interiors should have at least one continuous support rail meeting size and safety standards.
- Expands the scope of work for commercial and residential pool/spa contractors, including additional responsibilities like managing interactive water features and specific structural components.
- Allows building or general contractors to directly handle structural pool and pool wet deck area work without subcontracting.
- Specifies the activities included in the certified alarm system contractor's scope of work, adding surveillance cameras and electric locks.
- Adds a new exemption to the Florida Building Code for equipment and systems within spaceport territories involved in various space-related functions.

SB 712 received a 36-0 vote and was replaced by HB 683 which received 114-0 vote on the Floor. The bill was signed into law by the Governor.

SB 1730 Affordable Housing by Sen. Calatayud (R- Miami Dade) / HB 943 by Rep. Lopez, V. (R-Miami-Dade) (Passed)

SB 1730 sought to promote affordable housing by relaxing zoning regulations and expediting administrative processes. This bill amends various provisions of the Live Local Act, passed during the 2023 Regular Session, related to the preemption of certain zoning and land use regulations to authorize affordable housing developments. In our review the bill does the following, but we recommend reviewing the bill with appropriate staff to determine if it's of particular interest.

The bill mandates counties and municipalities to allow multifamily and mixed-use residential developments as permissible uses in commercially, industrially, or mixed-use zoned areas and flexibly zoned areas like planned unit developments. This comes while also enacting requirements for zoning changes, amendments, or special approvals for multifamily developments with at least 40% affordable rental units for 30 years. See additional requirements and language below:

- Caps the height restrictions local governments can impose for commercial or residential buildings located within its jurisdiction to the highest currently allowed or allowed on July 1, 2023, within 1 mile and for developments adjacent to single-family residential is similarly capped with an additional provision of not exceeding 10 stories.
- Requires administrative approval of qualifying developments without the need for further action by local boards or bodies, unless located near military installations.
- Requires a 20% reduction in parking requirements for developments near transit stops or major transportation hubs and eliminates parking requirements within transit-oriented development areas.
- Restricts municipalities from requiring more than 10% of mixed-use projects' total square footage to be dedicated to non-residential purposes.
- Establishes that legal actions regarding zoning violations are prioritized and resolved swiftly and limits the number of recoverable damages and costs for plaintiffs prevailing in such actions.
- Specifies terms defining "commercial," "industrial," and "mixed-use" in zoning implementations.

SB 1730 ER, Section 1-

Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The county may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.

SB 1730 has undergone several amendments to include the following:

- Allows counties to approve housing on any parcel regardless of zoning if affiliated with a religious institution, requiring a minimum of 10% affordable units.

- Mandates counties to permit multifamily and mixed-use residential developments without requiring changes for building height, density, or zoning if a significant portion of units are affordable.
- Prohibits counties from imposing density or floor area ratio restrictions below specified levels or restricting development height in certain cases to no less than three stories.
- Requires administrative approval for proposed multifamily developments that meet existing land use criteria, exempting them from further review processes.
- Obliges a reduction in parking requirements for developments near transit options or within designated transit areas without compensating with additional parking areas.
- Sets regulations that an award of reasonable attorney fees or costs may not exceed $250,000 in civil actions against counties concerning affordable housing.

A key last-minute amendment from lawmakers scaled back provisions that concerned historic preservation advocates by reducing the development buffer zone around National Register historic districts from one mile to three-quarters of a mile and giving cities the authority to regulate height, infrastructure strain, and architectural consistency. But it shifts final reviews of such projects to administrative processes rather than local preservation boards.

HB 943 received a 105-0 vote and has been substituted for SB 1730 which received a 37-0 vote and was signed into law by the Governor.

SB 954 - Recovery Residences by Gruters (R- Manatee, Sarasota)/ HB 1163- Recovery Residences by Owen (R-Hillsborough) (Passed)

SB 954 sought to revise regulations for what's needed to apply for a license to run a recovery home. In our review the bill does the following, but we suggest you meet with appropriate staff to determine your particular interest.

