

## LEGISLATIVE BILL SUMMARIES

Florida League of Cities



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**SPOTLIGHT BILLS**

- **Property Tax bills:** See bills under the Finance and Taxation section (beginning on page 22)
- **Affordable Housing/Live Local Act:** SB 1548 (Calatayud) – Monitor (see page 56)
- **Affordable Housing/Live Local Act:** HB 1389 (Redondo) – Oppose (see page 57)
- **Affordable Housing “Missing Middle” Property Tax Exemption:** SB 1520 (Calatayud) – Oppose (see page 57)
- **Clerks of Court:** HB 925 (Trabulsky) and SB 1322 (Martin) – Oppose (see page 74)
- **Department of Financial Services:** SB 1572 (DiCeglie) and HB 1303 (Miller) – Oppose (see page 101)
- **Design Professional Contracts:** HB 699 (Conerly) and SB 888 (Martin) – Oppose (see page 77)
- **Impact Fees:** SB 548 (McClain) and HB 1139 (Gentry) – Oppose (see page 50)
- **Land Use Regulations for Local Governments Affected by Natural Disasters :** SB 840 (DiCeglie) – Support and HB 1465 (Andrade) – Oppose (see page 16)
- **Local Business Taxes:** SB 122 (Truenow) and HB 103 (Botana) – Oppose (see page 35)
- **Local Government Land Development Regulations and Orders:** SB 948 (McClain) and HB 1143 (Nix) – Oppose (see page 65)
- **Local Government Spending:** SB 1566 (DiCeglie) and HB 1329 (Benarroch) – Oppose (see page 102)
- **Local Land Planning and Development:** HB 927 (Sapp) and SB 1138 (Masullo) – Oppose (see page 51)
- **Local Utility Revenues:** SB 1420 (DiCeglie) – Oppose (see page 120)

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*Bills are in alphabetical order by subject area**Text highlighted in yellow indicate recent revisions made to a bill*

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- **Municipal Electric and Gas Utilities/Enterprise Fund Transfers:** HB 773 (Brackett) – Oppose (see page 122)
- **Municipal Water and Sewer Utility Rates:** SB 1188 (Grall) – Oppose (see page 121)
- **Municipal Water and Sewer Utility Rates, Fees, and Charges:** SB 940 (McClain) – Oppose (see page 121)
- **Provision of Municipal Utility Service to Owners Outside the Municipal Limits:** SB 1014 (Mayfield) and HB 1075 (Sirois) – Oppose (see page 122)
- **Religious Services and Gatherings:** SB 1444 (Martin) and HB 1227 (Oliver) – Oppose (see page 53)
- **Suits Against the Government:** HB 145 (McFarland) and SB 1366 (Brodeur) – Oppose (see page 111)
- **Transportation Infrastructure Land Development Regulations:** HB 1183 (Cross) and SB 1342 (Rouson) – Oppose (see page 70)
- **Utility Services:** SB 1724 (Martin) and HB 1451 (Busatta) – Oppose (see page 124)

**BUILDING CODE****Alternative Plans Review and Building Inspection (Oppose)**

**SB 750** (DiCeglie) deletes current law authority for a local government to charge an administrative fee when an owner or contractor retains a private provider for plans review or building inspection services. (O'Hara)

**Building Inspections During an Emergency (Monitor)**

**HB 1109** (Cross) and **SB 1260** (DiCeglie) authorize the Governor to allow a person to act in the following positions if the person is qualified for such work in a state that has a mutual aid agreement pursuant to section 252.40, Florida Statutes, and such

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person has undertaken training specified in the bill: building code inspector, building inspector, coastal construction inspector, commercial electrical inspector, electrical inspector, mechanical inspector, plumbing inspector, residential electrical inspector, residential inspector, plans examiner, building plans examiner, plumbing plans examiner, mechanical plans examiner, electrical plan examiner. The bill directs the Department of Business and Professional Regulation to develop a Florida Building Code training program and directs a local government with a local amendment to the Florida Building Code to develop a training program on all applicable local amendments. (O'Hara)

### **Building Permits and Inspections (Oppose)**

**HB 803** (Trabulsy) and **SB 1234** (DiCeglie) address exemptions from the Florida Building Code and local government building permits, expiration of local government building permits, uniform building permit applications, timeframe for approval of a building permit, and local building department requirements applicable to private providers.

#### *Florida Building Code*

Requires the Florida Building Commission to modify the Florida Building Code to exempt from building permit requirements the installation of residential hurricane and flood protection walls or barriers that meet specified conditions. The Commission is further required to modify the Building Code to exempt retaining walls installed on certain residential properties from building permit requirements.

#### *Local Government Building Permits*

- Provides that a local government building permit for a single-family dwelling expires one year after issuance or the effective date of the next edition of the Florida Building Code, whichever is later.

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- Prohibits inspection fees that are based on the total cost of a project or that exceed the actual inspection costs incurred
- Exempts a single-family dwelling from obtaining a building permit for any work valued at less than \$7500, except for electrical, plumbing, or structural work (not including repair or replacement of exterior doors or windows).
- Requires approval of a building permit application within five business days if the permit is for structural, accessory structure, alarm, electrical, irrigation, landscaping, mechanical, plumbing, or roofing on an existing single-family residential dwelling, where the value of the work is less than \$15,000
- Provides that a signed and sealed permit application and attestation by a licensed architect or engineer that the plans comply with the Building Code for the construction or renovation of a single-family dwelling in a jurisdiction for which a state of emergency was issued in the 24 months before submission of the application is deemed approved; the local government must issue the permit within two days.

### *Uniform Building Permit Applications*

- Directs the Building Commission to develop a uniform building permit application for mandatory use by local governments, which must include a checklist by project type for permitted work.

### *Private Providers*

- Specifies that a local government or building official may not prohibit or discourage the use of a private provider

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- Strictly limits audits to ensuring the required affidavit is properly completed and that the minimum mandatory inspections have been performed and recorded.
- Permits a local building official to conduct a site visit in connection with an audit only if the official has actual knowledge that the private provider's forms and documents are incomplete or incorrect, and requires the official to provide written notice of such deficiencies to the private provider before performing a site visit.
- Requires five days' notice of any audit to be performed
- Requires all permit applications to be submitted electronically
- Provides that an agreement between a fee owner or contractor and a private provider is not required to be submitted as part of a permit application or condition of issuing a permit
- Requires the reduction in building permit fee to be based on the cost incurred by the jurisdiction, including labor, personnel, clerical and supervisory costs associated with providing the service; prohibits any additional fees for inspections or plans review; prohibits any punitive administrative fees for using a private provider
- Prohibits a local government from requiring additional forms beyond those required at registration, except for the written notice required if a private provider is used to perform an inspection. Prohibits local alteration of the form adopted by the Building Commission to notify the local building official that a private provider will be used.

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- Prohibits a local building official from reviewing plans, construction drawings, or other related documents determined by a private provider to be compliant with the Building Code; permits the building official to review other forms and documents for completeness only; requires the building official to provide written notice to a permit applicant of any incomplete forms or documents within 10 days of receipt of a permit application and affidavit from a private provider; provides for tolling of 10-day requirement to address deficiencies but the application is deemed approved if the local government fails to adhere to the applicable timeframes.
- Prohibits fees relating to reinspections or administrative matters relating to reinspections
- Provides that a local building official is not responsible for the regulatory administration or supervision of inspection services of a private provider, including verification of licensure and insurance
- Specifies a local building official may not fail an inspection performed by a private provider for not having the inspection records at the job site if the records are transmitted within four days.
- Provides that a certificate of compliance following completion of all inspections must be a form approved by the Commission and may be signed by any licensed individual employed by the private provider's firm.
- Permits a local building official to only perform inspections that a private provider has determined compliant if the official has actual knowledge the private provider did not perform the inspections; requires the official to

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provide written notice to the provider before such inspection; permits the building official to review forms and documents for completeness only.

- Requires a local enforcement agency or building official to establish a registration system for private providers and prohibits imposition of an administrative fee for the registration process.
- A local government may not prohibit or limit the use of virtual inspections by private providers for any construction for which such providers have a license to inspect. (O'Hara)

### Commercial Construction Projects (Monitor)

**HB 405** (Griffitts) and **SB 526** (Grall) address public construction projects, commercial construction projects, and the use of private providers for commercial construction projects. For public construction projects, the bills provide 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 bills authorize the Florida Building Commission to create a "uniform commercial building permit application." The bills specify 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 bills authorize 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,



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supplemental forms must be standardized statewide and may not alter the substance of the uniform permit application. The bills state that supplemental forms may be used for the following projects: high rises, health care facilities, industrial or warehouse facilities, or mixed-use occupancies. The bills specify 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.

