

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### **BUILDING CODE**

#### **Commercial Construction Projects (Monitor)**

**HB 405** (Griffitts) addresses public construction projects, commercial construction projects, and the use of private providers for commercial construction projects. For public construction projects, the bill provides that a provision in a public construction project that waives, extinguishes, or releases the rights of a contractor to recover costs or damages, or to obtain an extension for delays in performance, is void and unenforceable if the delay is caused in whole or in part by the local government or its agents. This provision applies to all public construction projects entered on or after July 1, 2026.

For commercial construction projects, the bill authorizes the Florida Building Commission to create a “uniform commercial building permit application.” The bill specifies the minimum requirements for the contents of such an application. The uniform application must be accepted for use statewide, and it may not be modified. The bill authorizes local governments to require supplemental forms for commercial construction projects based on the scope of the project, but the supplemental form may not extend applicable timeframes for permit review and issuance. Further, supplemental forms must be standardized statewide and may not alter the substance of the uniform permit application. The bill states that supplemental forms may be used for the following projects, high rises, health care facilities, industrial or warehouse facilities; or mixed-use occupancies. It specifies that local governments may require additional documents or plans necessary to demonstrate compliance with the Florida Building Code or local zoning ordinances. In addition, local governments must allow relevant reviews to occur simultaneously. The Florida Building Code must make the uniform application available for use by July 1, 2026.

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

The bill provides that if a private provider is used for plans review or inspection for a commercial construction project, a local enforcing agency must reduce its permit fee by 50% of the portion of the fee attributable to plans review or inspection. If a private provider is used for all required plans review and inspections, the local enforcing agency must reduce its permit fee by 75%. If the local enforcing agency fails to reduce its fee as required, the local enforcing agency forfeits the ability to collect any fees for the project. (O'Hara)

### **EMERGENCY MANAGEMENT**

#### **Land Use Regulations (Support)**

**HB 217** (Abbott) and **SB 218** (Gaetz) propose a narrow change to last session's SB 180 (Chapter 2025-190), which placed limits on local land-use, planning, and permitting authority after a major disaster. The bills would redefine the term "impacted local government" so that the retroactive restrictions in Section 28 of SB 180 apply only to counties that FEMA designated for both Public Assistance and Individual Assistance following Hurricanes Helene, Debby, or Milton. This change would exclude 13 counties and the municipalities within them from the retroactive and forward-looking restrictions in that section. The counties no longer covered would be Monroe, Nassau, Gadsden, Liberty, Calhoun, Jackson, Bay, Washington, Holmes, Walton, Okaloosa, Santa Rosa, and Escambia. The bills do not amend Section 18 of SB 180, which continues to apply prospectively statewide and allows these restrictions to be triggered by any future hurricane occurring within 100 miles of a county. (Singer)

### **ENERGY**

#### **Other Bills of Interest**

**HB 193** (Boyles) and **SB 200** (Bradley) – Utilities

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### ETHICS AND ELECTIONS

#### **Employee Protections (Monitor)**

**SB 92** (Gaetz) and **HB 139** (Maney) prohibit public employers or independent contractors from taking retaliatory personnel action against an employee who reports to the Florida Commission on Ethics a violation of the state ethics code or violation of Article II, section 8(f) of the Florida Constitution (prohibiting lobbying for compensation by current public officers and former public officers for six years following service in a public position). In addition, the bills prohibit public employers and independent contractors from taking retaliatory personal action against any employee who discloses information to the Florida Commission on Ethics relating to an alleged breach of the public trust or alleged violation of Article II, section 8(f). The bills define and describe the prohibited adverse personnel actions and specify the types of information disclosed by employees subject to the bills' protections. The bills specify procedures, timeframes, and available remedies for employees subject to prohibited adverse personnel actions. Local government employees may file a complaint with the appropriate local government authority if the authority has established, by ordinance, an administrative procedure for handling such complaints and if the local procedure provides for such complaints to be heard by a panel of impartial persons that makes a recommendation to the governing body for final action. If the local government does not have an administrative procedure that satisfies the minimum requirements of the bills, an employee may bring a civil action. The bills authorize the filing of a civil action in circuit court following exhaustion of any administrative remedies and specify that available remedies in such an action must include the following: reinstatement to position or its equivalent, or front pay; reinstatement of fringe benefits and seniority rights; compensation for lost wages, benefits, or other lost remuneration; payment of costs and attorney fees to a prevailing employee or prevailing employer (for frivolous actions); and injunctive relief. The bills allow employers to assert an affirmative defense that the personnel

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

action would have been taken absent the employee's exercise of his or her rights under the bills. (O'Hara)

### **FINANCE AND TAXATION**

#### **Accrued Save-Our-Homes Property Tax Benefit for Non-school Property Tax (Oppose)**

**HJR 211** (Overdorf) is a proposed constitutional amendment seeking to remove the \$500,000 cap on the transferable Save-Our-Homes benefit (portability) for county and municipal levies, allowing for the full accrued benefit to apply upon establishing a new homestead. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

#### **Ad Valorem Taxation (Oppose)**

**HB 215** (Albert) is a proposed bill seeking to revise Save-Our-Homes portability benefits for married persons establishing a joint homestead to apply up to a combined \$500,000 limit on portable accrued benefits to reduce the newly assessed taxable value for non-school property tax levies (cities, counties, special districts). The bill also prohibits increasing the prior year's millage rate of a taxing authority without a two-thirds majority vote. (Chapman)

