

BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

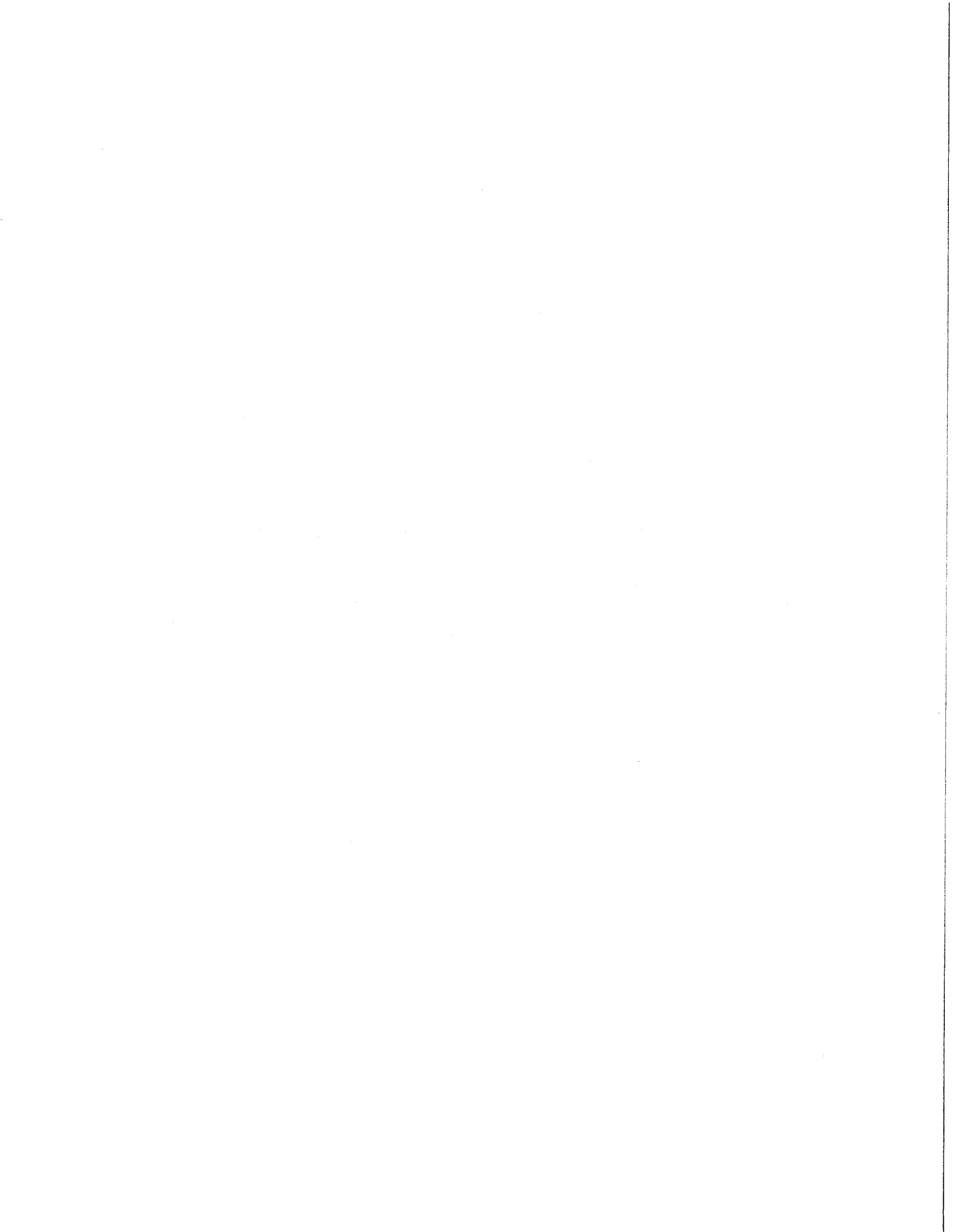
NO. 052-2019

To: Mayor Gabriel Groisman and Members of the Village Council
From: Jorge M. Gonzalez, Village Manager
Date: March 22, 2019
Subject: **Legislative Session Week 1 & 2 Report - March 5 - March 15, 2019**

The purpose of this Letter to Council (LTC) is to transmit the attached Legislative Session Week 1 & 2 Report provided by Ron L. Book.

If you have any questions or need any additional information, please feel free to contact me.

JMG/AC





Ronald L. Book, P.A.
LAW OFFICES
PROFESSIONAL ASSOCIATION

Bal Harbour Village Report

Enclosed is our Session 2019 week 2 update including information on the City's funding requests as well as on legislative issues of importance.

Funding Requests: In both the House and Senate, we have met multiple times with the bill sponsors, the subcommittee chairs as well as the full Appropriations committee chair to ensure each will be heard. We continue to advocate for full funding of these projects.