Since the last update, SB 954 has undergone amendments to include the following:

- By January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing 39 procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence.
- Establish a written application process for requesting reasonable accommodation for the establishment of a certified recovery residence, which application must be submitted to the appropriate local government office.
- Require the local government to date-stamp each application upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

- Actively manage up to residents, so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence with a personnel-to-resident ratio of 1 to 6.

SB 954 ER, Section 1

(15)(a) By January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence.

(b) At a minimum, the ordinance must:

1. Be consistent with the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans 47 with Disabilities Act, 42 U.S.C. ss. 12131 et seq.

2. Establish a written application process for requesting a reasonable accommodation for the establishment of a certified recovery residence, which application must be submitted to the appropriate local government office.

3. Require the local government to date-stamp each application upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

4. Require the local government to issue a final written determination on the application within 60 days after receipt of a completed application. The determination must:

a. Approve the request in whole or in part, with or without conditions; or

b. Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

5. Provide that if a final written determination is not issued within 60 days after receipt of a completed application, the

request is deemed approved unless the parties agree in writing to a reasonable extension of time.

HB 1163 was substituted for SB 954 which after several amendments passed in both chambers. The bill was signed into law by the Governor.

Legislation That Failed

HB 991 Community Redevelopment Agencies by Rep. Giallombardo (R-Lee) / SB 0110 by Sen. Simon (R- Leon) (Failed)

HB 991 sought to terminate or sunset all community redevelopment agencies and prohibit initiation of new projects or issue new debt by CRAs. In our review, the bill does the following, but we recommend having your appropriate staff review the bill if it is of interest.

The bill requires all CRAs in existence on July 1, 2025, to be terminated either on the expiration of the agency's charter on July 1, 2025, or on September 30, 2045, whichever is earlier. A CRA which has any outstanding bonds as of July 1, 2025, that do not mature until after the termination date of the CRA or September 30, 2045, whichever is earlier, remains in existence until the date the bonds mature. A CRA that is operating on or after September 30, 2045, may not extend the maturity date of any outstanding bonds. In addition, a CRA may not initiate any new projects or issue any new debt on or after October 1, 2025, and no new CRAs may be created on or after July 1, 2025.

HB 991 had the following amendments:

HB 991 C2, Section 1-

(4) A community redevelopment agency may not be created on or after July 1, 2025. A community redevelopment agency in existence before July 1, 2025, may continue to operate as provided in this part

HB 991 was substituted for SB 110, which has engrossed text filed. The bill failed to be heard in returning messages, and died at the end of session.

HB 75 Display of Flags by Governmental Entities by Rep. Borrero (R-Miami-Dade) / SB 100 by Sen. Martin (R-Lee) (Failed)

HB 75 and its identical Senate companion SB 100 sought to prohibit governmental entities, which include local governments, agencies, and public schools, colleges, and universities, from displaying flags that express political viewpoints. This includes views related to political parties, race, sexual orientation, gender, or political ideologies. It also permitted current or retired members of the U.S. Armed Forces or National Guard to use reasonable force to prevent the disrespect or removal of the U.S. flag, unless directed otherwise by law enforcement. However, the bill did not restrict private individuals from displaying flags under their First Amendment rights.

HB 75 failed to be heard in its first committee stop, while SB 100 was removed from its final stop in Senate Rules Committee.

HB 247 Affordable Housing by Rep. Conerly (R-Manatee) / SB 184 by Sen. Gaetz (R-Escambia) (Failed)

Affordable housing has been a significant policy area of focus over the last several years and remained a prevalent issue this Session. In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest.

SB 184 and house companion HB 247 as originally written, mandated local governments to adopt ordinances permitting accessory dwelling units (ADU) in single-family residential areas without increasing parking requirements. The bill exempts planned unit developments (PUD) and master planned communities.

The bill also instructed the Florida Housing Finance Corporation (FHFC) to establish a model program that uses mezzanine financing to encourage local housing authorities to stimulate the supply of affordable housing for owner occupancy. The FHFC is required to consult with the Shimberg Center for Housing Studies at the University of Florida on the program's design, and the FHFC will select the counties in which to implement the program. In addition, the bill allows local governments to offer density bonuses to landowners that donate property for affordable housing and now for military families receiving housing allowances.