#### **Assessed Home Value Homestead Exemption of Non-school Property Tax (Oppose)**

**HJR 207** (Abbott) is a proposed constitutional amendment that would provide a homestead exemption equal to the amount of 25% of the property's assessed value and applied after the existing exemptions for non-school property tax levies (cities, counties, special districts). The 25% calculation is not adjusted for inflation. This bill also includes a new prohibition for counties and municipalities from lowering their

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Assessment Levied on Recreation Vehicle Parks (Monitor)**

**HB 39** (Nix) and **SB 118** (Truenow) propose changes to the methodology by which local taxing authorities may levy special assessments on recreational vehicle parks. The bill clarifies that counties, municipalities, and special districts may not base certain assessments on the portion of recreational vehicle spaces exceeding set size limits and require such assessments to consider occupancy rates for fair apportionment. Key changes include clarifying that special assessments on recreational vehicle parks are not based on residential units but instead on commercial use. Excluding from assessment the portion of a recreational vehicle parking space or campsite that exceeds the maximum size of a recreational vehicle-type unit. Requiring counties, municipalities, and special districts to consider the occupancy rate of a recreational vehicle park to fairly and reasonably apportion any special assessment. (Chapman)

### **Assessment of Homestead Property (Oppose)**

**HB 69** (Holcomb) is the implementing bill for HB 67 (Holcomb). If approved by the voters on the 2026 General Election ballot, HB 69 would ensure that annual assessed taxable values on homestead properties do not exceed 1.5% or CPI, whichever is lower. (Chapman)

### **Assessment of Changes, Additions, or Improvements to Homestead Properties (Monitor)**

**SB 286** (Bernard) revises the assessment of changes, additions, or improvements to homestead property for non-school property tax levies (cities, counties, special districts).

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

- Removes a reference to s. 193.624 in the existing homestead assessment statute
- Establishes a new formula for assessing changes, additions, or improvements valued under \$100,000 by applying the ratio of the property's assessed value to its just value
- Excludes from the new formula any changes, additions, or improvements that replace most of the property or increase total square footage by more than 25%
- Deletes the prior language dealing with misfortune or calamity in determining homestead assessments (Chapman)

### **Assessment of Homestead Property (Oppose)**

**SB 280** (Bernard) is the implementing bill for SJR 278, limiting the assessed value increase for non-school property tax levies (cities, counties, special districts) on homestead property acquired by a new owner under certain conditions. The bill also caps the assessed value at no more than 150% of the prior year's assessment if the property's previous assessed value was under \$500,000, and the new owner qualifies for a homestead exemption. The standard homestead assessment limitations for subsequent years after the initial transfer are retained. (Chapman)

### **Assessment of Property Owned and Used by Small Businesses (Oppose)**

**SB 284** (Bernard) is the implementing bill for SJR 282. The bill creates an assessment limitation for real property owned and used by small businesses, capping annual changes in assessed value for non-school property tax levies (cities, counties, special districts). The bill provides for a definition of small business by referencing section 288.703, Florida Statutes. Applying this definition, small businesses that own real property would see their assessed value of real property is limited to an annual increase of 3% or the Consumer Price Index change, whichever is lower. The bills also require the lowering of assessed value to market value if the calculated assessment



# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

exceeds market value. The properties will be re-evaluated/re-assessed upon the change of ownership or if the property no longer meets the definition of being used by a small business. (Chapman)

### **Distribution of Funds to Homestead Property Owners (Monitor)**

**HB 71** (Holcomb) creates a Homestead Property Tax Relief Program that will provide \$1,000 payments to eligible homesteaders beginning in 2026 through 2030. The program will be administered by the State's Chief Financial Officer in coordination with the Florida Department of Financial Services and County Property Appraisers. While the exact source of the funds for the program is not identified, it is logical the funding for the program would be appropriated by the State from their general fund to the Department of Financial Services each year for the life of the program. The program is to be repealed on January 1, 2031. (Chapman)

### **Elimination of Non-school Property Tax for Homesteads (Oppose)**

**HJR 201** (Steele) is a proposed constitutional amendment seeking to eliminate all non-school (local government) property tax levies on qualifying homestead properties. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Elimination of Non-school Property Tax for Homesteads for Persons Age 65 or Older (Oppose)**

**HJR 205** (Porrás) is a proposed constitutional amendment seeking to fully exempt homestead properties from non-school property taxes if the owners of the property are 65 years old or older. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### Homestead Exemptions (Monitor)

**SB 110** (Arrington) and **HB 227** (Maney) updates state law to clarify who can be considered the owner of a home for purposes of receiving the homestead property tax exemption. The bill confirms that certain people—such as those buying a home under a recorded contract for deed, long-term residential leaseholders, or residents of cooperative housing—are treated as having ownership for homestead exemption purposes.

