



MUNICIPAL OPERATIONS COMMITTEE

**Friday, October 17, 2025
10:00 a.m. – 2:00 p.m. ET**

**Meeting Room: Orange Ballroom D
Hilton Orlando
6001 Destination Parkway
Orlando, FL 32819**

FLC Staff Contact: Sam Wagoner



..... FLORIDA LEAGUE OF CITIES



Agenda



Municipal Operations Legislative Policy Committee
Friday, October 17, 2025, from 10:00 a.m. to 2:00 p.m.
Hilton Orlando – Meeting Room: Orange Ballroom D
6001 Destination Parkway, Orlando, Florida

AGENDA

- I.** Introduction and Opening Remarks..... **Chair Mac Fuller**
Mayor, City of Lake Alfred
- II.** Potential 2026 Priority and Policy Issues
 - a. Florida’s Open Carry Law **David Marsey**
Attorney at Law, Rumberger-Kirk
 - b. Sovereign Immunity **Sam Wagoner, FLC Staff**
 - c. Interoperable Emergency Communications **Sam Wagoner, FLC Staff**
 - d. Chapter 419: Community Residences, Recovery Communities,
and Congregate Living Facilities **Sam Wagoner, FLC Staff**
 - e. Increasing the Competitive Bid Threshold for
Public Works Projects..... **Sam Wagoner, FLC Staff**
 - f. Public Records Exemption for City Clerks & Staff..... **Sam Wagoner, FLC Staff**
- III.** Ranking of Proposed Policies..... **Sam Wagoner, FLC Staff**
- IV.** Other Business..... **Sam Wagoner, FLC Staff**
- V.** Additional Information..... **Chair Mac Fuller**
Mayor, City of Lake Alfred
 - a. [FLC Legislative Conference Registration](#)
 - b. Key Legislative Dates
 - c. Key Contacts – Click [HERE](#) to sign-up
 - d. [2025 Legislative Session Final Report](#)
- VI.** Closing Remarks **Chair Mac Fuller**
Mayor, City of Lake Alfred
- VII.** Adjournment

Breakfast and Lunch provided by the Florida League of Cities

Wi-Fi is Available
Network: FLCPC1025
Access Code: FLCPC1025



Committee Roster



2025-2026 Legislative Policy Committee Municipal Operations

Staffed by: Sam Wagoner, Legislative Advocate

CHAIR:

The Honorable Mac Fuller
Mayor, City of Lake Alfred

VICE CHAIR:

The Honorable Shannon Hayes
Councilmember, City of Crestview

MEMBERS:

The Honorable Santiago Avila
Mayor, City of Deltona

The Honorable Gary Ball
Commissioner, City of Bartow

The Honorable Kyle Battie
Commissioner, City of Sarasota

Brian Benton
City Manager, City of Sebastian

The Honorable Allyson Berry
Commissioner, City of Leesburg

The Honorable Amit Bloom
Commissioner, City of Aventura

PaulMarie Bobb
Assistant City Attorney, City of North Miami

Jacqueline Borja
Town Clerk, Town of Lake Hamilton

George S. Brown
City Manager Emeritus, City of Boca Raton

Sammie Brown
Deputy Town Clerk, Town of Loxahatchee Groves

Patricia Burke

Town Clerk-Manager, Town of Palm Shores

The Honorable Jacob Burnett
Commissioner, City of Safety Harbor

The Honorable Ricky Butler
Councilmember, City of Pinellas Park

Rosemarie Call
City Clerk, City of Clearwater

Kristina Ciuperger
Assistant City Manager, City of Port St. Lucie

Linda Cox
City Clerk, City of Fort Pierce

The Honorable Michael Cox
Council Vice President, City of Williston

Robert Daniels
Town Manager, Town of Sewall's Point

Keith Davis
President, Davis & Associates, P.A.

The Honorable Paul Diaz
Commissioner, City of Winter Springs

Chief Darrel Donatto
Fire Chief, Town of Jupiter

The Honorable William Dugard
Commissioner, City of Dunedin

The Honorable David Duval
Commissioner, City of North Port

The Honorable Nancy Early
Councilmember, City of Gulfport

Dr. Brenda Fettrow
City Manager, City of Rockledge

The Honorable Sam Fite
Mayor, City of Bowling Green

Amber Ford
Deputy Clerk, City of Fort Walton
Beach

The Honorable Jayson French
Councilmember, Village of Tequesta

Elizabeth Garcia-Beckford
City Clerk, City of Wilton Manors

Donna Gardner
City Clerk, City of Casselberry

The Honorable Charlotte Gillis
Vice Mayor, City of Edgewater

Kimberly Glas-Castro
Assistant Village Manager, Village of
Palm Springs

The Honorable Erik Gleason
Councilman, City of Westlake

The Honorable Sandy Golding
Councilmember, City of Jacksonville
Beach

Christian Gowan
City Clerk, City of Winter Springs

Chelsea Granell
Governmental Affairs Director, City of
Coral Gables

Angelia Guy
City Clerk, City of Dade City

Leslie Guyer
City Clerk, City of Gulf Breeze

Chevelle Hall
Village Clerk, Village of Wellington

The Honorable Phyllis Hall
Mayor, Town of Lake Hamilton

Christopher Hawks
Intergovernmental Relations
Coordinator, City of Largo

Julie A. Hennessy
City Clerk, City of DeLand

Chief Joseph Hightower
Fire Chief, City of Mount Dora Fire
Department

The Honorable Michael Holland
Commissioner, City of Eustis

Traci Houchin
City Clerk, City of Sanford

The Honorable Anne Huffman
Commissioner, City of Haines City

Nzeribe Ihekweba
City Manager, City of Homestead

The Honorable Sabrina Javellana
Commission Assistant, City of Fort
Lauderdale

The Honorable Lewrissa Johns
Mayor, City of Chiefland

The Honorable Christopher Johnson
Commissioner, City of Largo

Jennifer Jorgensen
Director Governmental Affairs, City of
Sarasota

The Honorable Bridget Keating
Mayor, Town of Lake Clarke Shores

The Honorable Barbara King
Commissioner, City of South Bay

**The Honorable NanDrycka King
Albert**

Mayor Pro Tem, City of Midway

The Honorable Thomas Kirk

Commissioner, City of Casselberry

Marshall Labadie

Town Manager, Town of Highland
Beach

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Vice Mayor, City of Crescent City

Sharon Lauther

City Clerk, City of Haines City

Austin Lee

Director of Communications, City of
Greenacres

The Honorable Jason Leslie

Mayor, City of Ormond Beach

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Andrea McCue

City Manager, City of Greenacres

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Councilmember, City of West
Melbourne

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Councilmember, City of Brooksville

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Councilmember, Town of Loxahatchee
Groves