The bills provide 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)

### Department of Business and Professional Regulations (Monitor)

**SB 1666** (Burgess) modifies current laws relating to the boards and professions regulated by the Department of Business and Professional Regulations. Section 29 of the bill revises section 553.791, Florida Statutes, relating to the use of private providers for building permit plans review and inspections. It provides that a private provider and any duly authorized representative licensed as a building code administrator may perform any plan review or inspection requiring licensure under chapter 468, Part IV if the person served for at least three consecutive years as a building code administrator authorized by a municipal or county government and has had no disciplinary action imposed against his or her license. (O'Hara)



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### Enforcement of the Florida Building Code (Monitor)

**HB 1169** (Tramont) and **SB 1614** (Leek) provide that a local government is not eligible to receive additional state funds if it has been subject to an audit by a state legislative committee within one year following a state funding request or if it fails to submit an affirmation with any funding request to its legislative delegation. The affirmation must state that the local government has spent all funds received from building permit fees and that it does not have any excess funds for services or repairs to its stormwater management system. In addition, SB 1614 authorizes a local government to use excess revenue from building permit fees to perform necessary repairs and services to its stormwater management system. (O'Hara)

### Florida Building Code Construction Requirements (Monitor)

**HB 911** (Mooney) and **SB 1218** (Rodriguez) require the Florida Building Commission to require the entire building envelope of all new construction of the following buildings to meet the impact resistance requirements of the Florida Building Code and be constructed to withstand windspeeds of 160 miles per hour: 1) R1 and R2 multistory residential occupancies; 2) new residential construction within five miles of the mean high-water line of any tidal water; 3) new residential construction in a high-velocity hurricane zone under the Florida Building Code; 4) buildings used as emergency shelters; and 5) the rebuilding of any of the above. (O'Hara)

### Home Backup Power Systems & Building Permits for Work on Single Family Homes (Monitor)

**SB 968** (McClain) and **HB 1049** (Esposito) address building permit exemptions for back-up power systems and other work on single-family homes. The bills prohibit local governments from adopting technical amendments to the Florida Building Code that require a permit or any local review or approval for a backup power system. The bills prohibit a local government from requiring a permit or approval for

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the installation or repair of a backup power system installed in a single- or two-family dwelling or townhouse by a licensed contractor or by a public utility. The bills also prohibit any regulation of the installation of such backup power systems beyond the standards contained in the Florida Statutes. Local government inspections of such backup power systems are permissible under the bill, although a private provider may be used for such inspection. The bills specify procedures and timeframes for inspections. In addition, the bills prohibit a local government from requiring a building permit for any work valued at less than \$7,500 on the lot of a single-family dwelling. A local government may require a building permit for electrical, plumbing, or structural work (but not repair or replacement of exterior doors or windows) performed on a lot of a single-family dwelling, regardless of the value of the work. (O'Hara)

### **Onsite Sewage Treatment and Disposal System Permits (Monitor)**

**SB 698** (Martin) and **HB 589** (Nix) relate to building and plumbing permits associated with a single-family residence that will use an onsite sewage treatment and disposal system. The bills prohibit a municipality or political subdivision from requiring owners and builders of such residences to receive a construction permit from the Department of Environmental Protection (DEP) as a condition of issuing a building or plumbing permit for the residence. The owner or builder must provide proof to the municipality or political subdivision that it applied for the on-site sewage treatment and disposal system permit when applying for a building or plumbing permit. In addition, the bills specify that any new rules for the use and installation of onsite sewage treatment and disposal systems adopted by DEP do not apply to permits submitted within 120 days after the date such rules are adopted. (O'Hara)

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### Regulation of Chickees (Monitor)

**SB 1020** (Truenow) and **HB 929** (Cobb) prohibit a municipality or county from preventing the construction of a chickee in a side yard, provided the chickee is at least 10 feet from the property line or any other structure. A county or municipality may not enact any regulation concerning chickees and that is more restrictive than federal floodplain management regulations. A chickee is defined in current law as an open-sided wooden hut with a thatched roof. Current law exempts chickees constructed by the Miccosukee or Seminole Indian Tribe from the Florida Building Code. The bill expands the definition of “chickee” in the Building Code to include a wooden deck and non-wood fasteners. The bill amends the Florida Fire Prevention Code to specify that a chickee that is at least 20 feet away from any other structure subject to the Fire Prevention Code or that otherwise includes fireproofing measures approved by a certified fire protection system contractor is exempt from the Florida Fire Prevention Code. (O’Hara)

### Other Bills of Interest

**SB 800** (Mayfield) and **HB 839** (Melo) – Engineering

### CYBERSECURITY

### Artificial Intelligence (Monitor)

**SB 482** (Leek), **HB 1395** (Rizo), and **HB 659** (Hunschofsky) create new rules and guidance for artificial intelligence (AI). SB 482 and HB 1395 create the “Artificial Intelligence Bill of Rights.” The proposals set new laws governing the use of artificial intelligence in Florida specific to local government contracts. The bills provides that a local government is not allowed to knowingly enter into a contract with an entity for artificial intelligence if the entity is owned by a government of a country of foreign concern, the country of foreign concern has a controlling interest, or the entity is

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organized under the laws or has its principal place of business in a foreign country of concern. All three bills create rights for Floridians to know when they are interacting with AI. Specifically, SB 482 provides protections against the misuse of AI-generated images for commercial, defamatory, or harmful purposes, whereas HB 659 provides that any violations of these protocols are considered a deceptive act, or an unfair practice. (Wagoner)

### **Cybersecurity Standards and Liability (Monitor)**

**HB 635** (Giallombardo) and **SB 692** (Leek) require local governments to adopt cybersecurity standards that are in line with the state standards. The bills will require vendors or third parties to meet the same standards. The bills remove any requirements for local governments to create and set their own cybersecurity standards by a specified time. Lastly, the bills provide that local governments and vendors will be immune from liability in connection with a cybersecurity incident so long as they continually update their security protocols within one year of the latest updates. (Wagoner)

### **Information Technology (Monitor)**

**SB 480** (Harrell) restructures and centralizes the state's information technology governance by transferring the duties of the Florida Digital Service from the Department of Management Services into a new Division of Integrated Government Innovation and Technology (DIGIT) within the Executive Office of the Governor. The bill designates DIGIT as the primary agency responsible for statewide IT strategy, standards, oversight, cybersecurity, data management, and reporting, while also updating definitions, reporting requirements, and IT governance processes across state agencies. The bill removes provisions requiring local governments to adopt cybersecurity standards. However, the bill does tighten incident reporting requirements for local governments, reducing the reporting timeline for

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cybersecurity incidents from 48 to 12 hours and for ransomware incidents from 12 to six hours. (Wagoner)

### Local Government Cybersecurity (Oppose)

**SB 576** (Harrell) and **HB 1085** (Miller) establish a Local Government Cybersecurity Protection Program within the Florida Digital Service. The bills mandate local governments to apply to the program and use state-provided cybersecurity software, tools, and support, with priority given to fiscally constrained counties. (Wagoner)

## ECONOMIC DEVELOPMENT

### Diversity, Equity, and Inclusion and Affirmative Action (Monitor)

**HB 1189** (Sapp) and **SB 1662** (McClain) are comprehensive bills dealing with modifying state laws and preferences regarding diversity, equity, and inclusion (DEI) and affirmative action. Although the bill does not target cities specifically, the changes will affect local contracting, workforce recruitment, minority business participation, and employment policies where DEI or affirmative action intersect with municipal operations. These bills will likely limit how cities can develop and implement their own diversity initiatives and local priorities. (Wagoner)

### Manufacturing (Monitor)

**HB 483** (Cobb) and **SB 528** (Truenow) create the “Chief Manufacturing Officer” within the Department of Commerce to support manufacturing efforts statewide. The bills require all state and local governmental entities to assist the Chief Manufacturing Officer to the extent the law and budgetary constraints provide. The bills require that the Department of Commerce prepare an initial report to the Speaker of the House and the President of the Senate by December 15, 2027, and every two years

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thereafter. The bills create the “Florida Manufacturers’ Workforce Development Grant Program” within the Department of Commerce. The grant program is intended to fund proposed projects that support small manufacturers with the deployment of new technologies or cybersecurity infrastructure and to provide training support to the workforce. (Wagoner)

### **Prohibited Contracting with Covered Foreign Entities (Monitor)**

**SB 1126** (Garcia) prohibits governmental entities from entering into a contract to purchase computers, printers, or videoconferencing services if the company or its parent company is domiciled in the People’s Republic of China (China) or China has an ownership stake. (Wagoner)

### **Rural Communities (Monitor)**

**SB 250** (Simon) and **HB 723** (Abbott) are bills relating to rural counties. SB 250 modernizes support for fiscally constrained counties (FCC) by updating definitions and increasing the FCC threshold from \$5 million to \$10 million in property tax revenue generated per mil. The bill boosts FCC funding to \$50 million annually by shifting from direct-to-home satellite service tax to sales tax and establishing new spending requirements for public safety, infrastructure, and other public purposes. SB 250 creates the Office of Rural Prosperity within the Department of Commerce to assist rural communities with economic development and grant access. It also introduces a Rural Resource Directory to help local governments navigate funding opportunities. To address population declines, counties that have lost residents over the past decade will receive \$1 million block grants targeted for growing their population.