The bill is described as clarifying existing law rather than expanding eligibility. However, if the change is interpreted broadly, it could allow more properties to qualify for the exemption, slightly reducing the local property tax base. (Chapman)

### Homestead Property Exemption for Persons Age 65 or Older (Oppose)

**SJR 270** (Bernard) is a proposed constitutional amendment to create a uniform exemption to fully exempt persons aged 65 or older and whose household income does not exceed \$350,000 annually from non-school property tax levies (cities, counties, special districts). The household income is indexed to adjust for the average cost-of-living increases annually. Persons who are partially or totally disabled veterans aged 65 or older who do not qualify for this new exemption will continue to receive existing tax discounts under law. (Chapman)

**SB 272** (Bernard) is the implementing bill for SJR 270. Key provisions of the implementing bill are that it reduces the permanent residency requirement from 25 years to five years for seniors seeking the exemption for non-school property tax levies (cities, counties, special districts). Raises the household income threshold from \$20,000 per year to \$350,000 adjusted annually for cost of living. Excludes school district levies from the full property tax exemption. Revised disabled veterans' exemptions to exclude those who qualify under this new full homestead exemption. (Chapman)



# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### **Homestead Property Tax Benefits for Long-term Owners (Oppose)**

**SJR 274** (Bernard) is a constitutional amendment proposing preventing the assessed value of homestead property for non-school property tax levies (cities, counties, special districts) from increasing after 20 years, and grants an additional homestead tax exemption for those residing in their homestead for 30 years or more. Stops any increase in assessed homestead value after 20 continuous years of ownership and residency. Grants a new 50% homestead tax exemption, excluding school district levies, for owners residing on their property for 30 years or more. Allows periods of ownership and residency on multiple homes to be aggregated in reaching the 20-year and 30-year thresholds. (Chapman)

### **Homestead Property Tax Benefits for Long-term Owners and Permanent Residents (Oppose)**

**SB 276** (Bernard) is the implementing bill for SJR 274 and seeks to expand homestead property tax benefits for non-school property tax levies (cities, counties, special districts) for Florida homeowners who have maintained ownership and residency for at least 20 or 30 years. Sets a new assessment limitation for homestead properties owned and used continuously as a permanent residence for 20 years or more, freezing the assessed value determined in the 20th year of ownership and residency. Allows owners to aggregate time from multiple homestead properties to meet the 20-year threshold for the new assessment limit. Creates a new homestead exemption (s. 196.078, Florida Statutes) for taxpayers who have held legal or beneficial title and used the property as a permanent residence for 30 years or more, granting a 50% reduction in assessed value (excluding school taxes). Authorizes the property appraiser to track and verify eligibility based on aggregated periods of ownership and residency, and permits the Department of Revenue to issue emergency rules for administration. (Chapman)

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### **Limitation on the Assessed Value of New Homestead Property (Oppose)**

**SJR 278** (Bernard) is a proposed constitutional amendment limiting the assessed value of new homestead property for non-school property tax levies (cities, counties, special districts) that was under \$500,000 before a change of ownership to no more than 150% of the previous year's assessed value. (Chapman)

### **Limitation on the Assessed Value of Property Owned and Used for Commercial Purposes by Small Businesses (Opposed)**

**SJR 282** (Bernard) limits annual increases in the assessed value for non-school property tax levies (cities, counties, special districts) of commercial real property owned by small businesses to 3% or the Consumer Price Index, whichever is lower. The bill adds a new subsection to Article VII, Section 4, Florida Constitution, capping the annual increase on certain small business commercial property assessments. This includes defining a commercial property and its uses by a small business to qualify for the assessment cap. (Chapman)

### **Local Business Taxes (Oppose)**

**HB 103** (Botana) and **SB 122** (Truenow) propose to repeal chapter 205, Florida Statutes, and eliminate the ability for local governments to levy local business tax. One exception is included in the bill for local governments that collect a local business tax through the use of gross sales receipts. (Chapman)

### **Maximum Millage Rates for the 2027–2028 Fiscal Year (Oppose)**

**HB 149** (Chamberlin) seeks to mandate county governments and school districts that levy property taxes to set their millage rates to generate the same revenue as in Fiscal Year 2023–24. The section is repealed on January 1, 2029. (Chapman)

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### **Modifications of Limitations on Property Assessment Increases (Oppose)**

**HJR 213** (Griffits, Jr.) proposes a constitutional amendment to change the assessment valuation caps for non-school property tax levies (cities, counties, special districts) from being adjusted each year, with homestead properties capped at 3% or the Consumer Price Index (CPI), whichever is lower and non-homestead properties capped at 10% or CPI, whichever is lower. This amendment would change the assessment valuation changes from each year to every three years, with homestead properties capped at 3% or CPI, whichever is lower, and non-homestead properties capped at 15% or CPI, whichever is lower. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Phased Out Elimination of Non-school Property Tax for Homesteads (Oppose)**

**HJR 203** (Miller) is a proposed constitutional amendment that would establish a new, additional \$100,000 homestead property tax exemption for non-school property tax levies (cities, counties, special districts) each year for the next 10 years. In 2037, any homestead properties with taxable valuation remaining will be considered fully exempt from non-school ad valorem property taxes. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Property Insurance Relief Homestead Exemption of Non-school Property Tax (Oppose)**

**HJR 209** (Busatta) is a proposed constitutional amendment to establish a new \$100,000 homestead exemption from non-school ad valorem tax levies for homestead properties that are covered by multi-peril property insurance policies. This exemption is adjusted for inflation annually. This bill also includes a new prohibition for counties and municipalities from lowering their total budgeted law

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Reduction of Annual Assessment Increases for Homestead Property (Oppose)**