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Vice Mayor, City of Weston

The Honorable L. Tracy Mercer

Commissioner, City of Winter Haven

Judy Meyers

City Clerk/Public Information
Specialist, City of New Port Richey

The Honorable Nancy Miller

Mayor, City of Daytona Beach Shores

**The Honorable KaShamba Miller-
Anderson**

Councilperson, City of Riviera Beach

Olivia Minshew

City Manager, City of Wauchula

Brian Moree

City Manager, City of Atlantis

The Honorable Janice Mortimer

Vice Mayor, City of Starke

The Honorable Bernard Oder

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Chief Steve Parker

Chief of Police, City of Davenport

Gwen Peirce

City Clerk, City of Satellite Beach

Richard Reade

Town Manager, Town of Lake Park

Chief Aaron Rhodes

Assistant Chief, City of Orlando Fire
Department

The Honorable Mary Richardson

Commissioner, Town of Dundee

Brian Robinson

Deputy City Manager, City of Palm Bay

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The Honorable Arlene Schwartz

Mayor, City of Margate

Alexis Silcox

City Clerk, City of Belleair Bluffs

The Honorable Suzy Sofer

Commissioner, City of Belleair Bluffs

Mike Staffopoulos

City Manager, City of Jacksonville
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Tracey Stevens

Town Administrator, Town of Haverhill

Andrew Thompson

Assistant City Manager, City of
Oakland Park

Mary Lou Tighe

Executive Director, Broward League of
Cities

Tijauna Warner

Deputy City Clerk, City of LaBelle

The Honorable Shalonda Warren

Commissioner, City of West Palm
Beach

Erin West

City Clerk, City of Green Cove Springs

The Honorable Debra Williams

Vice Mayor, Town of Longboat Key

Morgan Wilson

Assistant City Manager, City of
Bushnell

The Honorable Brandon Young

Councilman, City of South Daytona



Florida's Open Carry Law

Florida League of Cities
Municipal Operations Policy Committee
DRAFT Policy Statement Recommendation

Florida's Open Carry law

Draft Statement: The Florida League of Cities supports amending Section 790.06(12), Florida Statutes, to make clear the prohibition on firearms in designated prohibited places applies to the open carry of all types of firearms.

Background: On September 10, 2025, the *McDaniels* opinion found Florida's open carry statute unconstitutional. While the Attorney General's subsequent guidance confirmed that Section 790.06(12), Florida Statutes, regarding "prohibited places" remains enforceable, as applied to handguns. A consensus amongst police legal advisors is that the prohibited places statute does *not* apply to long guns. Law enforcement agencies are developing strategies to address the open carrying of long guns while remaining in compliance with the law. With Section 790.053 no longer in effect, statutory language now leaves a gap in the restriction of open carrying of long guns, including in prohibited places defined by Section 790.06(12).

This gap creates significant enforcement challenges. Law enforcement officers may face civil liability if they attempt to arrest someone for openly carrying a long gun in a prohibited place not covered by federal law. The issue is especially concerning for public meetings of a local governing body, which are designated prohibited places under state law. However, given Florida's strict preemption statute, local officials who attempt to regulate the open carry of long guns in public meetings without specific statutory authorization risk state sanctions. This legal uncertainty highlights the need for clarity to ensure public safety and consistent enforcement.

On September 30, 2025, Representative Hunschofsky filed HB 63: Carrying a Handgun, Weapon, or Firearm, which—if enacted—would prohibit carrying a handgun, weapon, or firearm into prohibited locations under Florida law and assign penalties for violations. The bill directly references Section 790.06, Florida Statutes, aiming to clarify and reinforce restrictions on where firearms may be carried, however, due to a nuance in the existing statute, some additional language will need to be added in order to effectuate the prohibition on the carrying of long guns into prohibited places.

1 A bill to be entitled
2 An act relating to carrying a handgun, weapon, or
3 firearm; amending s. 790.06, F.S.; prohibiting a
4 person from carrying a handgun, weapon, or firearm
5 into certain locations; providing penalties; providing
6 an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 **Section 1. Paragraph (a) of subsection (12) of section**
11 **790.06, Florida Statutes, is amended to read:**

12 790.06 License to carry concealed weapon or concealed
13 firearm.—

14 (12) (a) ~~A license issued under~~ This section does not
15 authorize any person to ~~openly~~ carry a handgun, ~~or carry a~~
16 ~~concealed~~ weapon, ~~or concealed~~ firearm into:

- 17 1. Any place of nuisance as defined in s. 823.05;
- 18 2. Any police, sheriff, or highway patrol station;
- 19 3. Any detention facility, prison, or jail;
- 20 4. Any courthouse;
- 21 5. Any courtroom, except that nothing in this section
22 precludes a judge from carrying a concealed weapon or concealed
23 firearm or determining who will carry a concealed weapon or
24 concealed firearm in his or her courtroom;
- 25 6. Any polling place;

26 7. Any meeting of the governing body of a county, public
27 school district, municipality, or special district;

28 8. Any meeting of the Legislature or a committee thereof;

29 9. Any school, college, or professional athletic event not
30 related to firearms;

31 10. Any elementary or secondary school facility or
32 administration building;

33 11. Any career center;

34 12. Any portion of an establishment licensed to dispense
35 alcoholic beverages for consumption on the premises, which
36 portion of the establishment is primarily devoted to such
37 purpose;

38 13. Any college or university facility unless the licensee
39 is a registered student, employee, or faculty member of such
40 college or university and the weapon is a stun gun or nonlethal
41 electric weapon or device designed solely for defensive purposes
42 and the weapon does not fire a dart or projectile;

43 14. The inside of the passenger terminal and sterile area
44 of any airport, provided that no person shall be prohibited from
45 carrying any legal firearm into the terminal, which firearm is
46 encased for shipment for purposes of checking such firearm as
47 baggage to be lawfully transported on any aircraft; or

48 15. Any place where the carrying of firearms is prohibited
49 by federal law.

50 **Section 2.** This act shall take effect October 1, 2026.

TRAINING ADVISORY BULLETIN



Sheriff Gregory Tony, Ph.D.



Florida Open Carry Update Page 1 of 4

TAB 25-24
9/25/25

This bulletin provides guidance on the recent court ruling regarding open carry in Florida. Deputies must clearly understand what is now lawful, what remains prohibited, and how to handle calls for service. The goal is to ensure safe, consistent, lawful and professional enforcement.

1. Key Change

- Florida's ban on open carry (§ 790.053) has been struck down. - Any adult who may lawfully possess a firearm may now openly carry it in public. - Do not stop or arrest someone solely because a firearm is visible and carried in a safe manner.