Other key provisions include:

- Increasing infrastructure and business development funding, including \$50 million



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for the Rural Infrastructure Fund and an expansion of the Rural Revolving Loan Program

- Expanding broadband access through improved coordination and funding for rural connectivity
- Investing in transportation, including \$50 million annually for arterial rural roads and increased funding for small county road assistance
- Enhancing education funding, including tripling consortia grants for small school districts and creating a new Rural Incentive for Professional Educators program offering up to \$15,000 in loan repayment assistance
- Improving healthcare access through grants for rural hospitals, startup medical practices, and enhanced Medicaid reimbursements

HB 723 exempts certain industrial machinery and equipment used by food wholesalers in rural counties from state sales tax. The bill creates a formula for restricting the state from purchasing land in rural counties, providing some exemptions. HB 723 increases appropriations to the Small County Road Assistance Program to \$50 million and designates funds for the Small County Outreach Program. Further, the bill creates a “Rural District Graduate Placement Incentive Pilot Program” to award bonuses to rural school districts and charter schools that successfully prepare and place graduates with in-demand industry certifications.

Both bills have an effective date of July 1, 2026. (Wagoner)

### **EMERGENCY MANAGEMENT**

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

**HB 217** (Abbott) and **SB 218** (Gaetz) propose a narrow change to last session’s SB 180 (Chapter 205-190), which placed limits on local land-use, planning, and permitting



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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)

### **Land Use Regulations for Local Governments Affected by Natural Disasters (Support SB 840, Oppose HB 1465)**

**SB 840** (DiCeglie) and **HB 1465** (Andrade) amend sections 18 and 28 from 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 take different approaches to refining those limitations, resulting in distinct municipal impacts.

SB 840 narrows the definition of “impacted local government” from counties within 100 miles of a hurricane’s track to those within 50 miles, and limits applicability to counties included in a federal major disaster declaration and municipalities within those counties. The bill also refines the scope of actions an impacted local government may not enforce for one year after landfall to be:

- Actions that delay the repair or reconstruction of hurricane-damaged improvements;
- Requiring repair or reconstruction of a hurricane-damaged improvement to comply with any comprehensive plan or land development regulation amendment that first became effective after landfall; or

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- More restrictive procedural changes that extend development review timelines.

SB 840 clarifies circumstances under which post-storm land use actions may still be enforced, including when an application is initiated by a private property owner for property they own, when adoption is required to comply with state or federal law, when approved for an area of critical state concern, or when implementing floodplain management standards consistent with the National Flood Insurance Program. The bill further limits these prohibitions to properties damaged to an extent that requires a repair or reconstruction permit, and authorizes local governments to require documentation demonstrating hurricane damage.

SB 840 removes the private right of action, injunctive relief, and one-sided attorney-fee provisions previously included in section 18. The bill also clarifies that this section may not be construed to restrict a local government from adopting or enforcing changes to the Florida Building Code or local technical amendments.

For section 28 of SB 180, SB 840 revises the temporary land-use freeze applicable to counties and municipalities affected by Hurricanes Debby, Helene, and Milton. The bill shortens the prohibition period, moving the end date for the moratorium and “more restrictive or burdensome” land-use and procedural restrictions from October 1, 2027, to June 30, 2026, and revises the section’s expiration date accordingly. All other elements of section 28, including retroactive application to August 1, 2024, the nullification of noncompliant local actions, and the existing notice-and-cure framework, remain in place.

HB 1465 does not narrow the geographic definition of “impacted local government” and retains the existing standard based on counties located within 100 miles of a hurricane’s track and the municipalities within those counties. Rather than narrowing

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applicability, the bill expands and specifies the scope of local actions subject to post-storm limitations by defining the terms “burdensome” and “restrictive.” These definitions expressly include actions that decrease allowable density, intensity, floor area ratio, or the amount of property available for development; actions that increase impact fees by more than 25% over a two-year period; actions that restrict or limit the use or future use of property in a manner that negatively affects economic value; and actions or inaction that create additional reviews, extend review timelines, or delay final action on pending applications.

HB 1465 also expands the circumstances under which local government actions may still be enforced during the post-storm period by authorizing enforcement of certain comprehensive plan or land development regulation amendments initiated by a county or municipality when necessary to comply with changes in state or federal law, when submitted to address compliance deficiencies under the Evaluation and Appraisal Review process, or when the application substantially increases allowable density or intensity throughout the jurisdiction, implements a form-based code, and does not substantially restrict development outside an urban service area.

In addition, HB 1465 imposes new application-processing requirements not included in SB 840. The bill requires that applications for site plans, development permits, development orders, or comprehensive plan amendments that are pending as of March 31, 2026, be processed and considered under the regulations in effect at the time the application was filed, notwithstanding the adoption of more restrictive or burdensome local regulations while the application remains pending. This requirement applies during the post-storm restriction period and limits the effect of subsequently adopted local land-use or procedural changes on pending applications.

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Unlike SB 840, HB 1465 retains and expands the private enforcement framework in section 28 of SB 180. The bill authorizes residents, business owners, or property owners to bring civil actions for declaratory and injunctive relief for violations of the section, provides for preliminary injunctive relief during litigation, and preserves one-sided attorney fee provisions, subject to a notice-and-cure process that allows a local government to withdraw or repeal a challenged action within specified timeframes to avoid liability. (Singer)

### Other Bills of Interest

**HB 1527** (Chamberlin) and **SB 1584** (Martin) – Senate Confirmation of Gubernatorial Appointments and Legislative Approval of Extended States of Emergency

### ENERGY

#### **Prohibited Governmental Policies Regulating Greenhouse Gas Emissions (Oppose)**

**HB 1217** (Snyder) and **SB 1628** (Ávila) prohibit governmental entities, including municipalities, from adopting or requiring the adoption of “net-zero” policies and from using government funds, imposing taxes, fees, penalties, or assessments, or implementing programs that support, implement, or advance such policies. Both bills expressly prohibit inclusion of net-zero policies in comprehensive plans, land development regulations, transportation plans, or other adopted local policies; prohibit procurement or purchasing preferences based solely on carbon intensity or fuel source; prohibit participation in cap-and-trade or similar emissions trading programs; and require annual compliance affidavits signed under penalty of perjury. Both bills amend ss. 125.01, 166.021, and 166.201, F.S., to condition county and municipal planning, zoning, taxation, and fee authority on compliance with these prohibitions, effective July 1, 2026.