**HJR 67** (Holcomb) proposes an amendment to the State Constitution that reduces the current annual cap on increases to the assessed taxable value of a homestead property from the current 3% or the Consumer Price Index (CPI), whichever is lower, to 1.5% or CPI. Lowering the cap on annual increases to the assessed value of homestead property would substantially limit future growth in municipal property tax revenues, even as market values rise. (Chapman)

### **Other Bills of Interest**

**HB 175** (Barnaby) – Issuers of Digital Assets

**HB 183** (Barnaby) – Investments and Deposits of Public Funds

**HB 185** (Dunkley) – Sales Tax Exemption for Home Hardening Products

**HB 311** (Edmonds) – Tax Credits for Contributions to Assist Homebuyers

**SB 314** (Burton) – Issuers of Digital Assets

### **GENERAL**

### **Local Government Enforcement Actions (Oppose)**

**HB 105** (Brackett) applies to municipalities, counties, and special districts. It establishes a uniform method for regulatory enforcement and creates an investigative process and certain legal remedies for persons subject to local government enforcement action. For purposes of the bill, “enforcement action” is defined as any decision, determination, demand, inspection, citation, order, denial, interpretation, or any other regulatory action taken by a local government entity or employee. The bill prohibits a local government or local government employee from initiating or threatening to initiate any enforcement action that is determined to be

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

“arbitrary or unreasonable” by a court. It authorizes a person subject to an enforcement action to submit a request for a review of such action by the local government. The local government, within 30 days of receiving such request must provide a written response. If the local government fails to issue a written response within the prescribed timeframe, the bill authorizes the person subject to the enforcement action to file legal action against the local government to determine if the enforcement action is arbitrary or unreasonable. The action must be filed within 180 days after the enforcement action. The bill specifies that an enforcement action is arbitrary or unreasonable if it: 1) is not supported by applicable law, rule, or adopted policy; 2) deviates from a prior determination or interpretation without written justification; 3) unreasonably delays or obstructs lawful development, permitting, or other business activity; or 4) imposes requirements or conditions not authorized by general law, ordinance, or regulation. The bill authorizes a court to award attorney fees and costs to a prevailing plaintiff, award damages not to exceed \$50,000 per occurrence, and issue injunctive relief. The bill authorizes local governments to establish rules addressing the review of enforcement actions. In addition, the bill specifies that a person or employee who discloses in good faith information relating to an arbitrary or unreasonable enforcement action is not subject to retaliation and is afforded protection under the Florida Whistleblower Act. The bill provides that its provisions are the “sole authority” for challenges to arbitrary or unreasonable enforcement actions by a local government or local government employee and voids any conflicting local government ordinance, rule, or policy that prohibits or restricts a local government or local government employee from complying with it. (O’Hara)

### **GROWTH MANAGEMENT**

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### Historic Cemeteries Program (Monitor)

**SB 34** (Sharief) amends section 267.21, Florida Statutes, relating to the Historic Cemeteries Program established in 2023 to preserve and restore historic cemeteries, particularly African American burial sites. The bill requires local governments to approve applications from historic African American cemeteries seeking to change the land use category and zoning district of excess vacant land if the land is being sold to fund the cemetery's long-term maintenance and upkeep.

Under the bill, the local government must approve the requested land use and zoning changes so that the excess property's designation matches the most permissive land use category and zoning district adjacent to the property. This requirement effectively removes local discretion in the land use or rezoning process for such parcels. (Cruz)

### Transportation Concurrency (Monitor)

**HB 97** (Grow) amends section 163.3180, Florida Statutes, to revise transportation concurrency requirements for small counties. Current law requires all local governments that impose transportation concurrency to include a capital improvements element in their comprehensive plan, identifying the public facilities needed to meet adopted level-of-service standards within a five-year period. The bill modifies this requirement for small counties (those with populations of 150,000 or fewer) by allowing their capital improvement element to identify facilities necessary either to meet adopted levels of service during a five-year period or to maintain current levels of service.

This change gives small counties greater flexibility in transportation planning by permitting them to maintain existing service levels rather than plan for infrastructure improvements to meet adopted standards. Cities located within small counties may



# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

be indirectly affected if county transportation planning becomes less focused on system expansion or upgrades that also serve municipal areas. (Cruz)

### HOUSING

#### **Housing – Accessory Dwelling Units (Monitor)**

**SB 48** (Gaetz) and **HB 313** (Nix) require local governments to adopt an ordinance by December 1, 2026, to allow accessory dwelling units (ADUs) in any area zoned for single-family residential use. The ordinance must apply prospectively to ADUs approved after the date the ordinance is adopted. The ordinance may regulate the permitting, construction, and use of an ADU. However, the ordinance may not:

- Prohibit rental or lease of the ADU, except to prohibit rental of an ADU approved after the effective date of the ordinance for a term of less than one month
- Require the parcel owner to reside in the primary dwelling unit
- Increase parking requirements on any parcel that can accommodate an additional motor vehicle on a driveway without impeding access to the primary dwelling unit
- Require replacement parking if a garage, carport, or covered parking structure is converted to an ADU

The ADU must be assessed separately for ad valorem tax purposes if the primary residence is homesteaded property. The bills authorize local governments to provide density bonus incentives to any landowner who voluntarily donates real property to the local government for the purpose of providing housing that is affordable for military families receiving the basic allowance for housing. The bills authorize, but do not require, a landlord to accept a reusable tenant screening report from a prospective tenant. The bills also direct the Office of Program Policy Analysis and