2. Restrictions Still in Place

Open carry remains prohibited under § 790.06(12) in the following locations: - Law enforcement facilities, jails, courthouses, and polling places - Schools, colleges, school functions, and school buses - Airport terminals and secure areas (i.e., TSA-controlled areas) - Bars and bar areas of restaurants - Professional or school athletic events not involving firearms - Meetings of governing bodies (city councils, county commissions, the legislature)

NOTE: § 790.06(12) applies only to open or concealed carry of handguns in a prohibited location. As such, there is currently a loophole in the law that does not clearly prohibit openly carrying long guns in these locations, and an arrest under § 790.06(12) should not be made. Until there is further clarification of the law, if a person is openly carrying a long gun in a prohibited location (other than a school, courthouse, or TSA-controlled areas in an airport), and it is carried in a proper manner, deputies are encouraged to maintain close visual surveillance of such individual while present in that location. If the prohibited area is a school, courthouse, or a TSA-controlled area within an airport, firearms of any type are prohibited; however, these should be charged under the specific statutory charge for those offenses, and not under § 790.06(12). If the prohibited location is on private property, the property owner may trespass that person from their property.

Other important statutes still apply:

- § 790.10 – Improper exhibition: displaying a firearm in a rude, careless, angry, or threatening way is illegal.
- § 790.23 – Felons may not possess firearms.
- § 810.08 & § 810.09 – Private property owners may ban firearms; refusal to leave is trespassing.
- § 394.458 – Mental Health Hospitals: Illegal to introduce firearms or dangerous items into or upon the grounds of hospitals providing mental health services (third-degree felony).
- § 790.115 – Possessing or discharging weapons or firearms on school property or school-sponsored events, including any school bus, or school bus stop.

- **When in doubt, contact your supervisor for guidance.**

Should you have any questions please contact your Immediate command.

This TAB is intended for the sole use of Broward Sheriff's Office for informational or training purposes and may contain

TRAINING ADVISORY BULLETIN



Sheriff Gregory Tony, Ph.D.

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3. Guidance for Deputies

- Open carry alone is not a crime. Look for additional violations.
- Assess both location (prohibited place?) and behavior (safe or threatening?).
- If dispatched to a private business, enforce trespass if the individual refuses to leave after being asked.
- If an individual is carrying a handgun in a prohibited location (openly or concealed):
 - Advise them that firearms are not authorized in that location. If the individual refuses to leave, an arrest may be made under § 790.06(12)(d)
 - Direct them to secure the firearm in another lawful location before returning.
 - If they refuse, the violation is a second-degree misdemeanor under § 790.06(12)(d).
- Clearly document all actions and reasons in your report.

4. Example Scenarios

Scenario 1: Man walking down the street with a holstered handgun.

-Response: Legal. No enforcement action unless he is a felon or acting dangerously.

Scenario 2: Woman enters a courthouse with a visible handgun.

-Response: Not permitted (§ 790.06(12)). Deputies must intervene; arrestable offense.

NOTE: In a courthouse, the Chief Judge may prohibit all firearms, including long guns. However, possession of a long gun in this location would be enforceable via trespass.

Scenario 3: Person waving a rifle outside a store, shouting angrily.

-Response: Improper exhibition (§ 790.10). Deputies must intervene; arrestable offense.

Scenario 4: Patron openly carrying a pistol in a bar area.

-Response: Not permitted (§ 790.06(12)). Deputies must intervene; arrestable offense.

NOTE: If the firearm is a long gun, an arrest under §790.06(12) should not be made. Additionally, a private property owner may trespass a person carrying any type of firearm on their premises.

Scenario 5: Customer openly carrying inside a grocery store where the manager asks them to leave.

-Response: If they refuse, enforce trespass (§ 810.08 or § 810.09).

Should you have any questions please contact your immediate command.

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Sheriff Gregory Tony, Ph.D.



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Scenario 6: Person openly carrying any type of firearm on a school campus.

-Response: Not permitted (Handgun - § 790.06(12); Any firearm - § 790.115). Deputies must intervene, arrestable offense.

Scenario 7: Patient transported to a hospital with any type of firearm.

-Response: Firearms are prohibited in all hospitals within this jurisdiction, as each facility has posted signage restricting weapons pursuant to applicable law. In the event a patient is transported to a hospital with a firearm, deputies shall instruct the individual to secure the weapon without delay. Failure to comply may constitute grounds for arrest.

Scenario 8: Individual attempting to bring any type of firearm into a hospital that provides mental health services.

-Response: Not permitted (§ 394.458). Deputies must intervene; arrestable offense (third-degree felony).

- If conscious, educate the person to secure their firearm.
- If they refuse, make an arrest.
- If unconscious, have hospital security take possession. Document on BWC and in a written report

NOTE: *Trespass may also be an option*

Scenario 9: Individual attempting to bring a firearm into a city or county commission meeting.

-Response:

- If the firearm is a handgun, possession is not permitted. Deputies must intervene and instruct the person to leave. If the person refuses to leave, the offense is punishable under § 790.06(12) and/or trespass under § 810.08 or § 810.09.
- If the firearm is a long gun, possession is not currently prohibited under the law. Deputies should not make an arrest under § 790.06(12). However, deputies should maintain close visual surveillance while the person is present at the city or county commission meeting.

NOTE: *Any instruction by a city or county official to remove an individual from a city or county commission meeting based only upon that individual exercising their second amendment right to openly carry a long gun, is unlawful and may be considered in violation of § 790.33. Unless there are alternative reasons to remove the person from the meeting, e.g., disrupting the meeting (other than by simply possessing a rifle); reckless, careless display, etc., deputies should not remove or trespass that person from the meeting.*

Should you have any questions please contact your immediate command.

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Sheriff Gregory Tony, Ph.D.

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5. Quick Reference

NOTE: The references below to locations prohibited under § 790.06(12) refer to the carrying of handguns. Should an individual be carrying a long gun at one of those locations, deputies should refer to the guidance for long guns referenced above.

- Public street, holstered handgun → **LEGAL**
- Courthouse → **ILLEGAL** (§ 790.06(12))
- School or school event → **ILLEGAL** (§ 790.06(12), and §790.115)
- Bar/club → **ILLEGAL** (§ 790.06(12))
- Government meeting → **ILLEGAL** (§ 790.06(12))
- Private property with no-gun policy → **ILLEGAL** if refusing to leave after warning (trespass)
- Threatening/careless display → **ILLEGAL** (§ 790.10)
- Felon with firearm → **ILLEGAL** (§ 790.23)
- Mental health hospital → **ILLEGAL** (§ 394.458)

6. Fire Rescue Protocol

- **Alert and cooperative patients:** Ask them to secure their weapon before treatment/transport. Remind them EMS units and hospitals are "no-carry zones."
- **Uncooperative or impaired patients with a weapon:** If the scene is unsafe, withdraw and request law enforcement.
- **Weapon found during transport:** Notify dispatch/FAO and arrange police rendezvous immediately. EMS personnel never impound weapons. Law enforcement must take custody at the earliest safe opportunity.
- **Weapon on bystanders:** Stay alert, do not attempt to disarm, withdraw if necessary, and request law enforcement.
- **Documentation:** Record presence of weapon, actions taken, law enforcement involvement, disposition, and any delays in the EMS/ePCR report.
- **Patients in custody:** Ensure law enforcement checks for weapons before transport.

NOTE: If Fire Rescue requests Law Enforcement to a scene, the firearm should be secured by law enforcement for safekeeping. If criminal charges are involved, follow the appropriate procedures for taking the firearm as evidence.