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SB 1628 differs from HB 1217 by assigning the annual compliance affidavit requirement to the Department of Environmental Protection rather than the Department of Revenue, by expressly applying the prohibitions to community development districts, improvement districts, and homeowners' associations, and by including more detailed statutory definitions and express prohibitions on paying dues to non-governmental organizations that support net-zero policies. SB 1628 also conditions county comprehensive planning and zoning authority on compliance with newly created s. 377.817, F.S., and specifies applicability to proposed governmental actions taken on or after July 1, 2026. (Singer)

### Other Bills of Interest

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

**HB 545** (Gerwig) and **SB 602** (Bernard) – Watercraft Restrictions Based on Energy Source

**HB 1145** (Maggard) and **SB 1482** (Bernard) – Electric Utility 10-Year Site Plans

### ETHICS AND ELECTIONS

#### Employee Protections (Monitor)

**CS/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). The bills specify that reports of such violations are protected activities and classify adverse (retaliatory) personnel actions taken against a reporting individual by a public officer, employee, or local government attorney as a breach of the public trust. In addition, the bills prohibit public

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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. 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); injunctive relief; and temporary reinstatement (temporary reinstatement does not apply to an employee of a municipality). The bills allow employers to assert an affirmative defense that the personnel action would have been taken absent the employee's exercise of his or her rights under the bills. (O'Hara)

### **Ethics for Public Employees (Monitor)**

**SB 572** (Harrell) and **HB 603** (Lopez) revise the current law definition of the term "relative" in the Florida Code of Ethics to include foster parents and foster children of a public official or employee. (O'Hara)

### **Political Activity on Public Institutions of Higher Education (Monitor)**

**HB 725** (Gossett-Seidman) and **SB 1736** (Harrell) require candidates for federal, state, or municipal public office, elected officials currently in office, lobbyists, campaign managers and staff for candidates for public office, political committees and political parties and organizations to request and obtain prior approval from a



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university or college before engaging in any on-campus conversations, debates, or political activities. The bills restrict candidates for public office from holding partisan political events on campuses or using institution property for campaign-related materials. In addition, it provides that an employee of a college or university who files as a candidate for any federal, state, or municipal elected office may not use email, offices, or time during working hours for campaign-related activities. The bills impose additional requirements and prohibitions on universities and colleges relating to political activities and campaigns. (O'Hara)

### Other Bills of Interest

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

**SB 620** (Mayfield) and **HB 535** (Benarroch) – Candidate Qualifying

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

**SB 126** (Gaetz) and **HB 187** (Andrade) – Public Service Commission

**SB 460** (Polsky) and **HB 597** (Gottlieb) – Special Elections

**HB 991** (Persons-Mulicka) and **SB 1334** (Grall) – Elections

**HB 6011** (Benarroch) and **SB 964** (Wright) – Financial Disclosures, Gifts or Honoraria

**SB 1622** (Rodriguez) and **HB 1369** (Antone) – Penalties for Late-filed Disclosures

**SB 1598** (Bracy Davis) – Elections

**SB 1416** (Polsky) and **HB 1191** (Cross) – Elections During Emergencies

### FINANCE AND TAXATION

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



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**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 Tax Exemption for Nonprofit Homes for the Aged (Monitor)**

**HB 1131** (Smith) and **SB 1430** (Wright) would change the rules about who can get a property tax break for nonprofit homes for older adults. The bills would let more Florida limited partnerships qualify if they are connected to a nonprofit organization. To qualify, the partnership's main owner must be a nonprofit group or be fully owned by a nonprofit group, and that nonprofit must be a charity approved by the IRS. The nonprofit does not have to be licensed as a care facility. These new rules would start with property taxes calculated in 2027. (Chapman)

### **Ad Valorem Tax Revenue in Fiscally Constrained Counties (Support)**

**HB 799** (Tuck) and **SB 932** (McClain) would require the Legislature to appropriate funds to fiscally constrained counties to offset ad valorem tax revenue reduction resulting from future constitutional amendments reducing or eliminating property tax levies. The bills establish an application process to seek revenue replacement, specify a calculation of 95% of the estimated reduction of taxable value multiplied by the lower of the 2026 or current-year millage rate, and revert unused funds back to the State if a county fails to apply.

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While these measures do not directly impact cities, the League supports them as an important acknowledgment that any reduction in ad valorem tax revenue should be paired with a revenue replacement mechanism, including potential future amendments applicable to municipalities. (Chapman)

### **Ad Valorem Tax Exemption for Disabled Veterans (Monitor)**

**HB 393** (Woodson) and **SB 450** (Polsky) propose to remove the cap on the amount of an ad valorem tax exemption that may be transferred to the surviving spouse of a disabled veteran and revise the dates from which the exemption is granted. The bills also seek to eliminate the limitation on the amount of the tax exemption the surviving spouse may transfer to a new homestead. (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)

### **Ad Valorem Tax Levies (Oppose)**

**HB 789** (Chamberlin) is the implementing bill for **HJR 787**, which seeks to remove the authority of counties and school districts to levy ad valorem property taxes. Exceptions to this elimination of the ad valorem tax levies are for millage rates dedicated to debt service until such time as the debt service is paid off. The bill

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repeals various sections related to school district funding, including required local effort calculations for the Florida Education Finance Program. (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 total budgeted law enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. (Chapman)

### **Assessed Value of Non-Homestead Property (Oppose)**

**HJR 903** (Grow) is a proposed constitutional amendment seeking to lower the adjustment in annual assessment values for non-homestead properties from the current cap of 10% to a maximum annual increase of 3% in assessed value. (Chapman)

### **Assessments Levied on Recreational Vehicle Parks (Monitor)**

**HB 39** (Nix) and **CS/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:

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1. Clarifying that special assessments on recreational vehicle parks are not based on residential units but instead on commercial use.
2. Excluding from assessment the portion of a recreational vehicle parking space or campsite that exceeds the maximum size of a recreational vehicle-type unit.
3. Requiring counties, municipalities, and special districts to consider the occupancy rate of a recreational vehicle park to fairly and reasonably apportion any special assessment.

CS/SB 118 was amended to specify how counties, municipalities, and special districts may levy a special assessment on recreational vehicle parks, prohibiting assessments against more than 400 square feet for each recreational vehicle parking space or campsite, and requiring consideration of occupancy rates. (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)

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### 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).

- 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)

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**Volume 52, Issue 5: January 16, 2026****Assessment of Inherited Homestead Property (Monitor)**

**HJR 793** (Alvarez, J.) and **SJR 1210** (Rodriguez) are joint resolutions proposing to amend the constitution to authorize the Legislature to exclude inherited homestead property transfers from being treated as changes in ownership for property tax assessments. (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 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)

**Assessment of Property with Decreasing Just Valuation (Oppose)**

**HJR 1411** (Hunschofsky) and **SJR 1610** (Polsky) seek to change the Florida Constitution so that if a home's *market value* goes down from one year to the next, the *assessed value* used for property taxes cannot go up. This would apply to both homestead and non-homestead property. These bills still allow increases in assessed value if the property has changes, like improvements or additions. These changes would start on January 1, 2027, if voters approve the amendment. (Chapman)

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**HB 1413** (Hunschofsky) and **SB 1608** (Polsky) are the implementing bills for HJR 1411 and SJR 1610, which propose to amend the constitution to block increases in the assessed value of homestead property when its market (just) value falls below the prior year's value. The bills would also prevent increases in assessed value for non-homestead residential property, for all levies other than school districts, when the property's market (just) value declines. Further, the bills restrict increases in assessed value for non-residential real property, for all levies other than school districts, when its market (just) value decreases. (Chapman)

### **Automatic Dependent Surveillance Broadcasts (Monitor)**

**HB 387** (Bankson) and **SB 422** (Wright) seek to prohibit the use of an airplane's ADS-B information to ascertain an airplane's location in order to generate or collect fees from aircraft owners or operators within Florida. This prohibition is extended to both public and private entities. (Chapman)

### **Corporations (Monitor)**

**HB 1511** (LaMarca) creates a new statutory framework establishing a New Corporation Tax Refund. The bill authorizes that a corporation is eligible to receive a refund of all taxes paid during its first taxable year, with the refund issued in the corporation's third taxable year. The bill also reduces the fees for filing the articles of incorporation. (Chapman)

### **County and School District Ad Valorem Taxing Authority (Oppose)**

**HJR 787** (Chamberlin) is a proposed constitutional amendment seeking to remove the authority of counties and school districts to levy ad valorem property taxes. This



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amendment would continue to allow municipalities to levy ad valorem property taxes. (Chapman)

### **Deferred and Unpaid Taxes (Monitor)**

**HB 957** (Long) seeks to limit homestead tax deferrals to properties valued at \$1 million or less and increases the minimum value of tax certificates for public sale. The bill also raises the minimum unpaid tax threshold from \$250 to \$500 for certificates sold at public auctions or through electronic bidding processes. (Chapman)

### **Disclosure of Estimated Ad Valorem Taxes (Support)**

**HB 827** (Anderson) and **SB 856** (DiCeglie) propose to require online property listings to include estimated ad valorem taxes should the property be sold at the listed rate, rather than displaying the current owner's taxes to give prospective buyers an accurate picture of future tax liabilities. The disclosure must also include disclaimers about variations in local tax rates, exemptions, and other tax benefits, and bars the online platform from displaying current or past ad valorem taxes except for historical context. (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

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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)

### **Homestead Assessment Limitation Transfer (Monitor)**

**SB 1184** (Rodríguez) and **HB 6027** (Fabricio) seek to clarify Florida's homestead property tax rules. The bills remove confusing wording that suggested a homeowner could only transfer tax savings from their most recent home. Instead, the law would clearly match the Florida Constitution, which allows homeowners to transfer their homestead tax savings from a home they owned within the past three years. This change does not create a new benefit but ensures the written law matches what the

