

BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

NO. 018-2020

To: Mayor Gabriel Groisman and Members of the Village Council

From: Jorge M. Gonzalez, Village Manager



Date: February 7, 2020

Subject: **Legislative Session Week 3 Report - January 27, 2020**

The purpose of this Letter to Council (LTC) is to transmit the attached Legislative Session Week 3 Report provided by Ron L. Book.

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

JMG/MH



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

Session 2020 Week 3 Report

Enclosed is our Session Report for week 3 which includes an update on our funding request and legislative issues. Please let us know if you have questions on issues included in this report, or on any other issue of concern. We will be happy to provide further information.

➤ **FUNDING REQUEST UPDATE:**

This week the first drafts of the House and Senate budgets were released. These will be heard in the full Appropriations committee, then in the full House and Senate.

- **Bal Harbour Village Storm Water System Improvements (HB 2877/LFIR #1114)**
Sponsors: Senator Pizzo, Representative Geller

Senate: \$250,000

House: \$100,000

➤ **LEGISLATIVE ISSUES:** Below are several bills of interest to local governments. As we progress through Session, we will add legislation that is moving through committees.

Communications Services Tax: (HB 701:by Fischer and SB 1174 by Hutson) This legislation would reform the communications services tax (CST) reduce the local CST rate to 5% or less by January 1, 2021 and 4% or less by January 1, 2022. The bills also reduce the state CST rate from 4.92% to 4.9% and the noncharter county CST rate to 2% by January 1, 2022. The bills repeal the local option sales surtax conversion that is levied on communications services.

HB 701 has not been heard to date. SB 1174 will be heard in the Innovation, Industry, and Technology committee on 2/3.

Vacation Rentals: (SB 1128 by Diaz and HB 1011 by Fischer) the bills are identical at this time and do the following:

- Preempt to the state the regulation of vacation rentals, including licensure and inspections
- Require that any local ordinance must be applied uniformly to all residential properties
- Clarify that local regulations cannot prohibit all rentals locally, can impose occupancy limits on rental properties, or require inspections or licensing of rentals
- Preempt all regulation of vacation rentals to the state with local ordinances in place before June 1, 2011 exempt.

SB 1128 passed its first committee on 1/13 with an 8-2 vote. HB 1011 passed its first committee and will be heard in its second committee on 2/3.

Red Light Cameras Prohibition: (HB 6083 by Ingoglia and Rodriguez (Ant)) This bill would repeal the authorization for local governments to use red light cameras within their jurisdiction.

HB 6083 will be heard in the Transportation and Infrastructure Subcommittee on 2/4.

Sovereign Immunity: (SB 1302/Flores No House companion bill) The bill passed the Judiciary committee with language lowering from the original bill, proposed increases in the per-occurrence liability cap to \$500,000 from \$1 million. The bill now does not expand the liability of a government entity for damages resulting from the actions of a state employee acting in bad faith, with a malicious purpose, or in a manner exhibiting wanton and willful disregard for human rights (the underlying bill stated that the state would be liable for these damages in excess of the statutory caps).

SB 1302 passed its first committee, 5-0 and will be heard in its second committee, Community Affairs, on 2/3.

Legal Notices: (HB 7 by Fine and SB 1340 by Gruters) The bill now clarifies that a governmental agency must provide annual notice in a newspaper or other publication of the ability to receive notices by email or first-class mail only if the governmental agency uses a publicly accessible website to publish notices. It also provides that notices for public-private partnership projects must be published in the Florida Administrative Register and in each county where the project is located

HB 7 passed its first committee, 7-5. And its second committee, Judiciary 11 – 7. SB 1340 has not been heard to date.

Local Government Officials/Weapons and Firearms: (SB 1524 by Gainer and HB 183 by Ponder) This bill authorizes city and county commissioners who are licensed to carry a concealed weapon or firearm, to carry their weapon to a meeting of the governing body of which he or she is a member.

SB 1524 has not been heard to date. HB 183 passed the Criminal Justice Subcommittee 11 – 3 and will be heard next in the Local, Federal and Veterans Affairs Subcommittee on 2/3.

Local Government Fiscal Transparency Act: (SB 1702: by Diaz and HB 1149 by DiCeglie) This bill addresses increased fiscal transparency for local governments and would require the following:

- Public access to voting records of local governing body members related to tax increases and the issuance of tax-supported debt
- Online access to truth-in-millage (TRIM) notices and a four-year history of property tax rates and total revenue generated by each local government
- Public meetings and expanded public notice requirements for local option tax increases and the issuance of new long-term, tax-supported debt;
- Require local governments to conduct a debt affordability analysis prior to issuance of new long-term, tax-supported debt
- Allows the Auditor General to request evidence of corrective action from local governments found not to be in compliance with the Act and to report those who fail to do so to the Legislative Auditing Committee.

SB 1702 has not been heard to date. HB 1149 has passed its second committee, Ways and Means 11 – 4.

➤ Session Dates: January 14, 2020 through March 13, 2020.