7. Closing Notes

The recent ruling allows lawful open carry in Florida, but significant restrictions remain. Deputies must focus on location, behavior, and the individual's legal status to possess a firearm when handling these types of calls for service.

Remember

- Contact your supervisor if you have questions or need direction.
- Document all incidents thoroughly and accurately.

Should you have any questions please contact your immediate command.

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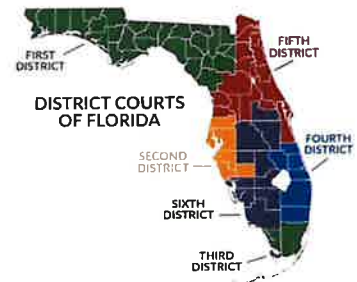
LEGAL ALERT

INFORMATION FROM THE OFFICE OF THE GENERAL COUNSEL (OGC) – September 16, 2025

Florida Statute §790.053 (Open Carry of Firearms Ban) Held Unconstitutional

On September 10, 2025, the Florida First District Court of Appeals, in the case of McDaniels v. State of Florida, (1D2023-0533), struck down Florida's general ban on the open carrying of firearms under §790.053, Fla. Stat. ("Florida's Open Carry Ban") as unconstitutional. Enacted in 1987, §790.053, Fla. Stat., made it "unlawful for any person to openly carry on or about his or her person any firearm or electric weapon or device." *Id.* at (1). The appeals court in *McDaniels* found that: "No historical tradition supports Florida's Open Carry Ban. To the contrary, history confirms that the right to bear arms in public necessarily includes the right to do so openly. That is not to say that open carry is absolute or immune from reasonable regulation. But what the State may not do is extinguish the right altogether for ordinary, law-abiding, adult citizens." *Id.* at (19).

Discontinue Enforcement of Fla. Stat. § 790.053: The Florida Attorney General has issued a "Guidance Memorandum" to Florida law enforcement agencies (appended below) stating that it will not be appealing the *McDaniels* decision, and that it is "now the law of the State." Accordingly, deputies may no longer enforce Florida's open carry ban under §790.53, Fla. Stat.



Continue Enforcement of Other Firearm Laws: As noted in the Attorney General Guidance Memorandum, the *McDaniels* case does not affect the enforcement of other Florida firearm laws, such as restrictions of firearms on school property and at school-sponsored events found in §790.115, Fla. Stat., and offenses related to exhibiting firearms in public in a rude, careless, angry or threatening manner found in §790.10, Fla. Stat. Additionally, the Attorney General noted that the Court's decision in *McDaniels* did not impact s. 790.06(12), Fla. Stat., which describes certain public locations where firearms, either concealed or openly carried, may not be authorized. These locations include, but are not limited to: police stations, jails, courthouses, courtrooms, polling places, meetings of governmental bodies, schools, and secured areas of an airport. Should deputies encounter individuals who are carrying a firearm in a public place where a firearm is not authorized, either openly or concealed, deputies should advise the individual that the firearm is not authorized in that location, and that they must secure the firearm in another location before returning to the premises. Should the individual refuse, the violation is a second-degree misdemeanor punishable under §790.06(12)(d), Fla. Stat. Finally, nothing in the *McDaniels* decision prevents private property owners from deciding whether to allow persons to possess firearms on their property, and to trespass persons should they refuse to leave after warning.

Further Information to Come: This is an evolving issue, and the information in this Legal Alert may change. As these issues unfold, OGC will update the legal analysis as needed. Please contact your command with questions concerning these matters.

The contents of this document are directed to employees of Broward Sheriff Office (BSO) and in no way modify or affect BSO's adopted policies and procedures. Cases cited herein may be updated, modified or overruled by other future court decisions. Individuals or other agencies seeking legal advice on this topic should refer to their own attorney for guidance.



JAMES UTHMEIER
ATTORNEY GENERAL
STATE OF FLORIDA

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GUIDANCE MEMORANDUM

To: Florida's Law Enforcement Agencies and Prosecuting Authorities
From: Florida Attorney General
Re: Florida's Open Carry Laws following *McDaniels v. State*
Date: September 15, 2025

We write to provide guidance on an important development last week in Florida's appellate courts affecting the right to bear arms. In *McDaniels v. State*, the First District Court of Appeal struck down Florida's ban on open carry (Section 790.053, Florida Statutes), finding that "law-abiding, adult citizens" have a right to carry "firearm[s] openly in public" under the Second Amendment. Op. 1. The court's decision is attached.

The defendant in *McDaniels* carried a sidearm in a holster tucked in his pants, but the gun was uncovered and visible. Op. 2. Importantly, he was a law-abiding citizen and did not "threaten[]" or otherwise menace "anyone" with the gun. *Id.* His actions were peaceful and orderly. *Id.* When authorities charged him with violating Section 790.053, he moved to dismiss, asserting that the law is incompatible with the Second Amendment. The trial court rejected that argument, but the First District reversed. It held that Section 790.053 violates the Second Amendment under *NYSRPA v. Bruen*, 597 U.S. 1 (2022) and *United States v. Rahimi*, 602 U.S. 681 (2024) because it is inconsistent with the "Nation's historical tradition of firearm regulation." Op. 11-12. The court concluded that "open carry was the default mode of bearing arms" during the relevant founding period. Op. 16. We believe the *McDaniels* decision correctly applied Second Amendment law as enunciated in *Bruen*.

Because no other appellate court has considered the constitutionality of Section 790.053 under *Bruen* and *Rahimi*, the First District's decision is binding on all Florida's trial courts. See *Pardo v. State*, 596 So. 2d 665, 666 (Fla. 1992). Effectively, the *McDaniels* decision is now the law of the State.¹ Because no Florida court will any longer be empowered to convict a

¹ "[F]inality of an appellate opinion and its effective date are distinct concepts and the effective date of an appellate decision is the date appearing on the face of the decision, even though most decisions do not become final until after the time has expired for filing a motion for rehearing." See *Kraay v. State*, 148 So. 3d 789, 790 n.1 (Fla. 1st Dist. Ct. App. 2014) (cleaned up). This office will not file any post-decision motion authorized by rule. Fla. R. App. P. 9.330. The judges of the First District Court of Appeal may, however, call for en banc rehearing by Thursday, September 25. Fla. R. App. P. 9.331.

defendant for violating Section 790.053(1), prudence counsels that prosecutors and law enforcement personnel should likewise refrain from arresting or prosecuting law-abiding citizens carrying a firearm in a manner that is visible to others. Similarly, consistent with this decision, my office moving forward will no longer defend convictions and prosecutions under Section 790.053(1) in cases like Mr. McDaniels'.

The *McDaniels* decision does not, however, prevent law enforcement from continuing to police those who "exhibit [firearms] in a rude, careless, angry, or threatening manner" in public. § 790.10, Fla. Stat. And nothing in the decision permits individuals to menace others with firearms in public, nor does it undermine the State's authority to prohibit felons from possessing firearms.