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Constitution already allows and avoids confusion for homeowners and property appraisers. (Chapman)

### **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

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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)

### **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

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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)

### **Homestead Tax Exemptions (Monitor)**

**HB 1545** (McFarland) proposes to exempt routine maintenance from triggering a property tax reassessment and revises penalties and interest rates for unlawful homestead exemptions. Specifically mentioned in the bill is that maintenance or repair of homestead property, including roof or window replacement, does not constitute a 'change, addition, or improvement' for purposes of property assessment. Further, the bill replaces the fixed 15% interest rate and 50% penalty with an interest rate tied to section 213.235, Florida Statutes, plus a penalty of up to 50% of unpaid taxes for improperly claimed homestead exemptions. (Chapman)

### **Large Scale County Destination Marketing Organizations (Support)**

**HB 6007** (Eskamani) and **SB 454** (Smith) propose to remove the statutory requirement that at least 40% of Tourism Development dollars be allocated to tourism promotion and advertising. (Chapman)

### **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,

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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)

### **Local Business Tax Receipts (Monitor)**

**SB 1176** (Rodriguez) and **HB 1397** (Rizo) would make new rules for people or businesses that need a local business tax receipt and do business that is controlled by U.S. federal sanctions. These bills would require those applicants to show they have a current license or permission from the U.S. Treasury's Office of Foreign Assets Control (OFAC) before they can obtain or renew their tax receipt. If a business renews

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online, it can meet this rule by providing a digital certification instead of paper proof to the business tax receipt-issuing agency. (Chapman)

### Local Business Taxes (Oppose)

**SB 650** (Bernard) proposes 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 certain counties to continue collecting a local business tax through the use of a gross sales receipt. (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)

### 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)



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**Volume 52, Issue 5: January 16, 2026****Phased Out Elimination of Non-school Property Tax for Homesteads (Oppose)**

**CS/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.

**CS/HJR 203** was amended to revise the additional non-school homestead exemption so that it applies to the portion of a homestead's assessed value greater than \$25,000 and up to \$150,000, replacing the prior \$50,000 to \$75,000 value range. This change broadens the eligibility for the new homestead exemption being proposed.

**CS/HJR 203** also modifies the implementation schedule by delaying the \$100,000 annual increases to begin January 1, 2028. Those increases would apply annually for nine years, with adjustments tied to inflation, while retaining the 2037 date for full exemption of homesteaded property from non-school ad valorem taxes.

The bill was further amended to include a prohibition on reducing first-responder budgets, aiming to protect these services from potential budget cuts due to the loss of ad valorem revenues. (Chapman)

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### **Prohibition on Levying Ad Valorem Taxes on Tangible Personal Property (Oppose)**

**SJR 550** (Bernard) and **HJR 1275** (LaMarca) are joint resolutions proposing to amend the constitution to prohibit counties, school districts, and municipalities from levying ad valorem taxes on tangible personal property.

**SB 552** (Bernard) and **HB 1277** (Lamarca), in connection with SJR 550 and **HJR 1275**, are the implementing bills for the proposed prohibition on counties, school districts, and municipalities from levying ad valorem taxes on tangible personal property. (Chapman)

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

**CS/CS/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 enforcement funding below the higher level from either the 2025-26 or 2026-27 fiscal year. CS/CS/HJR 209 was amended to increase the new exemption amount from \$100,000 to a \$200,000 exemption and specifies how the exemption will be applied to the assessed value. CS/CS/HJR 209 is further amended to include a prohibition on reducing first responder budgets, aiming to protect these services from potential budget cuts due to the loss of ad valorem revenues. (Chapman)

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### **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)

### **Space Florida (Monitor)**

**HB 1177** (Sirois) and **SB 1512** (Burgess) expand tax exemptions for defense and aerospace operations and revise contracting procedures for Space Florida. The bills broaden existing ad valorem tax exemptions to cover additional property used for qualifying defense and aerospace operations, reducing the property tax liability for these properties. The bills also exempt certain government-owned property leased to private entities for defense or aerospace purposes from specified lease-related taxes. In addition, the bills create a new sales tax exemption for certain defense and aerospace machinery and equipment when leased under qualifying arrangements. Collectively, these changes could result in reduced local tax revenues in jurisdictions with significant defense or aerospace activity. (Chapman)

### **Tax/Sales Taxes (Oppose)**

**HB 791** (Chamberlin) proposes to increase the general sales tax rate from 6% to 9% with a dedicated 1/3 allocation of revenue to fund the Florida Education Finance Program. The bill creates a new 5% surtax on property transactions and requires the Department of Revenue to distribute those proceeds to the counties where the property is located. (Chapman)

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### Tax Referenda (Monitor)

**SB 1320** (Martin) and **HB 1439** (Sapp) seek to create a local government spending analysis requirement for certain county tax increase referendums. The bills define 'local government spending analysis' as a statement assessing county government spending. There is also a requirement to include this analysis on county tax-increase referendums. Lastly, the bills authorize the Department of Financial Services to establish rules for implementing the spending analysis. (Chapman)

### Tourist Development Tax (Support)

**SB 458** (Smith) seeks to lower the required percentage of tourism development taxes that must be used for promoting and advertising tourism from 40% to 20%. (Chapman)

### Tourist Development Tax (Support)

**SB 456** (Smith) proposes to add public safety improvement to the authorized uses of tourist development tax revenues. The bill extends the authorized use of revenue to the creation of workforce housing, including land acquisition, design, and engineering. (Chapman)

### Tourist Development Tax Uses (Support)

**SB 976** (Smith) seeks to include commuter rail operations as an authorized use of tourism development tax revenues for qualifying commuter rail services. (Chapman)

### Transfer of Homestead Property by Inheritance (Monitor)

**HB 795** (Alvarez, J.) and **SB 1212** (Rodriguez) are the implementing bills for **HJR 793** and **SJR 1210**, should they be approved by referendum. The bills exempt certain

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inherited homestead property transfers from being treated as changes in ownership if the inheritor establishes a homestead status within one year. The effect of the bills would be that qualifying inherited property would not be reassessed as if it were sold to another party, and the existing assessed value would continue as though no change of ownership occurred. (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) and **SB 1672** (McClain) – Tax Credits for Contributions to Assist Homebuyers

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

**SB 434** (Leek) and **HB 617** (Overdorf) – Assessment of Property Used for Residential Purposes

**HB 6009** (Fabricio) – Documentary Stamp Exemption

**HB 665** (Daniels) – Sales Tax Exemption for Motor Vehicles Sold to Veterans

**SB 752** (DiCeglie) – Taxation of First Time Homebuyers

**SB 446** (Smith) – Large Scale County Destination Marketing Organizations

**HB 951** (McFarland) and **SB 1074** (Gaetz) – One-cent Piece

**HB 847** (Bankson) and **SB 1076** (Calatayud) – Research and Development Tax Credit

**HB 1137** (Robinson, W.) and **SB 678** (Mayfield) – Excise Tax Deductions on Alcoholic Beverages

**HB 1257** (Nixon) – Tax/Documentary Stamp Tax to Fund Down Payment Assistance

### GENERAL

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### Local Government Enforcement Actions (Oppose)

**HB 105** (Brackett) and **SB 588** (McClain) apply to municipalities, counties, and special districts. The bills establish a uniform method for regulatory enforcement and create an investigative process and certain legal remedies for persons subject to local government enforcement action. “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 bills prohibit a local government or local government employee from initiating or threatening to initiate any enforcement action that is determined to be “arbitrary or unreasonable” by a court. The bills authorize 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 bills authorize 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 bills specify 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 bills authorize 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 bills authorize local governments to establish rules addressing the review of enforcement actions. In addition, the bills specify 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 bills specify these remedies are the “sole authority” for

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challenges to arbitrary or unreasonable enforcement actions by a local government or local government employee and void 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)

### Other Bills of Interest

**SB 1172** (Arrington) – Administrative Procedures

**HB 1341** (Plakon) and **SB 1394** (Martin) – Department of Business and Professional Regulation

### GROWTH MANAGEMENT

#### **Abandoned Cemeteries (Monitor)**

**SB 1248** (Davis) and **HB 1479** (Driskell) require that when credible evidence shows an abandoned cemetery is located on, under, or adjacent to private property, the state must be granted an easement for ingress and egress so that the cemetery can be maintained, researched, and noninvasively searched at reasonable times and in a reasonable manner after notice to the property owner. The bills expand current rights of relatives and descendants to access and maintain historic burial sites by explicitly providing state access rights for preservation and research purposes. (Cruz)

#### **Administrative Efficiency in Public Schools (Monitor)**

**SB 320** (Simon) removes statutory requirements that currently require district school boards to coordinate with local governments to ensure consistency between school district educational facilities plans and local government comprehensive plans. Instead, local government review of tentative school district facilities plans is made optional rather than mandatory. These changes reduce formal coordination



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requirements between school districts and local governments in the educational facilities planning process. (Cruz)

**Agricultural Enclaves (Oppose)**

**SB 686** (McClain) and **HB 691** (Botana) expand and revise the statutory framework governing agricultural enclaves. The bills allow owners of qualifying agricultural parcels to apply to the local government for certification as an agricultural enclave and establish mandatory timelines for local government review, including required written reports, public hearings, and automatic certification if action is not taken within specified deadlines. If certification is approved or deemed approved, the property owner may submit development plans for single-family residential development that must be treated as a conforming use, notwithstanding the local government's comprehensive plan or zoning.