SB 184 has undergone several amendments and several committee substitutes. The amendments states that the owner of a property with an accessory dwelling unit may not be denied a homestead exemption for those portions of property on which the owner maintains a permanent residence solely based on the property containing an accessory dwelling unit that is or may be rented to another person. However, if the accessory dwelling unit is rented to another person, the accessory dwelling unit must be assessed separately from the homestead property and taxed according to its use.

Additionally, the amendment directed the Office of Program Policy Analysis and Government Accountability (OPPAGA) – not the FHFC – to evaluate the efficacy of using mezzanine finance or second-position short-term debt to stimulate affordable housing and to also evaluate the potential of tiny homes in meeting the need for affordable housing in the state.

HB 247 was substituted for SB 184 and was sent to the Senate for a vote. However, the bill failed to be heard in returning messages therefore died at the end of regular session.

HB 503 Local Business Taxes by Rep. Botana (R-Lee)/ SB 1196 Local Business Taxes by Sen. Truenow (R- Lake, Orange) (Failed)

In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest. As of October 1, 2025, the bill prohibited local governments from

increasing or modifying the tax rate structure of business tax ordinances that were adopted before July 1, 2025.

The bill also required the Auditor General to contact non-compliant local governments regarding local business taxes and if necessary, request corrective action within 45 days. If the local government fails to take corrective action, the Auditor General must notify the Legislative Auditing Committee.

The bill also required local governments to recalculate tax rates and if necessary, decrease their tax rate to ensure that their local business tax revenue does not exceed their revenue from the fiscal year that ended on September 30, 2024, or September 30, 2025, whichever is greater.

HB 503 specifies how the recalculation should occur.

HB 503, Section 6 –

(4) (a) Beginning October 1, 2026, if the total revenue received by a local government from the local business tax in the immediate prior fiscal year exceeds the revenue base:

1. The governing authority must adopt an ordinance to proportionally adjust the rates of the local business taxes levied under this chapter for the current fiscal year to the recalculated tax rate.

2. The rate adjustment ordinance must be adopted as soon as practicable, but no later than January 1 of the current fiscal year.

3. By February 1, the county or municipality must issue a refund to each business that paid the local business tax:

a. In the prior fiscal year. Such refund shall be the difference between the amount paid and the amount that would have been paid if the recalculated tax rate had been used.

b. At the unreduced rate in the current fiscal year. Such refund shall be the difference in the amount paid and the amount due if the recalculated tax rate had been used.

(b) A refund issued under subparagraph (a)3. may be granted as a credit against tax due in the next fiscal year.

(c) If the county or municipality is unable to grant a refund pursuant to subparagraph (a)3. because a business no longer exists, or the county or municipality is unable to locate the business or deliver such refund after making reasonable efforts to do so, then such refund shall be treated by the county or municipality as unclaimed property under chapter 717.

The bill did not prohibit local governments from decreasing, repealing, or modifying any business tax so long as the new rates do not produce revenue more than the limits set within HB 503. The bill also does not apply to a municipality that imposes a business tax on merchants which is measured by gross receipts from the sale of merchandise or services or both.

HB 503 provides an exemption for newly designated fiscally constrained counties that were not fiscally constrained on the previous January 1st as well as for municipalities that are fully located within such counties.

HB 503 failed to be heard in its third and final committee; the Senate companion failed to be heard in the first committees stop, therefore failing this Session.

HB 301 Suits Against the Government by Rep. McFarland (R-Sarasota)/SB 1570 Suits Against the Government by DiCeglie (Pinellas) (Failed)

For another session, Sovereign Immunity continued to be an issue of discussion. HB 301, and its identical Senate counterpart SB 1570, sought to amend statutory limits on liability for tort claims against the state, its agencies & subdivisions. In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest.

The bill was amended on April 6th, 2025, to raise the limit for a claim or judgment by any one person to $500,000. The total limit for multiple claims or judgments arising from the same incident is $1 million. Additionally, the amendment raises the limit for a claim or judgment by any one person is $600,000 with the total limit for multiple claims or judgments arising from the same incident is $1.1 million.