Additionally, the Court's decision neither considered nor implicated Florida's law listing certain locations where the carrying of a firearm—open or concealed—may be unauthorized. See § 790.06(12)(a), Fla. Stat. The same holds true for private property owners, who maintain the long-standing legal prerogative to compel individuals carrying firearms to leave their premises. Any person carrying a firearm who violates the private property owner's warning to depart will be committing armed trespass, a third-degree felony. See § 810.08(2)(c), Fla. Stat.

Sincerely,



James Uthmeier
Attorney General



CITY OF PERRY

POLICE DEPARTMENT

James N Cruse – Chief of Police

211 S. Washington St. Perry, FL. 32347

Phone: 850-584-5121 – Fax: 850-584-7322

Date: October 2, 2025

To: All Members

From: James N Cruse Jr. – Chief of Police

Subject: Open Carry Statute Declared Unconstitutional - Guidance for Open Carry Encounters

The Perry Police Department is committed to ensuring that all officers enforce Florida law regarding the open carry of firearms in a manner that is lawful, professional, and consistent with constitutional protections. The following directives provide guidance for officers when encountering individuals who are openly carrying firearms.

Detaining Individuals

- The mere presence of an openly carried firearm, without additional factors, does not constitute reasonable suspicion to stop or detain an individual.
- Officers must have specific, articulable facts supporting reasonable suspicion of unlawful conduct before initiating a detention.
- Adults, ages 18 to 20, may openly carry firearms, even though they are restricted from purchasing firearms and carrying concealed weapons.

Firearms in Courthouses

- Officers shall enforce all judicial administrative orders prohibiting firearms in courthouses.

Community Awareness

- Officers should anticipate increased calls for service related to open carry activity as it becomes more common in the community.
- All responses must be consistent with the guidance set forth in this directive. Professionalism, restraint, and adherence to policy are required in every encounter.

Scenario-Based Guidance

Open Carry on a Public Sidewalk

- Observation of an individual openly carrying a firearm on a sidewalk, standing alone, does not justify detention.
- Reasonable suspicion may exist if the individual is:
 1. Handling a firearm in a careless, angry, or threatening manner,
 2. Under the influence of alcohol or controlled substances, or

3. Engaged in criminal conduct such as assault or battery.
 4. Is known to be a person prohibited from possessing firearms. (e.g. convicted felon, subject to restraining order, etc.)
- Officers are reminded: lawful possession of a firearm, whether openly carried or concealed, does not provide sufficient grounds for a stop.

Open Carry in a Vehicle

- During a traffic stop, if a firearm is observed in plain view, officers should instruct the driver to keep their hands visible and refrain from reaching for the firearm.
- Officers may require that the driver and/or passenger(s) exit the vehicle while completing enforcement action. (*Pennsylvania v Mims*, 434 U.S. (1977) (driver); *Maryland v. Wilson*, 519 U.S. 408 (1997)). Failure to comply with a lawful order to exit a vehicle lawfully stopped may constitute resisting an officer without violence. See § 843.02 Fla. Stat.
- If the driver and/or passenger(s) possessing the firearm is/are determined to be a convicted felon, firearm possession may constitute a violation of § 790.23 , Fla. Stat. (possession by a convicted felon) and may provide probable cause for arrest.
- If the driver and/or passenger(s) possessing the firearm is/are determined to be the subject of a final injunction that is current may constitute a violation of § 790.233, Fla. Stat. (possession by prohibited person) and may provide probable cause for arrest.
- If the driver and/or passenger(s) possessing the firearm is/are determined to be the subject of a risk protection order that is current, it may constitute a violation of § 790.401, Fla. Stat. (possession by prohibited person) and may provide probable cause for arrest.
- If the driver and/or passenger(s) is/are lawfully permitted to possess the firearm, no crime has occurred, and officers must ensure the encounter does not escalate solely due to the presence of the firearm.

Open Carry During an Investigation

- In disputes or investigations where an openly carried firearm is present but not alleged to have been used, officers should separate involved parties.
- Officers may temporarily secure the firearm for safety during the course of the investigation.
- When addressing the party who is open carrying, if warranted you may tell him that you are aware of his constitutional right to open carry, but since this may be a criminal investigation, you will be removing and securing his firearm for officer safety. Upon conclusion of the investigation without an arrest, the individual is free to leave, and the firearm must be returned promptly.
- If no arrest is made upon conclusion, the individual's firearm shall be promptly returned.

Open Carry in a Private Business or Restaurant

- If management requests the removal of an armed patron, officers should have the request restated in their presence.
- If the individual complies, no crime has occurred.
- If the individual refuses or returns after being barred, the individual may be arrested for trespass after warning. If armed, the charge escalates to armed trespass.

Officer and Scene Safety

- Officer safety and scene management are the Department's highest priorities.
- Officers should ensure that all interactions involving open carry are recorded on their assigned body-worn camera.
- Officers are encouraged, where appropriate, to acknowledge the changes in Florida law and to educate members of the community while maintaining a professional and authoritative presence.
- When engaged in lawful duties, officers may always engage with individuals to ensure safety, compliance with the law, and security of the scene.

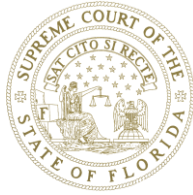
Improper Exhibition of a Dangerous Weapon FSS. 790.10

Prohibited Conduct

- Any individual who carries or possesses a dirk, sword, sword cane, firearm, electric weapon or device, or other weapon, and:
 1. Exhibits the weapon in a rude, careless, angry, or threatening manner,
 2. In the presence of one or more persons,
 3. Not in necessary self-defense,
- Commits a misdemeanor of the first degree under Florida law.

Scenarios of rude, careless, angry or a threatening manner include but are not limited to:

- **Road Rage Incident:** Brandishing or waving a firearm during a traffic dispute or altercation to intimidate another driver.
- **Heated Argument:** Displaying a firearm aggressively during a verbal confrontation in public places (e.g., parks, sidewalks, public or private areas) which escalates tension and causes fear among bystanders.)
- **Social Gathering:** Carelessly showing off a firearm in a manner that is provocative or alarming to others, even without threatening gestures.
- **Careless Handling:** Handling, pointing, or moving the firearm in a careless or unsafe manner in the presence of others, which may be perceived as threatening or negligent.
- **Disorderly Behavior:** Exhibiting a firearm while angry, yelling, or making hostile gestures that amplify a sense of danger or threat.