The bills prohibit local governments from imposing more burdensome regulations on agricultural enclave developments than on comparable developments and require such parcels to be treated as if they are located within urban service districts under certain circumstances. They also revise the statutory definition of "agricultural enclave," including acreage thresholds, surrounding development criteria, and population limits, and provide for judicial review of denials. The changes are temporary and are scheduled to expire on January 1, 2028, with the statutes reverting to prior law unless otherwise amended. (Cruz)

**Blue Ribbon Projects (Oppose)**

**CS/HB 299** (Melo, Intergovernmental Affairs Subcommittee) and **CS/SB 354** (McClain) create a new statewide approval process for very large development projects, referred to as "blue ribbon projects." To qualify, a project must include at least 10,000 contiguous acres under one ownership, with at least 60% permanently

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preserved for conservation, agriculture, wildlife corridors, or open space. The remaining up to 40% may be developed with mixed uses, including residential, commercial, and employment centers. Residential density may be up to 12 units per acre, and at least 20% of all housing must be affordable, missing-middle, or reserved for Hometown Hero workers.

The bills substantially limit local government authority over land use. A blue ribbon project may be built regardless of existing future land uses or zoning, and no comprehensive plan amendment or rezoning may be required. If a proposal meets the statutory checklist, the local government must administratively approve it. Local review is strictly limited to verifying compliance with the bill's criteria. There is no policy discretion, no public hearing requirement, and no ability for a city or county to deny a compliant project. Failure to act within the deadlines results in automatic approval.

Developers may also use private providers for plan review and building inspections. Once approved, the project's development plan must be recorded in the public records and run with the land.

The bills create an administrative appeal process through the Department of Commerce. Developers may appeal a local denial, and affected residents or entities may challenge an approval through a chapter 120 hearing, though only on limited grounds. The Department must determine whether the project meets the statutory requirements and issue a final order.

Overall, the bills shift major land-use authority from local governments to the state, require automatic approval of qualifying mega-projects, and significantly restrict local planning, public input, and growth-management discretion.

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*Bills are in alphabetical order by subject area*

*Text highlighted in yellow indicate recent revisions made to a bill*

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CS/HB 354 was amended to require a Blue Ribbon Plan to include a provision for an easement granted to the Department of Agriculture and Consumer Services for portions of the reserve area to be reserved for uses consistent with public purposes provided by s. 570.71(1), Florida Statutes. The bill also requires a Blue Ribbon Project to include a covenant requiring easements granted to the state or local governments to be granted without charge.

CS/HB 299 was amended to clarify that reserve areas may be used for conservation easements and agreements under the Department of Agriculture and Consumer Services' Rural and Family Lands Protection Program. The bill also revises the affordable housing provisions to define affordability consistent with existing state affordable housing programs. In addition, the amendment requires that any easements or property granted by an applicant to a state agency, local government, or water management district be provided at no cost. (Cruz)

### Charter Schools (Monitor)

**SB 1100** (Massullo, Jr.) amends Florida's charter school statutes to expand who may sponsor certain types of charter schools by authorizing Florida College System institutions and state universities to serve as sponsors for "job engine" charter schools, and to allow municipalities to apply to convert existing public schools to charter status under that framework. The bill also requires that specified tax revenues from the school district attendance zone be provided annually to the sponsor of a job engine charter school. (Cruz)

### Charter School Facilities (Monitor)

**HB 1147** (Nix, Jr.) and **SB 824** (Truenow) require Florida school districts that own "vacant land" under certain circumstances to offer it first to qualified charter school

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operators before marketing or conveying it to others, and to award the parcel to the operator submitting the most advantageous proposal within statutory timeframes. The bills are aimed at accelerating school facility development and prioritizing charter operators' access to unused district land. (Cruz)

### Educational Facilities (Monitor)

**SB 424** (Rouson) repeals requirements that school districts make underused, vacant, or surplus school facilities available to schools of hope at no cost and eliminates provisions allowing mandatory co-location in public school facilities.

Correspondingly, local governments are no longer subject to provisions limiting their ability to apply local building or site-development requirements tied to schools of hope operating in district facilities. (Cruz)

### Food Insecure Areas (Support)

**HB 337** (Rayner) and **SB 852** (Jones) empower cities and counties to support the development of "small-footprint grocery stores" in areas officially designated as food deserts. A "food insecure area" is defined as a location identified by the Office of Economic and Demographic Research where poverty levels are high and residents live more than one mile (urban) or ten miles (rural) from a supermarket. A "small-footprint grocery store" must derive at least 30% of its sales from nutrient-dense foods such as fresh produce, whole grains, nuts, beans, and low-fat dairy products.

The bills give local governments the option but do not require them to adopt land development regulations or comprehensive plan provisions that specifically allow these smaller grocery stores in food-insecure areas. This authority is permissive and exists "notwithstanding any other restrictions," meaning cities may choose to authorize these uses even if current zoning or future land use designations would not otherwise allow them.

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Local governments may also require certain reporting from these grocery stores, such as data on food offerings or sales of nutrient-dense products, to help track whether the stores are meeting the goal of improving access to healthy foods. (Cruz)

### **Historic Cemeteries Program (Monitor)**

**SB 34** (Sharief) and **HB 425** (Aristide) 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 bills 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 bills, 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)

### **Hyperscale Data Centers (Monitor)**

**HB 1007** (Griffitts) creates a comprehensive statutory framework regulating the siting, approval, and operation of hyperscale data centers and creates restrictions on where they can be located, preempting local land use authority and establishing additional procedural requirements for review and approval of these facilities.

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A hyperscale data center is a very large, high-power data center that uses 25+ megawatts of electricity (enough to power thousands of homes) to run massive computing systems for companies that support cloud services, AI, websites, and online storage on a global scale.

Under the bill, hyperscale data centers are prohibited uses after July 1, 2026 in agricultural, conservation, environmental stewardship, mixed-use, and residential land-use categories and in certain waters, and local comprehensive plans and land development regulations must include specific provisions addressing them; local governments must conduct public hearings, provide broad notice, and request concurrence from the Governor and Cabinet (siting board) before construction and operation can proceed.

The legislation also prohibits governmental entities from offering economic incentives to such centers, restricts utility rate structures to prevent cost shifting to other customers, requires water-use disclosures and hearings for consumptive-use permits, and includes noise-abatement standards for construction near rights-of-way.

For cities, HB 1007 directly affects local zoning and permitting authority over hyperscale data centers by imposing state-level definitions, establishing prohibited land-use categories, and requiring public hearings and state siting approval before local governments may issue an effective approval for those facilities. (Cruz)

### Data Centers (Monitor)

**SB 484** (Avila) and **HB 1517** (Joseph) establish comprehensive requirements for data center nondisclosure agreements, large-load electricity tariffs, and water-use permitting for large-scale data centers. SB 484 regulates data centers and other

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large-energy-use facilities by (1) banning government nondisclosure agreements that hide information about potential data center developments from the public and (2) clarifying that local governments retain planning and land-use authority over large-load customers like data centers. It also directs the Florida Public Service Commission to set minimum utility tariff and service requirements for large-load customers and creates permitting standards for large-scale data centers — including water-use rules and hearing requirements — to ensure local zoning consistency and protect state water resources. HB 1517 requires applications for new data center approvals to include detailed disclosures, mandate that existing data centers disclose certain information publicly (with the Department of Environmental Protection posting it online), and prohibit certain tax incentives or exemptions tied to that information while directing DEP to adopt implementing rules. (Cruz)

### Impact Fees (Oppose)

**SB 548** (McClain) establishes new requirements and limitations on how local governments calculate and increase impact fees. The bill defines and requires the use of a “plan-based methodology” for demonstrated-need studies and tightens the criteria for showing “extraordinary circumstances” that justify impact fee increases beyond statutory phase-in limits. The bill also prohibits the use of outdated data and certain deductions when calculating higher impact fees and caps cumulative increases above phase-in limits.

