

# 2023 Legislative Session Wrap Up

**June 8, 2023**

**Brian Lowack, Intergovernmental Liaison**

**Bills and PCBs filed**

**1,873**

**Amendments filed**

**2,674**

**Bills passed both chambers**

**365**

# County Priorities that Passed

## **HB 1563 Greater Seminole Area Recreation District *(Rep. Jacques)***

- **Dissolves the GSARD**
- **Transfers the SYAA property to the County**
- **Requires the SYAA property to be used solely for recreation**

## **Airco Infrastructure Improvements *(Sen. Hooper, Rep. Jacques)***

**\$2,500,000 included in the budget**

## **Weedon Island Salt Marsh Restoration *(Sen. DiCeglie, Rep. Cross)***

**\$500,000 included in the budget**

# County Priorities that Passed Cont'd



## HB 1383 Local Occupational Licensing

- Extends local specialty licensing through July 1, 2024
- Requires the CILB, by July 1, 2024, to establish certified specialty contractor categories for voluntary licensure for 12 specialty categories
- Provides that a local government may not require a license issued by the local government or CILB to perform a job scope which does not substantially correspond to one of the state contractor or specialty contractor categories
- Prohibits local governments from requiring a license to obtain a permit for a job scope outside of the practice of contracting
- Allows a local government to continue to offer a license for veneer work, including gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories; and fence installation and erection, if such a licensing requirement existed before January 1, 2021

# Bills that Passed



## **SB 170 Local Ordinances**

- **Allows civil action challenges to local ordinance on grounds that it is arbitrary or unreasonable**
- **Allows the courts to award attorney fees and costs (up to \$50,000) to the prevailing complainant**
- **Requires board of county commissioners to prepare and publish on the county's website a business impact statement before the adoption of certain ordinances**
- **Enforcement of an ordinance is suspended if legal action is filed no later than 90 days after the adoption of the ordinance**
- **Applies to ordinances adopted on or after October 1, 2023**
- **Consideration of a proposed county ordinance or county resolution at a properly noticed meeting may be continued to a subsequent meeting if, at the scheduled meeting, the date, time, and place of the subsequent meeting is publicly stated**

# Bills that Passed Cont'd



## SB 102 Housing “Live Local Act”

- **Authorizes local governments to approve “mixed-use residential” development at their discretion if it includes affordable housing (greater than 10% of the units within the development) within commercial or industrial zones**
- **Requires counties to authorize multi-family and mixed-use residential in mixed-use and commercial zones if 40% of the residential units are affordable for 30 years**
- **Prohibits local governments from restricting the density of an eligible proposed affordable housing development below the highest allowed density on any unincorporated land within the county**
  - 35 units per acre in Unincorporated Pinellas
- **Prohibits local governments from restricting the height of an eligible proposed affordable housing development below the highest currently allowed within one mile of the proposed development OR three stories— whichever is higher**
  - 75ft tall in Unincorporated Pinellas

# Live Local Act Cont'd



- **Provides an ad valorem tax exemption for land owned by a non-profit entity leased for 99+ years for the purpose of affordable housing**
- **Provides an ad valorem tax exemption for newly constructed or substantially rehabilitated developments with 70+ units dedicated to providing affordable low to moderate-income housing**
- **Permits local governments to offer an additional local option ad valorem tax exemption to property owners who dedicate units to extremely-low income or very-low income residents**
- **Provides for a new distribution of the lesser of 8 percent of Documentary Stamp Tax revenues or \$150 million be deposited into the State Housing Trust Fund**
- **Expands the Hometown Heroes program, which provides down payment assistance and zero interest loans to eligible frontline community workforce members**

## HB 1417 Residential Tenancies

- **Preempts local governments from any regulation of the landlord/tenant relationship, including:**
  - Screening process
  - Security deposits
  - Rental agreement applications and fees
  - Terms and conditions of rental agreements
  - Rights and responsibilities
  - Disclosures
  - Fees
  - Notice requirements
- **Revises the notice period for terminating a tenancy to no less than 30 days' or more than 60 days' notice from the tenant or the landlord**