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CARLOS G. MUÑIZ
CHIEF JUSTICE
CHARLES T. CANADY
JORGE LABARGA
JOHN D. COURIEL
JAMIE R. GROSSHANS
RENATHA S. FRANCIS
MEREDITH L. SASSO
JUSTICES

JOHN A. TOMASINO
CLERK OF COURT

WOODROW KERCE II
MARSHAL

MEMORANDUM

TO: Chief Judges of the District Courts of Appeal
Chief Judges of the Circuit Courts

FROM: Chief Justice Carlos G. Muñiz *C. Muñiz*

DATE: September 25, 2025

SUBJECT: Courthouse Security

I understand that the decision in *McDaniels v. State*, 2025 WL 2608688 (Fla. 1st DCA, Sept. 10, 2025), has prompted questions within the judicial branch about chief judges' continued authority to prohibit weapons (including firearms) in courthouses and courtrooms. The court in *McDaniels* reversed a criminal conviction on the ground that the Second Amendment prohibited the application of Florida's "open carry" statute, section 790.053, Florida Statutes, to a defendant who had openly carried a holstered firearm at a major intersection in downtown Pensacola.

Our Court believes that chief judges continue to have the authority to prohibit weapons (including firearms) in courthouses and courtrooms. The exercise of that authority is consistent with the public policy embodied in Florida's gun laws and is grounded in the power granted to chief judges by article V, section 2 of the

Chief Judges of the District Courts of Appeal
Chief Judges of the Circuit Courts
September 25, 2025
Page 2

Florida Constitution, by Florida statutes, and by the Rules of General Practice and Judicial Administration. Because the case arose in an entirely different context, the *McDaniels* decision's Second Amendment analysis does not address the regulation of firearms in Florida's courthouses and courtrooms.

Our Court defers to chief judges to adopt the security policies they deem appropriate. For reference, attached to this memo is the security policy governing the Florida Supreme Court Building.

Thank you for your commitment to the administrative supervision of the courts.

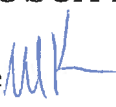
CGM:ewm

Attachment

cc: Supreme Court Marshal Woodrow Kerce II
Marshals of the District Courts of Appeal
Trial Court Administrators

M E M O R A N D U M

TO: All Supreme Court and OSCA Employees

FROM: Marshal Woodrow Kerce 

DATE: June 13, 2025

SUBJECT: Security Procedures

Security of the Florida Supreme Court Building (Building) and grounds is accomplished by a system of controlled access card readers, surveillance cameras, and physical presence. **Please note that all employees are expected to adhere to the security policies and procedures as set forth within this memorandum.** Employees are further advised that the failure to follow these established security protocols could result in disciplinary action, up to and including termination of employment.

Access Control Cards:

All employees will be issued a Florida Supreme Court Identification and Access card (access card) by the Marshal's Office. The Marshal's Office Security Control Center is located on the 1st Floor of the Building adjacent to the Breakroom.

Your access card is a sensitive and controlled item, so safeguarding it at all times is essential for Building safety and security. The Marshal's Office will provide access cards to all employees, interns, vendors, and volunteers upon successful completion of a mandatory level 2 background check.

All employees must card in and out of the Building. Do not allow anyone to use your access card or use your access card to allow anyone into the Building for any reason. All employees must display their access cards at all times while in the Building, and access cards should not be displayed outside of the Building.

If an employee loses or does not have their access card when attempting to enter the Building, they should report this status to a Deputy Marshal or the Marshal's Office. A lost access card will be disabled, and the employee will be issued a new access card immediately. If an employee's access card was inadvertently left at home, a temporary access card will be issued for a 24-hour period.

Visitors:

All visitors will be screened by a Deputy Marshal, and should enter the Building through the Front Entrance. Deputy Marshals will screen visitors entering the facility with the use of a magnetometer, x-ray machine, and physical check of all containers, bags, and boxes. Prior to the visitor's arrival, the Marshal's Office should be notified of the visitor's name, arrival time, (if known), department they are visiting, and contact name for an escort from the indicated department. All visitors should be escorted by employees from the department they are visiting, and should remain with their escort at all times.

Screening:

Beginning July 1, 2025, all employees (except Justices, Judicial Assistants and authorized employees of the Marshal's Office) must immediately present themselves to the nearest security screening checkpoint for screening after carding into the Building. Employees having on-site garage access and parking should report to the 1st Floor West Entrance (rear employee entrance) Security Checkpoint for screening after carding into the Building. Employees must be rescreened if they leave and re-enter the Building at any point during the day.

The Building is open between 8:00 a.m. and 5:00 p.m., Monday through Friday, and is closed during weekends and holidays. During normal business hours, all visitors will be screened at either the front or back Building entrance. The designated ADA access to the Building is through the 1st Floor West Entrance (rear employee entrance). Visitors utilizing the ADA access for entry and those accompanying them will be screened by

a Deputy Marshal and escorted to their destination. Additionally, all packages entering the Court will be x-rayed or physically checked by a Deputy Marshal.

During Building closures and after normal business hours, authorized access to the Building is through the 1st Floor West Entrance (rear employee entrance). Any employee entering the Building outside of normal business hours should notify the Security Operations Center (850-922-5270) and meet the on-duty Deputy Marshal at the rear employee entrance for screening. All after-hours visitors should also be screened and signed into the logbook located at the rear security desk.

Weapons:

The possession of any weapon is prohibited in the Building, except by authorized employees of the Marshal's Office. Specifically, the term weapon, includes, but is not limited to: firearms, fixed blade knives, folding knives (4-inch blade or longer), explosives, aerosol spray, screwdriver(s), pepper spray/mace, ice picks, razors, or any other items that could be used as a weapon. These or similar items will not be allowed into any section of the Building.

Please report any suspicious person, activities, packages, or substances to the Marshal's Office immediately. Do not touch or move suspicious items. Please also report all suspicious or threatening phone calls and e-mails to the Marshal's Office immediately.

Parking:

Deputy Marshals will ensure that only authorized vehicles are allowed to park in the Building's on-site parking lots. Parking lot gate access remotes (fobs) will be issued to all authorized full-time or part-time employees. If an employee loses their fob, they should report this status to the Marshal's Office immediately. The lost fob will be disabled, and the employee will be issued a new fob.

A license plate check will be conducted on all unauthorized vehicles located in the Building's on-site parking lots. A Deputy Marshal will attempt to locate or contact the driver/owner of any unauthorized vehicle. If a Deputy Marshal is unable to establish contact with the driver/owner, the vehicle will be towed from the Building's parking lot at the owner's expense.

Threats to Employees:

Any threat to employees will be evaluated immediately. If the threat is deemed "credible," the following actions will be taken:

- (1) All Marshal's Office staff and the Marshal will be notified immediately.
- (2) All relevant information will be collected on the person(s) making the threat (e.g. - criminal history, vehicular information, identification, etc.).
- (3) All other state/federal law enforcement agencies will be informed as deemed appropriate, and local law enforcement will be contacted for additional assistance, if needed.

Threatening Telephone Call:

If an employee receives a threatening call, the following steps should be taken:

- (1) The call should be terminated.
- (2) The employee should immediately make note of the caller ID name and telephone number.
- (3) The employee should immediately notify the Marshal's Office.