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

Government Accountability to evaluate the efficiency of using mezzanine finance to stimulate the construction of owner-occupied affordable housing. (O'Hara)

### **Local Housing Assistance Plans (Monitor)**

**HB 267** (Stark) expands the list of persons eligible to receive assistance under a local housing assistance plan to include persons who own mobile homes in mobile home parks and authorizes local housing assistance plans to allocate funds for rental assistance to such persons. The bill directs counties and SHIP-eligible municipalities to include in their local housing assistance plans the provision of funds for lot rental assistance to persons who own mobile homes in mobile home parks and revises the criteria for awards made to eligible sponsors or persons to include mobile home lot rental assistance and the construction, rehabilitation, or repair of mobile homes. The bill prohibits counties and SHIP-eligible cities from discriminating between types of housing when awarding funds from the local housing distribution pursuant to section 420.9075, Florida Statutes. (O'Hara)

## **LAND USE**

### **Land Use and Development Regulations (Oppose)**

**SB 208** (McClain) revises section 163.3164, Florida Statutes, relating to land use compatibility, residential infill development, building design standards for one- and two-family homes, and residential development fees.

#### *Definitions for "compatibility" and "residential infill development"*

The bill defines the term "compatibility" to mean a condition in which land uses or conditions *within the same land use category* can reasonably coexist without creating undue adverse impacts, and a reasonable ability to fit within the existing community fabric, but does not require uniformity or identical development. It specifies that residential land uses are compatible if they fall within the same

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

residential land use category as designated in the comprehensive plan. The bill defines “infill residential development” to mean the development of one or more parcels that are no more than 100 acres in size within a future land use category that allows a residential use and any zoning district that allows a residential use and which parcels are contiguous with residential development on at least 50% of the parcels’ boundaries. The term “contiguous” includes properties that would be contiguous if not separated by a roadway, railway, canal, or other public easement.

### *New Limitations on Land Development Regulations*

The bill specifies that land development regulations may not require the denial of, or condition or delay the approval of, residential development on the basis of lack of compatibility if the proposed residential use is located adjacent to, or across a public right-of-way from, any existing residential development within the same land use category.

The bill expands the existing preemption relating to the application of land development regulations relating to building design elements for single-family homes. For planned unit developments (PUD), such land development regulations must be expressly adopted as part of the approval documents for the PUD or master planned community. The bill further restricts the design review board and architectural review board exemption in this statute by requiring the board to be created by ordinance and requiring it to have continuously existed since January 2020, and to have regulated single-family building design elements since that date. The bill specifies that “architectural review board” means a board established by a private homeowner or condominium association rather than a board created by a local government.

### *Administrative Approval and Conditions of Approval for Infill Residential Development*

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

The bill requires an application for residential infill development to be administratively approved without requiring a comprehensive plan amendment, rezoning, or variance if the proposed development is consistent with current “development standards” and the proposed density is the same as the average density of contiguous properties. The proposed development must be treated as a conforming use.

### *Development Fees*

The bill provides that land development regulations may not condition the approval of an application for infill residential development on the payment of any fee, exaction, or charge based on a percentage of construction costs, site costs, or project valuation. It further specifies that any fee or charge in connection with a residential development application must be limited to the actual cost of the service provided by the local government, must be itemized and posted on the local government’s fee schedule, and may not exceed the limits established for building and inspection fees under section 553.80, Florida Statutes. (O’Hara)

### **Land Use and Development Regulations (Oppose)**

**HB 399** (Borrero) revises the definition of “compatibility” in section 163.3164, imposes limitations on fees relating to land use applications, defines “infill residential development” and imposes limitations on the application of compatibility standards and requirements to such development, and directs the Office of Program Policy Analysis and Government Accountability to conduct a study on the effect of removing the Urban Development Boundary or similar boundaries in Miami-Dade County and other counties.

The bill revises the current statutory definition of “compatibility” to mean “a condition in which land uses or conditions within the same land use category, as designated in a local government’s comprehensive plan, can reasonably coexist in relative

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

proximity to each other in a stable fashion over time such that no use or condition is unduly adversely impacted by another use or condition.

The bill prohibits a local government from imposing a fee on residential development or residential infill development that is based on the cost of the project or its value. In addition, the bill prohibits local governments from conditioning the approval of a proposed residential use on the basis of compatibility if the proposed development is located adjacent to, or across a public right-of-way from, an existing residential development within the same land use category. (O'Hara)

### **NATURAL RESOURCES AND PUBLIC LAND**

#### **Nature-based Solutions for Improving Coastal Resilience (Monitor)**

**SB 302** (Garcia) directs the Florida Department of Environmental Protection (DEP) to adopt rules governing nature-based methods to improve coastal resilience. The bill requires DEP to include provisions in the rules relating to providing a framework for local governments to identify vulnerable public and private properties along coastlines so that they may create local protection and restoration zone programs or projects that implement nature-based solutions through the Resilient Florida Grant Program. The bill also requires DEP to include provisions in the rules encouraging local governments to promote awareness of the value of nature-based solutions, including wetland and floodplain preservation and restoration through education campaigns. (Singer)

### **OTHER**

#### **Adoption and Display of Flags by Governmental Entities (Monitor)**

**HB 347** (Borrero) and **SB 426** (Yarborough) prohibit governmental entities from displaying or allowing the display of any flag that does not represent a publicly