HB 301 C1, Section 1 -

2. If the cause of action accrued on or after October 1, 2025, but before October 1, 2030, the limitations are as follows:

a. For a claim or judgment by any one person, $1 million.

b. For multiple claims or judgments, or portions thereof, which arise out of the same incident or occurrence, a total of $3 million.

3. If the cause of action accrued on or after October 1, 2030, the limitations are as follows:

a. For a claim or judgment by any one person, $1.1 million.
b. For multiple claims or judgments, or portions thereof, which arise out of the same incident or occurrence, a total of $3.2 million ~~sum of $200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of $300,000.~~

The bill would have permitted a local government to settle a claim or judgement for more than the new tort limits without requiring further action from the Legislature. The bill also prohibit an insurance policy from conditioning payments or coverage on the enactment of a claims bill beginning on October 1, 2025.

In addition, the bill revises several timeframes to submit a claim against state agencies and local government including:

- Claims based on negligence must be filed within 2 years instead of the current 4 years.
- Claims based on sexual battery of a victim under 16 may be filed at any time as long as this does not include claims that would have been previously time barred from previous statutes of limitations.

SB 1570 was substituted for HB 301 which received 103 Yeas and 11 Nays on the Floor. The bill failed to be heard in Rules before the deadline, therefore not passing this Session.

HB 411 Affordable Property Ad Valorem Tax Exemption for Leased Land by Rep. Chaney (R-Pinellas) / SB 488 by Sen. DiCeglie (R-Pinellas) (Failed)

In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest. HB 411 and its identical Senate companion SB 488 sought to expand the affordable housing ad valorem tax exemption to include properties that are leased from a Housing Finance Authority.
The bill was amended on March 20th to include the following:

HB 411 C1, Section 2-

Section 2. The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing s. 196.1978(1)(b), Florida Statutes, as amended by this act.

Notwithstanding any other law, emergency rules adopted pursuant to this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

SB 488 was substituted for HB 411 which received 113-0 vote on the Floor. However, the bill failed to be heard by Rules committee and was withdrawn from consideration this Session.

HB 665 Local Government Impact Fees and Development Permits and Orders by Rep. Steele (R-Pasco) / SB 482 by Sen. DiCeglie (Failed)

As in our Mid-Session Report, HB 665 and its identical Senate companion SB 482 sought to prohibit local governments from mandating art-related requirements as a condition of processing development permits or orders. In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest.

The bill also defined "extraordinary circumstances" where a county may increase impact fees beyond the current caps as a county whose permanent population estimate determined by the University of Florida Bureau of Economic Business Research is at least 1.25 time the 5-year high-series population projection for the county as published in the year immediately before the population estimate. For a municipality located within such a county, their eligibility is determined by whether their population's proportionate share of the county's population was maintained during the county's population growth.

SB 482 has been amended and then replaced with Committee Substitute which makes the following revisions to the provisions regarding public art funding.

SB 482 C1, Section 3

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the Florida Senate - county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements

to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum;

SB 482 was ultimately heard in one out of three committees. The House companion bill, HB 665, was heard in two of three total committees ultimately failing to be heard in the last stop before the Floor.

HB 505 Location of Equipment Owned by Amusement Business Owner by Rep. Botana (R-Lee) / SB 722 by Sen. Truenow (R-Lake) (Failed)

HB 505 and similar Senate companion SB 722 sought to prohibit local governments from requiring payments from amusement business owners for the use of agricultural lands that are 5 acres or larger, whose property is fully fenced along the perimeter, and if their equipment is stored on the property for longer than six months. In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest.

The bill also defined the term "agricultural lands" to mean those parcels classified by the property appraiser as agricultural lands and defines "amusement business owner" as the provider of services affiliated with a circus or carnival such as rides, food, beverages, and games who travel around the United States on a seasonal or temporary basis or who supports events sponsored by non-for-profit organizations for fundraising.

HB 505 was heard in two out of three committees, while the Senate companion failed to be placed on the agenda for first hearing. The bills died at the end of regular session.