Receiving Call/Bomb/Chemical/Biological Threat:

It is very important employees take any threat(s) very

seriously, and that appropriate action be taken immediately to safeguard the Building and all occupants. If an employee receives a bomb threat, the following steps should be taken:

- (1) The employee should keep the caller on the phone as long as possible.
- (2) The employee should ask the caller as many questions as possible.
- (3) The employee should write down as much of the conversation as possible and complete the Bomb Threat form (attached).
- (4) The employee should immediately notify the Marshal's Office.

Suspicious Packages:

The following guidelines should be followed upon finding suspicious packages:

- (1) The employee should note the description, location found and notify the Marshal's Office.
- (2) Employees should look for the following things when determining if a package is suspicious:
 - (a) Excessive postage;
 - (b) Misspelled names;
 - (c) Wrong titles;
 - (d) Messy and/or oily wrapping;
 - (e) Items not in the norm;
 - (f) Ticking packages;
 - (g) Packages with odor; or
 - (h) Packages in unusual locations.
- (3) When an employee finds a suspicious object, they should assume it to be a threat, and take the following steps:

- (a) DO NOT TOUCH THE OBJECT;
- (b) Immediately notify the Marshal's Office;
- (c) Provide a description and location of the object;
- (d) Provide their telephone number;
- (e) Mark and block off the immediate area;
- (f) If possible, close doors to minimize blast effects; and
- (g) Follow all instructions provided by Marshal's Office.

Emergency Evacuation Plan:

An evacuation plan minimizes the risk of death or injury to Building occupants, which could result from a fire, bomb threat, bio-chemical threat, workplace violence, civil disorder, natural disaster, and other threatening situations. The Florida Supreme Court Emergency Evacuation Plan:

- (1) Provides for the ability to rapidly and safely evacuate the Building with minimal confusion and panic in the event of an emergency; and
- (2) Provides accountability of all personnel in the Building during and after an emergency evacuation.

Please identify your Floor Warden and be familiar with the Emergency Evacuation Plan. When evacuating the Building, the following events are anticipated to occur:

- (1) There will be a fire alarm system activation (strobe/horn units). Employees should evacuate, unless they are informed otherwise via the public address system that an evacuation is cancelled.
- (2) Floor Wardens should put on a vest and retrieve their Floor Warden kits.
- (3) Safety Officers should put on traffic vest and assume their safety duties.

- (4) Designated Marshal's Office personnel will put on their traffic/safety vests.
- (5) Floor Wardens should be aware of all rallying areas and should do the following:
 - (a) Ensure that all personnel are a minimum of 300 feet from the Building;
 - (b) Close all doors, but do not lock them;
 - (c) Verify with Section Wardens that all assigned individuals are accounted for and report the same to Blue Vest Officers at rallying area; and
 - (d) Blue Vest Officers will report to the Marshal's Office representative.
- (6) When preparing to evacuate, employees should gather only necessary personal or identification items (e.g. - driver's license, vehicle and house keys, billfold, or purses).
- (7) Employees should exit the Building at the direction of the Floor Wardens and stay to the far right in stairwells.

Please contact Florida Supreme Court Marshal's Office to obtain any additional information, assistance, or clarification about any of the security policies or procedures outlined in this memorandum. Thank you for your cooperation with these matters.

WK:cew

Attachment



Sovereign Immunity

Florida League of Cities

Municipal Operations Policy Committee

DRAFT Policy Statement Recommendation

Sovereign Immunity

Draft Statement: The Florida League of Cities SUPPORTS maintaining reasonable limits or 'caps' on monetary damages recoverable in negligence claims against government entities. These protections are crucial to safeguard Florida's taxpayers.

Background: Sovereign immunity is a principle under which a government cannot be sued without its consent. Article X, s. 13 of the Florida Constitution allows the Legislature to waive this immunity. Under Article X, s. 13 of the Florida Constitution, s. 768.28(1), Florida Statutes, allows for suits in tort against the state and its agencies and subdivisions for damages resulting from the negligence of government employees acting in the scope of employment. This liability exists only where a private person would be liable for the same conduct.

Since 2011, Florida caps tort recovery from a governmental entity at \$200,000 per person and \$300,000 per accident. Prior to 2011, caps were previously set at \$100,000 and \$200,000, respectively. A judgment may be awarded above the statutory caps. However, recovering damages above these caps requires a special claim bill passed by the Legislature for a claimant to collect.

Capping tort claims against Florida's government entities is necessary to protect taxpayers while ensuring that cities can continue to provide essential services. Services such as police and fire carry an inherent high degree of risk. However, these services are essential for all Floridians. The ability to collect larger settlements or judgments against government entities will serve to increase liability exposure and incentivize litigation, threatening the ability to provide the same level of services.

Local government entities are limited by state law in their ability to generate revenue or increase taxes. City budgets are already stretched thin. Increasing the sovereign immunity limits to unreasonably high levels puts cities at risk of a huge financial burden. To compound the gravity of these potential impacts, the insurance market in Florida is currently incredibly volatile. Securing adequate insurance has been difficult for cities. Florida's government entities have seen very large increases to insurance premiums over the last couple of years. Increasing the sovereign immunity limits will have a dramatic financial impact to all of Florida's government entities, and especially Florida's cities, which have limited resources.

HB 301 (McFarland) sought to raise the statutory caps to \$1 million per person and \$3 million per incident, with further increases scheduled by 2030. After amendments in the

House Judiciary Committee, the bill proposed phased-in caps: \$500,000 per person / \$1 million per incident (effective October 1, 2025), and \$600,000 per person / \$1.1 million per incident (effective October 1, 2030). The bill also would have allowed local governments to settle claims above the statutory limits without a claims bill and prohibited insurance carriers from conditioning payouts on legislative approval of claims bills.

Despite passing in the House, the Senate version, SB 1570 failed to advance, and therefore no changes to sovereign immunity were enacted during the 2025 session. The statutory caps remain \$200,000 per person and \$300,000 per incident, unchanged since 2011.

On October 10, 2025, Representative McFarland filed HB 145, which increases the sovereign immunity caps to \$500,000 per person and \$1 million per incident for claims occurring between October 1, 2026, and October 1, 2031. For claims occurring after October 1, 2031, the caps will rise to \$600,000 per person and \$1.2 million per incident.



Interoperable Emergency Communications

Florida League of Cities

Municipal Operations Policy Committee

DRAFT Policy Statement Recommendation

Interoperability

Draft Statement: The Florida League of Cities SUPPORTS establishing a statewide Public Safety Communications Strategy that ensures interoperable, resilient, sustainable, and high-quality emergency communications systems. This approach preserves taxpayer investments, promotes coordination among public safety agencies, and guarantees that every 911 call receives a rapid and effective response.

Background: The strategy lays out a statewide framework to ensure Florida's emergency communications systems are interoperable, resilient, sustainable, and high-performing, while still respecting local investments and community needs. The vision is that every 911 caller should receive rapid, accurate, and professional service supported by seamless coordination among all public safety agencies.