In addition, the bill modifies transportation concurrency provisions by requiring counties and municipalities that both impose transportation impact fees to enter into interlocal agreements coordinating mitigation and fee collection, with default rules applying if no agreement is in place. The bill further provides for attorney fees and costs to prevailing challengers in certain impact-fee lawsuits and makes conforming changes related to the local government infrastructure surtax.



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**HB 1139** (Gentry) is the House's 2026 impact-fee reform bill, requiring cities, school boards, and special districts to calculate transportation impact fees using a standardized "plan-based methodology" and to base all fee-increase studies on recent local data (no older than four years) that reflect cost and project-modality differences across urban, emerging urban, and rural areas. The bill limits any "extraordinary circumstance" impact-fee increase to no more than 100% total, phased in evenly over four years, and further tightens the "extraordinary circumstances" exception by prohibiting its use if (1) the fee has not been raised in the past five years, (2) the data used are older than four years, or (3) prior fee credits or deductions are not reflected in the new study.

HB 1139 also restricts interlocal agreements to extend beyond October 1, 2031, for agreements adopted before October 1, 2024, which may require cities and counties to renegotiate transportation mitigation terms, including those addressing extra-jurisdictional development impacts. Finally, the bill increases municipal litigation and financial risk by entitling a prevailing resident or business owner to recover reasonable attorney fees and costs in a lawsuit challenging an impact fee assessed in violation of the new laws. (Cruz)

### Local Land Planning and Development (Oppose)

**HB 927** (Sapp) and **SB 1138** (Massullo) shift a significant portion of local land-use, plat, and development application review work to private reviewers and constrain cities' traditional zoning and procedural control over development approvals. The bills create new statutory frameworks requiring local governments to establish formal programs that allow applicants to engage "qualified contractors" or other private providers to perform permit, plan, and preliminary or final plat review before applications are submitted. Once materials are reviewed by those private providers, the bills require cities to accept and process submissions based on affidavits and

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statutory timelines, limiting duplicative municipal re-review and reducing the ability of cities to impose additional local procedural or zoning conditions.

Both bills impose new administrative mandates on municipalities. HB 927 requires cities meeting population thresholds to maintain a registry of private providers and preempts any conflicting local ordinances, rendering them void. It also authorizes applicants to file suit against local governments for declaratory or injunctive relief if a city violates the statutory program requirements, with prevailing-party attorney fees and costs, subject to a 14-day cure window and a 14-day notice period. SB 1138 similarly restricts local governments from imposing additional regulations or conditions for final plat approval, requires acceptance of commonly used surety or financial-assurance instruments, and expands expedited residential permitting rights if a city fails to adopt or update required program ordinances by statutory deadlines. For cities, these provisions collectively reduce local land-use discretion, increase administrative burden, and create new litigation and financial exposure risks tied to routine development approvals.

Finally, HB 927 includes provisions raising legal and fiscal concerns for municipalities. Participation in the new program frameworks is deemed a waiver of sovereign immunity, and the bills treat the private reviewer as an agent or employee of the state or local government for sovereign-immunity coverage purposes when acting within contract scope. This could complicate risk-transfer tools cities traditionally rely on, and raise claims-management, indemnification, and insurance-coverage concerns for municipal governments, especially in high-growth areas where development approvals are frequent. (Cruz)

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### Religious Services and Gatherings (Oppose)

**SB 1444** (Martin) and **HB 1227** (Oliver) preempt to the state all matters relating to the regulation of religious services and gatherings, meaning counties, municipalities, and special districts could not adopt or enforce local ordinances, regulations, or policies that substantially burden the free exercise of religion. Specifically, the bill would ensure that religious services and gatherings must be allowed in residential or commercial zones regardless of local zoning or land-use restrictions and would prohibit local restrictions on related temporary parking tied to attendance. Local laws conflicting with this state preemption would be void and unenforceable, though the bill does not affect compliance with building, fire safety, or health standards. (Cruz)

### Private School Zoning (Oppose)

**HB 833** (Cassel) and **SB 1264** (Calatayud) change how private schools are treated for zoning and facility requirements, but they differ in scope and procedural detail. SB 1264 makes a private school enrolling 150 or fewer students a permitted use in all zoning districts (except certain residential districts) without rezoning or special exceptions and sets uniform fire-safety and building-code criteria for existing and new facilities. HB 833 builds on that framework but adds procedural requirements, such as traffic-study prerequisites and explicit references to compliance with the Florida Building Code and Fire Prevention Code for facility upgrades and sprinkler systems. For cities, both bills limit local land-use authority and conditional requirements for qualifying small private schools. (Cruz)

### Transportation Concurrency (Monitor)

**HB 97** (Grow) and SB 324 (McClain) amend 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

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improvements element in their comprehensive plan identifying the public facilities needed to meet adopted level-of-service standards within a five-year period. The bills modify 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 be indirectly affected if county transportation planning becomes less focused on system expansion or upgrades that also serve municipal areas. (Cruz)

### **Palm Beach County Annexations (Monitor)**

**HB 4071** (Snyder) is a local bill that only applies to the municipalities in Palm Beach County. The bill governs how fire rescue and emergency medical services are handled when unincorporated property is annexed into a municipality. The bill provides that a municipal service taxing unit (MSTU) whose primary purpose is to provide fire, rescue, and EMS will continue to serve annexed properties for up to eight years after annexation, even after they become part of a city, and the MSTU's boundaries will contract to exclude the annexed area thereafter. The annexing municipality must pay the county an annual service price for that period (the lesser of prior county taxes or anticipated municipal taxes on those services), and the county may continue to collect certain impact fees on the annexed property. The bill also requires good-faith pre-annexation negotiations between the county and the annexing city on service transitions and asset expenditures, and allows the parties to agree to shorten or extend the eight-year term based on substantiated data and mutual agreement. (Cruz)

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### Military Installations and Ranges (Monitor)

**HB 1141** (Mooney) strengthens coordination between local governments and nearby military installations by requiring earlier information sharing on proposed land-use and development actions that could affect military operations. For cities, this means additional notice and consultation steps during planning, zoning, and development review to help prevent incompatible development near bases and ranges. (Cruz)

### Other Bills of Interest

**HB 713** (Gonzalez Pittman) and **SB 798** (Burgess) – Allowing Sheriffs' Offices to Occupy Any Location Within County Lines

**HB 6023** (Gantt) and **SB 424** (Rouson) – Educational Facilities

**HB 335** (Kendall) and **SB 916** – Spaceport Operations

**SB 1738** (Yarborough) – Educational Facilities

**SB 1646** (Simon) and **HB 1321** (Conerly) – Educational Facilities

**SB 1232** (Arrington) and **HB 1111** (Skidmore) – Recording of Instruments Conveying Real Property

### HOUSING

#### Affordable Housing (Support)

**SB 756** (Davis) and **HB 675** (Driskell) require the affordable units in a Live Local Act project to remain affordable for at least 50 years (current law requires only 30 years). In addition, the bills require that any development incentives offered to an affordable housing development under Section 166.04151(4), Florida Statutes, be used for the construction of affordable housing. The bills also revise the 75% property tax exemption for affordable rental units in qualifying multifamily projects in section 196.1978(3)(d), Florida Statutes. Current law allows this exemption for units that will be used to house persons whose annual household income is between 80-120% of the

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median annual adjusted gross income for households within the metropolitan statistical area. The bills reduce this range to between 80–100%. The bills also revise the “opt out” provisions in Section 196.1978(3)(o) for this tax exemptions. Current law allows a taxing authority to opt out of the exemption if the authority is within a jurisdiction where the number of available affordable units is greater than the number of renter households in the 0–120% AMI category. The bills adjust the 0–120% AMI range to 0–100%. The bills also exempt first-time homebuyers from payment of the documentary stamp tax on real estate transfers and from taxes imposed on promissory notes or nonnegotiable notes pursuant to Section 201.08, Florida Statutes. (O’Hara)