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

recognized governmental entity or educational institution of Florida, another state, or the United States. It also prohibits local governments from adopting ordinances that authorize their flags to display or promote any political viewpoint or ideology. Violations are subject to a civil fine of \$500 per day. (Wagoner)

### Department of Agriculture and Consumer Services (Oppose)

**SB 290** (Truenow) is a comprehensive bill relating to the Department of Agriculture and Consumer Services (DACS). Of note to municipalities, the bill defines “gasoline-powered farm equipment” and “gasoline-powered landscape equipment” and preempts the ability of municipalities to enact or enforce a resolution, ordinance, rule, or policy or take any action that restricts or prohibits the use of such equipment. The bill prohibits municipalities from creating differing standards for such equipment or distinguishing such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting. However, the bill does not prohibit municipalities from encouraging the voluntary use of alternative farm or landscape equipment.

The bill also directs the Acquisition and Restoration Council to determine whether any lands surplus by a local governmental entity are suitable for bona fide agricultural purposes and, if so, prohibits local governmental entities from transferring future development rights for any such surplus lands. (Singer)

### Gambling (Monitor)

**HB 189** (Trabulsy) and **SB 204** (Bradley) are comprehensive bills dealing with gaming. Of concern to cities, the proposed committee substitute for HB 189 preempts local governments from enacting or enforcing ordinances or local rules relating to gaming, gambling, lotteries, or any other activities as defined in s. 546.10, F.S. (Wagoner)



# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### Legal Notices (Support)

**SB 380** (Trumbull) expands where electronic legal notices may be posted. Current law allows cities and counties to satisfy certain legal notice requirements by posting on the county's designated website instead of publishing notices in a newspaper. SB 380 adds clerks of court and tax collectors as additional governmental entities that may use online posting to meet their own notice requirements. Most importantly, the bill authorizes any governmental entity to post required legal notices on its own website. For cities, this means they are no longer limited to using the county's website as their online option and may instead post notices directly on their municipal website. (Wagoner)

### Removal, Storage, and Cleanup of Electric Vehicles (Monitor)

**HB 37** (Nix) and **SB 260** (Burgess) require counties to set a daily administration fee for the proper storage of electric vehicles involved in accidents. Municipalities may also establish such a fee, provided it does not exceed three times the county rate established under section 166.043(c), Florida Statutes. The fee applies only when the vehicle owner or operator is incapacitated, unavailable, or does not consent to the vehicle's removal, leaving law enforcement to arrange towing and storage. The bills define "daily administration fee" and "proper storage," and take effect July 1, 2026. (Wagoner)

## PERSONNEL AND COLLECTIVE BARGAINING

### Other Bills of Interest

**SB 136** (Polisky) – Protection for Public Employees who use Medical Marijuana as Qualified Patients

**SB 348** (Smith) – Statewide Health Care Coverage

**SB 358** (Smith) – Division of Labor Standards

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### PUBLIC MEETINGS

#### **Public Meetings (Support)**

**SB 332** (Bradley) allows local governments, after receiving a Bert Harris Act claim, to hold a private meeting with their attorneys during the 90-day pre-suit notice period to discuss the claim. The purpose is to allow elected officials to receive confidential legal advice that may help resolve claims more efficiently and potentially avoid litigation. A transcript of any private meeting must later be made public once the claim is settled, or if no settlement or lawsuit occurs, after the statute of limitations has expired. (Singer)

### PUBLIC RECORDS

#### **Electronic Payment of Public Records Fees (Monitor)**

**SB 44** (Rouson) requires that an agency provide an electronic option for the payment of any fee associated with a request to inspect or copy public records. As defined in existing law, the term “agency” includes municipalities, as well as state, county, and other governmental entities. (Wagoner)

#### **Public Records/Municipal Clerks and Staff (Support)**

**HB 247** (Campbell) and **SB 248** (Rodriguez) create a public records exemption for the personal information of municipal clerks and staff, and their spouses and children. (Wagoner)

#### **Public Records/County and City Administrators and Managers (Support)**

**HB 263** (Rizo) creates a public records exemption for the personal information of current county and city administrative officials, and their spouses and children. (Wagoner)

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### PUBLIC SAFETY

#### **Carrying Weapons and Firearms (Support)**

**HB 321** (Hunschofsky) and **SB 406** (Polsky) create section 790.0135 to Florida Statutes to expressly prohibit any person—whether openly or concealed carrying a weapon or a firearm—from bringing such items into specific public locations, including meetings of a county, municipal, school district, or special district governing body, as well as meetings of the Legislature or its committees. This legislation follows recent court rulings in Florida that have created uncertainty regarding the scope of the state's open-carry restrictions and the legality of carrying long guns in public spaces, including at government meetings. The bills seek to clarify that all firearms, regardless of type or carry method, are prohibited in these settings to ensure public safety and maintain decorum at official proceedings. Violation of the prohibition is subject to criminal penalties. (Wagoner)