The plan is built on five guiding principles: maintaining local autonomy with accountability, adopting standards with flexibility to serve diverse communities, preserving existing local systems where possible, fostering collaborative rulemaking through a multi-agency workgroup, and ensuring sustainability and survivability through strong funding, cybersecurity, and disaster preparedness measures.

Three core systems form the backbone of the strategy. First, Next-Generation 911 (NG911) will enable voice, text, images, and video, supported by accurate caller location tools and resilient backup capacity. Second, Computer-Aided Dispatch (CAD) systems must become interoperable across jurisdictions, integrating GIS mapping, mobile responder apps, analytics, and emergency medical protocols while allowing local customization. Third, radio communications must ensure all agencies within a county can communicate seamlessly, supported by redundancies, standardized incident protocols, and shared talk groups for multi-agency events.

Finally, the plan emphasizes best practices such as documented Standard Operating Procedure, ongoing workforce training, robust cybersecurity, and routine performance monitoring. The next steps include aligning policies with national standards, developing funding mechanisms, and implementing a phased statewide rollout with scheduled reviews.

Last year, SB 1554 and HB 1211 both began as public safety bills, mandating the consolidation of all 911 call centers under county sheriffs by July 1, 2029, prohibiting cities from opting out, and requiring cities to share costs on a population-based formula if a sheriff declined participation.



Chapter 419: Community Residences, Recovery Communities, and Congregate Living Facilities

**Florida League of Cities
Municipal Operations Policy Committee
DRAFT Policy Statement**

Recovery Residences

Draft Statement: The Florida League of Cities SUPPORTS legislation that ensures community and recovery residences for individuals with disabilities comply with the Fair Housing Act by modernizing zoning, licensing, and certification standards.

Background: Under the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA), individuals recovering from substance use disorder are legally recognized as persons with disabilities, meaning local governments must provide reasonable accommodations in zoning policies to ensure equal housing opportunities. This prohibits the use of spacing or density rules that effectively ban or severely limit recovery residences. Courts have consistently emphasized that restrictions must be supported by proof of actual harm, not stigma, or perception. Ultimately, local governments must carefully balance protecting the rights and needs of residents of community and recovery residences (“community residences”) with safeguarding broader community interests.

Last year, the legislature passed SB 954 (Gruters) “Certified Recovery Residences.” The bill streamlined regulations for certified recovery residences, which provide housing for individuals recovering from substance use disorder. The bill required counties and municipalities to adopt ordinances by January 1, 2026 with clear procedures for reviewing and approving requests for reasonable accommodations to allow recovery residences to locate in residential zoning districts, requiring that such requests be processed within 60 days. It prohibited local governments from imposing additional public hearing requirements beyond the minimum required by law to grant the accommodation.

The proposed legislation brings local zoning and certification practices into better alignment with the FHA and ADA, ensuring fair access to housing for people with disabilities living in group homes of all types while giving housing providers a set of consistent, statewide standards. The proposed legislation updates Chapter 419 to provide for distances between community residences based on a methodology that has been upheld by federal courts. The proposed legislation further provides for minimum licensing and/or certification requirements, which helps to ensure that best practices are followed to protect the residents of the homes as well as the neighboring community.



Increasing the Competitive Bid Threshold for Public Works Projects

Florida League of Cities
Municipal Operations Policy Committee
DRAFT Policy Statement Recommendation

Increasing the Competitive Bid Threshold for Public Works Projects

Draft Statement: The Florida League of Cities SUPPORTS increasing the competitive bid threshold for construction or improvement of a public building, structure, or other public construction works under Ch. 255.20(1), F.S., from \$300,000 to \$600,000.

Background: Under current law, Florida municipalities are prohibited from using their own staff to complete public construction works projects valued at more than \$300,000 unless their governing board holds a public meeting and determines by majority vote that using its own services, employees and equipment is in the public's best interest.

Prior to conducting the meeting, staff must spend considerable time and effort compiling project details and costs in the manner directed by statute, and noticing and preparing for the meeting. This extends project timelines and eats up valuable in-house staff time that could otherwise be spent on project implementation.

The legislature has not updated the Ch. 255.20(1), F.S. competitive bid threshold since 2009. According to the U.S. Bureau of Labor Statistics CPI Inflation Calculator¹, the value of \$300,000 in 2009 was equivalent to \$460,317.42 in August 2025 dollars. However, construction costs are not directly accounted for in the Consumer Price Index and have historically increased at a much faster pace than overall inflation. According to the Mortenson Construction Cost Index, construction costs have increased 195.7% nationally since 2009². Consequently, adjusting the Ch. 255.20(1), F.S. competitive bid cap to \$600,000 would merely restore municipalities' buying power for in-house construction projects to the same level the legislature granted them in 2009.

¹ https://www.bls.gov/data/inflation_calculator.htm

² [Cost Index | Mortenson](#)



Public Records Exemption for City Clerks & Staff

Florida League of Cities
Municipal Operations Policy Committee
DRAFT Policy Statement Recommendation

Public Records Exemption for Municipal Clerks and Staff

Draft Statement: The Florida League of Cities SUPPORTS legislation that provides a public records exemption for the personal information of municipal clerks; as well as any investigative personnel, and employees who perform municipal elections work.

Background: Many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings related to neglect or abuse, or other activities that could lead to a criminal prosecution, are exposed to threats and other acts of violence.

Municipal clerks often administer elections. Election workers are often targeted for threats and violence due to the nature of materials they are responsible for. Further, clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances. Occasionally, these proceedings have led to retaliation and threats by defendants.

Last session, HB 517 (Casello) and SB 840 (Rodriguez) were filed. The bills proposed a public records exemption for the personal identifying and location information of current municipal clerks and their staff, as well as the spouses and children of such clerks. It included retroactive application, a statement of public necessity, and a provision for future legislative review and repeal.

Both bills failed to receive hearings in the House and the Senate.



Key Dates



2025-2026 Key Legislative Dates

September 2025

26 FLC Legislative Policy Committee Meetings (Round 1), Hilton Orlando, 6001 Destination Pkwy, Orlando, FL 32819

October 2025

6-10 Legislative Interim Committee Meetings
13-17 Legislative Interim Committee Meetings
17 FLC Legislative Policy Committee Meetings (Round 2), Hilton Orlando, 6001 Destination Pkwy, Orlando, FL 32819

November 2025

3-7 Legislative Interim Committee Meetings
17-21 Legislative Interim Committee Meetings
19-22 NLC City Summit, Salt Lake City, UT

December 2025

1-5 Legislative Interim Committee Meetings
4-5 FLC Legislative Conference, Renaissance Orlando at SeaWorld, 6677 Sea Harbor Dr, Orlando, FL 32821
8-12 Legislative Interim Committee Meetings

January 2026

13 Regular Legislative Session Convenes
26-28 FLC Legislative Action Days, Tallahassee, FL

March 2026

13 Last Day of Regular Legislative Session
16-18 NLC Congressional City Conference, Washington, D.C.

For further details about the mentioned events or legislative information, contact medenfield@flcities.com.



Notes



Notes

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