## **SB 346 Public Construction**

- **Revises the definition of a public works project as any activity that is paid for with any state-appropriated funds, deleting any dollar threshold entirely**
- **Preempts existing local preference ordinances related to the procurement process for public works projects when any state funds are used**
- **Establishes the reasonable time in which local government construction contracts have to develop the punch list**

# Bills that Passed Cont'd

## SB 250 Natural Emergencies

- **Local governments encouraged to develop an emergency financial plan for major natural disasters and annually review to address changes**
- **Following a state of emergency declared for a natural emergency, local governments impacted by the emergency shall approve special processing procedures to expedite permit issuance for permits that do not require technical review**
- **Local governments may not prohibit the placement of a temporary shelter on a residential property for up to 36 months or until a certificate of occupancy is issued on the permanent structure on the property, whichever occurs first, following a declared natural emergency, if:**
  - Used as a residence
  - Connected to water and utilities
  - Resident makes good faith effort to rebuild or repair permanent structure
- **Local governments located in areas designated in the Federal Emergency Management Agency disaster declarations for Hurricane Ian or Hurricane Nicole may not raise building inspection fees before October 1, 2024**
- **Revises the tolling of permits following a declared natural disaster from 6 months to 24 months**
- **Prohibits a county within 100 miles of the landfall area of either Hurricane Ian or Nicole from adopting comprehensive plan amendments or land use regulations more burdensome or restrictive. Expires June 30, 2025**

## SB 1418 Emergency Communications

- **Increases distributions of the wireless category of voice communication services portion of E911 fee to counties from 76% to 95%**
- **Expands the list of items that may be funded with E911 fee disbursements**
- **Reduces E911 Board from 10 to 8 members and keeps county representation proportionally the same**

## **SB 540 Local Government Comprehensive Plans**

- **Challenges to the comprehensive plan and plan amendments, including small scale plan amendments, the prevailing party is entitled to recover attorney fees and costs**
- **Clarifies the scope of review for a local government decision to grant or deny a development order by providing that the order may only be challenged if it would materially alter the use, density, or intensity of the property in a manner not consistent with the comprehensive plan**

## HB 7063 Taxation

- **Requires that any referendum for specified taxes must coincide with a general election, and may only take place once within 48 months prior to reenactment/increase of the tax**
  - Penny for Pinellas
- **“Freezes” local communications services tax rates at their current level until January 1, 2026**
- **Numerous sales tax holidays**

# Budget Highlights



**FY 24 Budget totals \$117 billion (4.42% increase from current year)**

**Affordable Housing: \$611,000,000 (\$362,725,000 FY'23)**

**Pinellas County SHIP Allocation: \$5,790,106 (\$4,817,302 FY'23)**

**Beach Nourishment: \$50,000,000**

- **\$106,000,000 additional for Hurricane Ian and Nicole related projects**

**Resilient Florida: \$320,000,000**

**Job Growth Grant Fund: \$75,000,000**

**Wastewater Treatment and Septic-to-Sewer Conversion Grants:  
\$200,000,000**

**Visit Florida: \$80,000,000**

## Florida Retirement System

- **Normal Rate and Unfunded Liability Adjustments**
- **Reduced Special Risk Retirement**
  - (55/8 or 25 years of service)
- **Additional 2% Contribution for Investment Plan Participants**
- **DROP eligibility extension from 60 to 96 months**
- **Removal of Restrictive DROP Window**
  - (from within 1 year of retirement age to anytime after retirement age)
- **Increased interest rate on DROP funds from 1.3% to 4%**
- **Increased Employer Paid Health Insurance Subsidy from 1.66% to 2%**

## Fertilizer Ban Preemption

- **Local governments may not adopt or amend a fertilizer management ordinance which provides for a prohibited application period not in existence on June 30, 2023 (Expires July 1, 2024)**
- **Provides \$250,000 in nonrecurring funds to the University of Florida Institute of Food and Agricultural Sciences (IFAS) to evaluate the effectiveness of the timing of seasonal fertilizer restrictions on urban landscapes toward achieving nutrient target objectives for waterbodies statewide**
- **IFAS must submit a final report, including results and recommendations, by December 31, 2023, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee**





# Questions?