#### **Commercial Motor Vehicles Operated by Unauthorized Aliens (Monitor)**

**SB 86** (Gaetz) requires law enforcement to take into custody anyone operating a commercial motor vehicle who is determined to be an unauthorized alien. Requires law enforcement to transfer that unauthorized alien into federal custody and impound the commercial motor vehicle. A \$50,000 fine shall be assessed and payable to the Department of Highway Safety and Motor Vehicles. All costs and fees must be paid by the vehicle's owner before the commercial motor vehicle can be released. Any motor carrier that owns, leases, or operates a commercial vehicle driven by a person taken into custody is prohibited from operating within the state. (Wagoner)

#### **Seaport Security (Monitor)**

**SB 184** (Garcia) requires each seaport in the state to maintain an on-site station that is recognized by the State Fire Marshal. The bill sets out the requirements for staffing,

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

certifications, and overall fleet to respond to an incident. The bill requires the Division of State Marshal and the Florida Ports Council to work together to create rules that will establish the minimum standards for staffing, training, and the establishment of fines. (Wagoner)

### Smoking in Public Places (Support)

**HB 389** (Andrade) defines “public place” as any place to which the public has access. The bill broadens the definition of “smoking” and “vaping” to include marijuana products and further outlines that smoking or vaping these products in a public place or custom smoking room is prohibited. (Wagoner)

### Violation of State Immigration Law (Monitor)

**HB 229** (Jacques) and **SB 304** (Martin) require the Florida Department of Law Enforcement to impose a \$10,000 fine against local governments and law enforcement agencies that fail to comply with state immigration enforcement requirements. The funds collected from the fines will compensate victims of crimes committed by unauthorized aliens. The bills create a cause of action for wrongful death caused by an unauthorized alien if the local government entity or law enforcement agency’s sanctuary policy is in violation of state law and contributed to the death. Lastly, the bills waive all sovereign immunity for tort cases brought under the new law. (Wagoner)

### Other Bills of Interest

**HB 17** (Baker) and **SB 156** (Leek)– Criminal Offenses Against Law Enforcement Officers and Other Personnel

**HB 45** (Plakon) and **SB 212** (McClain)– Sexual Offenders and Sexual Predators

**HB 83** (Woodson) – Direction and Execution of Warrants and Arrests

**HB 155** (Hinson)–Mental Health Programs for Gun Violence Prevention

**SB 168** (Truenow)–Public Nuisances

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

**SB 310** (Polsky)–Immigration

**HB 315** (Joseph) and **SB 328** (Smith) – Immigration, Law Enforcement, and State-issued Identification

**SB 316** (Smith) and **HB 419** (Nixon)–Law Enforcement and Immigration Officer Identifying Information and Face Coverings

**SB 350** (Grall) – Public Records/Crime Victims

**HB 359** (Anderson) and **SB 442** (Yarborough) – Search Warrants for Computers, Computer Systems, and Electronic Devices

**HB 365** (Valdes) and **SB 418** (Jones) – Law Enforcement Interactions with Individuals with Autism Spectrum Disorder

### REVENUES AND BUDGETING

#### **Other Bills of Interest**

**SB 400** (Garcia) – Carryforward Funding of Certain Managing Entities

### SOLID WASTE

#### **Auxiliary Containers (Monitor)**

**SB 240** (Garcia) preempts the regulation of auxiliary containers to the state and repeals a current law that preempts the regulation of the use of sale of polystyrene products to the Department of Agriculture and Consumer Services (DACS).

The bill defines “auxiliary container” as a bag, cup, bottle, can, or other packaging that is made of cloth, paper, or plastic, AND is designated for transporting, consuming, or protecting merchandise, food, or beverages from or at a public food service establishment or retailer.

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

The bill defines “single-use” to mean designed to be used once and then discarded, and not designed for repeated use and sanitizing.

The bill provides that a local government may not enact any rule, regulation, or ordinance regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers that is inconsistent with state law. The preemption does not apply to rules, regulations, or ordinances that do any of the following:

- Restrict the use of glass auxiliary containers with the boundaries of any public property
- Restrict the use, sale, or distribution of single-use plastic auxiliary containers within the boundaries of any public property
- Restrict the use, sale, or distribution of auxiliary containers enacted before January 1, 2026

The bill requires the Department of Environmental Protection (DEP) to develop a uniform ordinance for the use and disposal of single-use, nonrecyclable auxiliary containers which may be adopted and enforced by local governments. DEP must begin engaging with stakeholders by October 1, 2026, and finalize the uniform ordinance by October 1, 2027. The bill directs DEP to advance measures that:

- Limit the distribution and use of single-use, nonrecyclable auxiliary containers through bans, fees, or deposit systems
- Promote the use of recyclable or compostable auxiliary containers and encourage businesses to offer voluntary incentives for customers to bring reusable auxiliary containers
- Establish waste reduction and collection programs for single-use auxiliary containers
- Create enforcement mechanisms, including penalties, for businesses that do not comply with auxiliary container regulations (Singer)

### **SPECIAL DISTRICTS**



# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

### Special Districts (Oppose)

**HB 123** (Overdorf) is a comprehensive bill relating to special districts. Of note to municipalities, the bill prohibits municipalities from assuming fire-rescue services in an annexed area when those services are already provided by an independent special fire control district. After annexation, the fire control district remains the exclusive service provider, its geographical boundaries continue to include the annexed area, and it may continue to levy ad valorem taxes, impact fees, and user fees and assessments on property within the annexed area. (Singer)