HB 623 Pub. Rec./County and City Administrators and Managers by Rep. Gerwig (R-Palm Beach) / SB 842 by Sen. Arrington (D-Osceola) (Failed)

HB 623 and its identical Senate companion SB 842 was a public records exemption for current local government employees. We find that the bill did the following, but we recommend having your appropriate staff review the bill if it was of interest.

The bill sought to exempt from public record the home addresses, telephone numbers, and dates of birth of current county administrators, deputy county administrators, assistant county administrators, city managers, deputy city managers, and assistant city managers. The exemption also would include the employees' spouse and children.

HB 623 was heard in failed to move after being heard in its first committee. The Senate companion, SB 482, failed to be placed on an agenda for its first committee stop. The bill died at the end of regular session.

SB 1118 Land Use and Development Regulations by Sen. McClain (R-Marion) (Failed)

Another bill that was filed affected various aspects of land use and development regulations titled SB 1118. In our review, the bill did the following, but we recommend having your appropriate staff review the bill if it is of interest.

- Prohibits counties and municipalities from requiring applicants to install, pay for, or reimburse costs related to a work of art as a condition of processing or issuing development permits or orders.
- Allows agricultural enclave owners to apply for administrative approval of development, bypassing future land use designations or comprehensive plan conflicts, and treats such developments as conforming uses.
- Defines "agricultural enclave" and adjusts requirements regarding the protections for such enclaves, including boundaries and surrounding development conditions.

SB 1118 C1, Section 2-

(4) ADMINISTRATIVE APROVAL ~~AMENDMENT TO LOCAL GOVERNMENT COMPREHENSIVE PLAN~~ The owner of ~~a parcel of~~ land defined as an agricultural enclave under s. 163.3164 may apply for administrative approval of development regardless of the future land use map designation of the parcel or any conflicting comprehensive plan goals, objectives, or policies if the owner's request ~~an amendment to the local government comprehensive plan pursuant to s. 163.3184. Such amendment is presumed not to be urban sprawl as defined in s. 163.3164~~ if it includes land uses and densities and intensities of use that are consistent with the approved uses and densities and intensities of use of the industrial, commercial, or residential areas that surround the parcel.

SB 1118, Section 2-

(4) "Agricultural enclave" means an unincorporated, 238 undeveloped parcel or parcels that:

(a) Are ~~Is~~ owned or controlled by a single person or entity;

(b) Have ~~Has~~ been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of 5 years before ~~prior to~~ the date of any comprehensive plan amendment or development application;

(c) 1. Are ~~Is~~ surrounded on at least 75 percent of their ~~its~~ perimeter by:

a. ~~1.~~ A parcel or parcels ~~Property~~ that have ~~has~~ existing industrial, commercial, or residential development; or

b. ~~2.~~ A parcel or parcels ~~Property~~ that the local government has designated, in the local government's comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential purposes, and at least 75 percent of such parcel or parcels are ~~property is~~ existing industrial, commercial, or residential development;

2. Do not exceed 700 acres and are surrounded on at least 50 percent of their perimeter by a parcel or parcels that the local government has designated in the local government's comprehensive plan and future land use map as land that is to be developed for industrial, commercial, or residential purposes; and the parcel or parcels are surrounded on at least 50 percent of their perimeter by a parcel or parcels within an urban service district, area, or line; or

3. Were located within the boundary of a rural study area adopted in the local government's comprehensive plan as of January 1, 2025, which was intended to be developed with residential uses at a density of at least one dwelling unit per acre and was surrounded on at least 50 percent of the study area's perimeter in the local government's jurisdiction by a parcel or parcels that either are designated in the local government's comprehensive plan and future land use map as land that can be developed for industrial, commercial, or residential purposes or which has been developed with industrial, commercial, or residential uses;

(d) Have ~~Has~~ public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government or can be provided by an alternative provider of local government infrastructure in order to ensure consistency with applicable concurrency provisions of s. 163.3180, or the applicant offers to enter into a binding agreement to pay for, construct,

or contribute land for its proportionate share of such improvements; and

(e) Do ~~Does~~ not exceed 1,280 acres; however, if the parcel or parcels are ~~property~~ ~~is~~ surrounded by existing or authorized residential development that will result in a density at buildout of at least 1,000 residents per square mile, then the area must ~~shall~~ be determined to be urban and the parcel or parcels may not exceed 4,480 acres.