- **Water System Improvements (HB 2325):** Sponsors: Senator Pizzo, Representative Geller
Local Match: 50% Amount Requested: \$734,000
- **Storm Water System Improvement (HB 2323):** Sponsors: Senator Pizzo, Representative Geller
Local Match: 50% Amount Requested: \$600,000

Legislative Issues:

Anti-Semitism: HB 741 by Representatives Fine and Caruso, cosponsored by Representatives Donalds, Fischer, Killebrew, LaMarca, and Roach and SB 1272 by Senator Gruters

This bill accomplishes the following:

- Prohibits discrimination against a public education system student or employee based on religion.
- Defines anti-Semitism as it relates to public educational institutions
- Required a public educational institution to treat discrimination based on anti-Semitism in an identical manner to discrimination based on race
- Prohibited discrimination based on religion in public educational institution programs, activities, and opportunities

HB 74 has passed the first of three referenced committees with a vote of 14 – 0. The Senate companion bill, SB 1272 by Senator Gruters has not yet been heard in committee.

Preemption of Local Regulations HB 3

The bill was amended in its first committee this week and now accomplishes the following:

- Preempts the regulation and licensing of professions and occupations to the state and supersedes any local government regulation or license requirement of professions and occupations. However, any regulation adopted prior to July 1, 2019, will continue to be effective until July 1, 2021, at which time it will sunset.
- The bill specifically prohibits local governments from requiring a license for a person whose job scope does not substantially correspond to that of a contractor or journeyman type licensed by the Construction Industry Licensing Board, within the Department of Business and Professional Regulation, and specifically precludes local governments from requiring a license for: painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, and decorative stone,

tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, canvas awning installation, and ornamental iron installation

HB 3 as amended, passed the State Affairs Committee 15 – 7.

Governmental Powers/Preemptions HB 1299

HB 1299 filed on the first day of Session, would enact a number of restrictions on local governments, including the following:

- Except as provided for in s. 171.205, F.S., a municipality may not purchase land within another municipality's boundaries without their consent;
- The governmental entity may not attempt to annex an area within another governmental entity's jurisdiction without the other governmental entity's consent.
- Prohibits municipalities from levying taxes on cigarettes, cigars, nicotine products, and dispensing devices.
- Preempts to the state, the establishment of the minimum age for the sale or delivery of tobacco products, nicotine products, and nicotine dispensing devices.
- Preempts to the state the regulation of single use straws and allows for businesses to distribute plastic straws upon request or through a dispenser. (this preemption would not apply to a hospital or nursing, rehabilitation, or other health care facility).
- Amends the Florida Drug and Cosmetic Act to preempt the regulation of over-the-counter proprietary drugs and cosmetics to the state.
- Amends s. 526 F.S., the sale of liquid fuels; brake fluid section, to include a preemption to the state and to DEM, the establishment of the requirements for alternate generated power sources, including transfer switches.

HB 1299 has not yet been heard.

Texting While Driving / Distracted Driving: SB 76, by Senator Simpson, and HB 107, by Representatives Toledo and Slosberg

The texting while driving bill has now become the distracted driving bill and includes a number of qualifiers for what constitutes distracted driving. Also, this bill allows law enforcement to issue citations to distracted drivers as a primary offense after December 1, 2019 but does provide for a warning period from October 1, 2019 to December 31, 2019. It would prohibit Florida drivers from using a hand-held phone behind the wheel. Additionally, drivers will not be allowed to watch, record, or broadcast photos or video while operating a moving vehicle and will not be allowed to touch or support phone while operating a moving vehicle but using a speaker phone will still be legal.

We continue to express support to both sponsors and leadership in both the House and Senate. SB 76 has passed its first two of four committees, but was not heard during week 2. HB 107 has not been heard to date.

Vacation Rental Regulation/Preemption SB 812, SB 824, SB 987, SB 1196.

There are four bills filed on vacation rentals this session. SB 824 (Diaz) and HB 987 (Grant) include preemption of local government regulation. Both SB 812 (Simmons) and SB 1196 (Mayfield) maintain variations on local control and are supported by the Florida League of Cities (FLC). We participated in a strategy conference call with the FLC and are working with the FLC on this issue. None of these bills have

been scheduled for a hearing at this time, however we have been meeting with and continue to meet with members of the first Senate committee of reference expressing opposition to a preemption to the state.

None of the vacation rental bills have been heard to date.

Permit Fees HB 127, SB 142

- The bills require governing bodies of counties and municipalities to post permit and inspection fee schedules and building permit and inspection utilization reports on their websites by December 31, 2020.
- After December 31, 2020, the governing body of a local government that provides a schedule of fees must update its building permit and inspection utilization report before adjusting the fee schedule.

HB 127 and SB 142 have passed all committees and are ready for floor action.

Traffic Infraction Detectors (Red Light Cameras) HB 6003

- Repeals provisions relating to Mark Wandall Traffic Safety Program and the authorization to use traffic infraction detectors.
- Repeals provisions relating to distribution of penalties, transitional implementation, and placement and installation.

HB 6003 was last heard in the House in January, and there is no Senate companion language at this time.

➤ Session Dates: March 5, 2019 through May 3, 2019