### Other Bills of Interest

**HB 273 (Johnson) and SB 214** (McClain) – Special District Funding

### STORMWATER

#### Standards for Storm Water Systems (Oppose)

**HB 239** (Grow) requires all stormwater systems, when installing new storm pipe and storm structures, to adhere to the state Department of Transportation's annual *Standard Specifications for Road and Bridge Construction*, specifically the sections on "Pipe Culverts" and "Pipe Liner." The bill also mandates that final inspections must be performed by a NASSCO Pipeline Assessment Certification Program (PACP) certified technician employed by a third-party licensed engineering firm that does not have a controlling interest in the company that installed the system. The bill specifies that these standards supersede all existing and local standards in municipalities and counties. (Singer)

### TORT LIABILITY

#### Suits Against the Government (Oppose)

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

**HB 145** (McFarland) makes major changes to Florida’s sovereign immunity laws, which limit the amount of damages that can be recovered in tort suits against the state and its political subdivisions, including municipalities. Under current law, cities and other governmental entities may be held liable for up to \$200,000 per person and \$300,000 per incident for negligence or other tort claims. Any amount above those caps can be paid only through a claims bill passed by the Legislature, and some insurance policies have conditioned payment on that legislative approval.

HB 145 would dramatically raise those limits and loosen key procedural safeguards. For causes of action that accrue on or after October 1, 2026, the liability caps would increase to \$500,000 per person and \$1 million per incident, and for claims accruing on or after October 1, 2031, the limits would further rise to \$600,000 per person and \$1.2 million per incident. Under Florida law, a claim “accrues” when the last element necessary to establish the cause of action occurs—typically the date the injury or damage happens—though in some cases, such as latent or undiscovered injuries, a claim may accrue later when the injury is or should have been discovered.

Beyond the higher monetary exposure, the bill contains several non-monetary provisions with serious financial consequences for government entities. It authorizes a subdivision of the state—including municipalities—to settle or pay a claim in excess of the statutory limits without further action by the Legislature, eliminating the requirement for a claims bill and eroding an important check on large settlements. It also provides that insurance policies may not condition payment of coverage or benefits on enactment of a claims bill, nullifying such provisions in existing policies and potentially obligating insurers (and indirectly, cities) to pay higher amounts automatically once a settlement is reached.

Procedurally, the bill shortens the time for filing and resolving claims. Claimants would have only 18 months (reduced from three years) to present a claim to the

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

appropriate agency or to the Department of Financial Services before filing suit. The time period after which a failure to act on a claim is deemed a denial would be reduced from six months to four months, and the statute of limitations for negligence claims would shrink from four years to two years.

Overall, HB 145 would increase both the frequency and the cost of tort litigation against cities. The higher caps would substantially raise the potential value of settlements and judgments, while the removal of the claims-bill requirement and the insurance-payment restriction would strip away existing fiscal controls that protect local taxpayers. The bill would apply to causes of action accruing after October 1, 2026. (Cruz)

### **TRANSPORTATION**

#### **Other Bills of Interest**

**HB 101** (Gentry) and **SB 356** (Wright) – Utility Terrain Vehicles

### **UTILITIES**

#### **Consumer Fairness in Utility Rates (Oppose)**

**HB 225** (Robinson, F.) eliminates existing section 180.191, Florida Statutes, which authorizes municipalities to levy surcharges on the provision of water and wastewater services to extraterritorial customers. The bill replaces current law with new language, entitled the “Consumer Fairness in Utility Rates Act of 2025.” It specifies that a municipality operating a water or sewer utility that has a facility located within a recipient municipality must impose the same base rates, fees, and charges on consumers within the recipient municipality as it does on consumers within its municipal boundaries. The term “facility” means a water treatment facility, a wastewater treatment facility, a pumping station, a well, or other physical

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

component of a utility system. The bill further provides that a municipality operating a utility that has a facility located within a recipient municipality may not impose a surcharge on consumers within the boundaries of the recipient municipality unless the surcharge is: directly tied to documented costs of service, maintenance, or infrastructure investment, and clearly disclosed to the consumer in writing at the time of billing. In addition, the surcharges may not be used as a general revenue source or profit margin. The bill requires the municipality to hold a public hearing to allow input from municipal and extraterritorial consumers before establishing or adjusting rates, fees, or surcharges. It requires a municipal utility to file an annual report to the Florida Public Service Commission detailing the use of surcharge revenues, and it specifies that the Public Service Commission must review consumer disputes over rates, fees, or surcharges. (O'Hara)

### Public Works Employees Identification Cards (Monitor)

**HB 75** (Woodson) directs a municipality, county, or other political subdivision to issue to each public works employee who is not on probation an identification card indicating that he or she is a first responder. The bill defines "public works employee" as a public employee whose primary duties involve construction, maintenance, repair, renovation, remodeling, or improvement of a building, highway, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned by the municipality, county, or political subdivision. (O'Hara)

### Other Bills of Interest

**SB 62** (Arrington) and **HB 91** (Tant) – Candidate Qualification

**HB 27** (Holcomb) – Term Limits for Members of Boards of County Commissioners and District School Boards

**SB 62** (Arrington) – Candidate Qualification

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities



## Volume 52, Issue 2: November 2025

**SB 126** (Gaetz) and **HB 187** (Andrade) – Public Service Commission  
**SB 322** (McClain) – Construction  
**SB 460** (Polsky) – Special Elections  
**HB 379** (Shoaf) – Rural Electric Cooperatives