Where a right-of-way, body of water, or canal exists along the perimeter of a parcel, the perimeter calculations of the agricultural enclave must be based on the parcel or parcels across the right-of-way, body of water, or canal.

- Revises the definition and applicability of "land development regulation" to include various municipal and county regulations.
- Stipulates that comprehensive plans cannot contain policies that restrict development densities or intensities beyond what is specified in the future land use element.

SB 1118 C1, Section 2-

(a) A proposed development authorized under this subsection must be administratively approved within 120 days after the date the local government receives a complete application, and no further action by the governing body of the local government is required. A ~~The~~ local government may not enact or enforce any regulation or law for an agricultural enclave that is more burdensome than for other types of applications for comparable densities or intensities of use. Notwithstanding the future land use designation of the agricultural enclave or whether it is included in an urban service district, a local government must approve the application if it otherwise complies with this subsection and proposes only single-family residential, community gathering, and recreational uses at a density that does not exceed the average density allowed by a future land use designation on any adjacent parcel that allows a density of at least one dwelling unit per acre. A local government shall treat an agricultural enclave that is adjacent to an urban service district as if it were within the urban service district

- Establishes "extraordinary circumstance" for impact fees and outlines conditions under which local governments can increase these fees beyond phase-in limitations.

- Modifies the expedited state review process for comprehensive plan amendments and requires a supermajority vote for certain comprehensive plan amendments.
- Enables owners affected by non-adoption of a comprehensive plan amendment to seek civil action.

SB 1118 C1, Section 6-

(a) "Extraordinary circumstance" means:

1. For a county, that the permanent population estimate determined for the county by the University of Florida Bureau of Economic and Business Research is at least 1.25 times the 5-year high-series population projection for the county as published by the University of Florida Bureau of Economic and Business Research immediately before the year of the population estimate

- Defines terms related to fuel terminals and protects their classification as permissible uses in local regulations.
- Introduces a system for administrating plat submittals, requiring a governing body to grant final administrative approval at its next meeting post-recommendation by the approving agency.

SB 1118 C1, Section 3-

(5) PRODUCTION OF ETHANOL. —For the purposes of this section, the production of ethanol from plants and plant products as defined in s. 581.011 by fermentation, distillation, and drying is not chemical manufacturing or chemical refining. This subsection is remedial and clarifying in nature and applies retroactively to any law, regulation, or ordinance

Ultimately, SB 1118 failed to be heard after its first committee stop. With two stops left before the Floor, this bill died.

SB 810 Stormwater Management Systems by Sen. Burgess (R- Pasco) (Failed)

SB 810 was a bill that sought to address inspections and reporting of stormwater management systems. In our review the bill did the following, but we suggest you meet with appropriate staff to determine your particular interest.

The bill defined and outlined requirements for MS4 entities and mandates the completion of a facility inspection checklist by September 1st, 2026. In our review, the bill did not have a senate companion.

SB 810 C2, Section 1-

(4)(a) For purposes of this subsection:

1. "MS4" means a municipal separate storm sewer as defined in 40 C.F.R. s. 122.26(b).

2. "MS4 entity" means an MS4 permittee.

(b) Each MS4 entity shall conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of such inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof,

which:

1. Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and

2. Upon operational failure, would result in flooding and property damage.

(c) Any infrastructure that satisfies the conditions in either subparagraph (b)1. or subparagraph (b)2. must be inspected annually by each June 1 thereafter.

(d) The MS4 entity shall complete the stormwater facility inspection checklist developed by the department any time an MS4 is inspected pursuant to this subsection. A completed checklist must be submitted to the department and the Division of Emergency Management by September 1, 2026, and as applicable, each September 1 thereafter. Each checklist must include any infrastructure within the MS4, or any component thereof identified pursuant to paragraph (b).

SB 810 was heard in all three committee stops but temporarily postponed on the Floor, therefore failing in the 2025 Session.

SB 420 - Official Actions of Local Governments by Sen. Yarborough (R- Duval) / HB 1571 by Rep. Black (R-Duval) (Failed)

SB 420 prohibited counties and municipalities from funding, promoting, or taking official actions related to diversity, equity, and inclusion (DEI). In our review, the bill did the following, but we suggest meeting with appropriate staff to determine if the bill is of interest.

SB 420 defined DEI as any effort to manipulate employee composition concerning race, gender, or ethnicity, provide preferential treatment, or promote DEI-related training not aligned with state and federal antidiscrimination laws. If this legislation passes it would make existing ordinances, rules, policies, and programs relating to DEI void. This includes the use of funds for DEI offices or DEI officers and specifies how counties would proceed moving forward.

SB 420 C1, Section 1-

(2) A county may not fund or promote, directly or indirectly, or take any official action, including, but not limited to, the adoption or enforcement of ordinances, resolutions, rules, regulations, programs, or policies, as it relates to diversity, equity, and inclusion. Any such existing ordinances, resolutions, rules, regulations, programs, or policies are void. (3) A county may not expend any funds, regardless of source, to establish, sustain, support, or staff a diversity, equity, and inclusion office or to employ, contract, or otherwise engage a person to serve as a diversity, equity, and inclusion officer.

(4) A county commissioner or other county official who violates this section commits misfeasance or malfeasance in office.

Additionally, this legislation allowed residents to sue their local government over violations, enabling courts to award relief, damages, and costs to prevailing parties but not attorney fees to prevailing governments if they are defendants.

SB 420 Section 1-

(5) An action in circuit court may be brought against a county that violates this section by a resident of the county. The court may enter a judgment awarding declaratory and injunctive relief, damages, and costs. The court may also award reasonable attorney fees to the prevailing party; however, the court may not award reasonable attorney fees to a county as the prevailing party.

SB 420 was temporarily postponed in the second committee stop, Senate Judiciary Committee. Therefore, the bill failed to be heard in all stops prior to the end of Session deadline. Similarly, HB 1571 failed to be heard in the first of three stops and died at the end of session.

HB 1183 Cybersecurity Incident Liability by Rep. Giallombardo (R- Lee)/ SB 1576 - Cybersecurity Incident Liability (Failed)

HB 1183 is a bill that sought to define conditions under which entities are not liable for cybersecurity incidents. In our review the bill didthe following, but we recommend reviewing language with appropriate staff.

- Exempted counties, municipalities, or political subdivisions from liability if they either establish cybersecurity policies aligning with recognized frameworks, have disaster recovery plans, employ multi-factor authentication, or engage in state cybersecurity programs.
- Required covered entities and third-party agents to update their cybersecurity programs to meet revised standards, laws, or regulations within one year of their publication.
- Declared that non-compliance with the provisions of this act is not proof of negligence, negligence per se, nor can it be used as evidence of fault under any other theory of liability.

HB 1183 C2, Section 1-

(7) If a civil action is filed against a county, municipality, other political subdivision of the state, covered entity, or third-party agent that failed to implement a cybersecurity program in compliance with this section, the fact that such defendant could have obtained a liability shield or presumption against liability upon compliance is not admissible as evidence of negligence, does not constitute negligence per se, and cannot be used as evidence of fault under any other theory of liability.

HB 1183 was heard in two out of three total committees, failing to be heard in the final committee stop before the Floor. The bill died at the end of regular session.

2026 Session Preparation

The 2026 Regular Session dates are “early” so next “years” Session actually starts in about 5 months.

The next Session will be the same leadership teams in both the House and Senate, so things usually start faster. Pre-Session Committee Weeks will begin in October:

2025 - 2026 Interim Committee Meeting Schedule

- October 6 - 10, 2025
- October 13 - 17, 2025
- November 3 - 7, 2025
- November 17 - 21, 2025
- December 1 - 5, 2025
- December 8 - 12, 2025

Opening day of the 2026 Regular Session is Tuesday, January 13, 2026, and barring an extension, ends on **Friday, March 13, 2026.**

We look forward to continuing to work with the City's leadership and Staff to prepare for the upcoming 2026 Session.

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