### **Affordable Housing/Live Local Act (Monitor)**

**SB 1548** (Calatayud) amends the Live Local Act (LLA) and the Florida Fair Housing Act. The bill requires municipalities and counties to authorize LLA projects on property owned by a county, municipality, or school board. It prohibits the application of dimensional regulations, such as step-backs or setbacks, to an LLA project that would have the effect of reducing the project’s building height below the height authorized by the LLA. The bill clarifies that farms and farm operations are not commercial or industrial uses for purposes of the LLA. The bill allows an LLA applicant to choose which version of the LLA they wish to proceed under. Lastly, the bill amends the Florida Fair Housing Act. It includes governmental entities and agencies within the definition of the term “person” under the Act. It specifies that it is unlawful for any person to discriminate in land use permitting and development decisions based on how a project is funded or whether it is intended to provide affordable housing. The bill waives sovereign immunity in suits for discriminatory housing practices under the Act. (O’Hara)



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### **Affordable Housing/Live Local Act (Oppose)**

**HB 1389** (Redondo) expands the types of parcels eligible for a Live Local Act (LLA) project to include: 1) any parcel with a future land use designation that allows mixed use, commercial, or industrial; 2) any parcel within ¼ mile of a transit stop; and 3) any parcel within ½ mile of a major transit stop. The bill also revises the minimum affordability period and percentage of units that must be affordable to qualify for the LLA as follows: 40% of the units must be affordable to moderate-income persons for a 30-year period, or 20% of the units must be affordable to low-income persons for a 30-year period. In addition, the bill prohibits minimum parking requirements for projects within ¼ mile of a transit stop, ½ mile of a major transportation hub, or if there are available parking options within 600 feet of the project. Finally, the bill modifies the current law optional property tax exemption that municipalities and counties may authorize for certain affordable housing projects. It specifies that qualifying projects must include a minimum number of residential units as specified in the municipal or county ordinance, and further specifies that accessory dwelling units may be entirely exempt from property taxes. (O'Hara)

### **Affordable Housing/Live Local Act (Support)**

**SB 962** (Bradley) and **HB 837** (Busatta) revise the definitions of "Commercial Use," "Mixed Use," and "Industrial Use" within the Live Local Act to exclude farms or farm operations and any uses associated therewith, including the packaging and sale of products raised on the premises. (O'Hara)

### **Affordable Housing "Missing Middle" Property Tax Exemption (Oppose)**

**SB 1520** (Calatayud) modifies the "missing middle" property tax exemption authorized in section 196.1978, Florida Statutes, for certain "newly constructed" multifamily rental projects that provide affordable or moderate-income housing. The bill revises the conditions under which a local government may opt out of the tax



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exemption. To qualify for the opt-out, the local government must demonstrate, pursuant to the preceding three annual housing reports from the Shimberg Center, that sufficient rental units were available. In addition, the bill allows the owner of a property that received a final site plan approval within one year before a local government enacts an ordinance to opt out of the tax exemption to receive the tax exemption notwithstanding the enactment of such ordinance. (O'Hara)

### **Affordable Housing "Missing Middle" Property Tax Exemptions (Oppose)**

**SB 1350** (McClain) modifies the 75% and 100% property tax exemptions authorized in section 196.1978, Florida Statutes, for certain "newly constructed" multifamily rental projects that provide affordable or moderate-income housing. The bill revises the conditions under which a local government may opt out of the tax exemption. To qualify for the opt-out, the local government must demonstrate, pursuant to the preceding three annual housing reports from the Shimberg Center, that sufficient rental units were available. The bill further specifies the conditions for the timing of any renewal of the opt-out by a local government. In addition, a property that submitted a certification notice request to the Florida Housing Finance Corporation (FHFC) prior to adoption of an opt-out ordinance by a local government is exempt from the opt-out ordinance if the FHFC later issues the certification. The bill revises the definition of "newly constructed" to specify that the construction must be completed two years, rather than five years, prior to the owner's application for tax exemption. In addition, the bill defines the term "LURA" to mean a land use restriction agreement having a term of at least three years, and that is recorded in the public records. The LURA must specify that the property is to be used to provide housing for persons meeting the income thresholds defined in state law for extremely-low, low, and moderate-income. The bill allows properties subject to a LURA to be eligible for the 75% or 100% property tax exemption. For LURA-restricted properties, the bill specifies that an annual compliance report and statement from the FHFC are

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presumptive evidence that such portions of the property meet the income and rent limits required by law. Local governments are authorized to produce compliance reports for LURA-restricted properties. In addition, properties subject to a LURA are presumed eligible for a certification from FHFC for the term of the LURA. The bill specifies conditions upon which a property appraiser must issue a verification letter for the exemption and provides that an owner issued a verification letter before a local government adopts an ordinance opting out of the exemption shall be exempt from the ordinance for so long as the property continues to meet conditions for the tax exemption. The amendments to section 196.1978 made by the bill first apply to the 2027 tax roll. Section 196.1978 expires July 1, 2028. (O'Hara)

### Housing – Accessory Dwelling Units (Monitor)

**SB 48** (Gaetz) and **CS/HB 313** (Nix) require local governments to adopt an ordinance by December 1, 2026, to allow accessory dwelling units (ADUs) by right in any area zoned for single-family residential use. The local government may not require an ADU applicant to undergo any type of discretionary review or public hearing as a condition of approval. 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
  - Note: CS/HB 313 does NOT allow local governments to prohibit ADU rentals for terms less than 30 days.
- Require the parcel owner to reside in the primary dwelling unit

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- 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 also direct the Office of Program Policy Analysis and 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) and **SB 594** (Burton) expand 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 authorize local housing assistance plans to allocate funds for rental assistance to such persons. The bills direct counties and SHIP-eligible municipalities to include in their local housing assistance plans the provision of funds for lot rental assistance to mobile homeowners in mobile home parks and revise 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 bills prohibit 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)

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### Mobile Home Parks (Monitor)

**SB 652** (Bernard) and **HB 853** (Long) revise the general obligations of mobile home park owners and mobile homeowners. The bills require mobile home park owners to require mobile home owners to do the following: maintain a current registration sticker on the home; maintain records regarding the owner of each home in the park and provide the records to municipal and county code enforcement upon request; and require each home owner and other persons on the premises to maintain the home and its lot in accordance with all applicable building, housing, fire, and health codes. The bills delete current law requirements that a mobile homeowner is responsible for all fines imposed by a local government for noncompliance with local codes and authorize local governments to adopt and enforce local codes or ordinances to ensure compliance of park owners and homeowners with Sections 723.022 and 723.023, Florida Statutes. (O'Hara)

### Public Employee Housing Benefits (Support)

**HB 1065** (Grow) and **SB 1432** (Calatayud) authorize a public employer to provide an employee a one-time payout of his or her sick or annual leave, or combination thereof, to assist with the purchase of a primary residence upon meeting specified conditions. The employee must maintain a balance of at least 21 days of accrued sick leave following payout. (O'Hara)

### Rent of Affordable Housing Units (Support)

**SB 664** (Bernard) prohibits a landlord who has received federal, state, or local funding or tax incentives because of a dwelling unit's status as an affordable housing unit from increasing the base rent of a unit during the term of a rental agreement. (O'Hara)

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### Other Bills of Interest

**HB 489** (Owen) and **SB 1348** (Calatayud) – Terminology Associated with Fla. Housing Finance Corp.

**HB 755** (Mooney) and **SB 934** (Rodriguez) – Areas of Critical State Concern

**SB 716** (Jones) and **HB 811** (Daley) – Rental Agreements for Residential Tenancies

**SB 956** (Bradley) – Multifamily Residential Properties

**HB 1481** (Rosenwald) and **SB 1602** (Wright) – Housing for Veterans

**HB 1493** (Joseph) and **SB 1726** (Smith) – Housing

### LAND USE

#### **Infill Redevelopment (Oppose)**

**HB 979** (Borrero) and **SB 1434** (Calatayud) apply to the redevelopment of “environmentally impacted” land within Orange, Palm Beach, Broward, and Miami-Dade counties and the municipalities within them. The term “environmentally impacted” land means a parcel with a recognized environmental condition based on an environmental site assessment report and includes sites subject to brownfield, petroleum, or drycleaning cleanup laws. The term does not include designated agricultural land, land used for public park purposes, land outside an urban growth boundary, or land within ¼ mile of a military installation. The bills require a city or county to permit such property to be developed up to the highest density and intensity allowed in any adjacent zoning district within the same jurisdiction that permits residential uses by right. If the parcel is not adjacent to a zoning district that permits residential uses by right, the bills require the parcel to be developed with single-family homes or townhomes, but the local government may not: 1) restrict the density to less than 30 units per acre; 2) restrict height below 40 feet; 3) require lot sizes larger than 1250 square feet; require front and rear setbacks of more than 10 feet; require any side setbacks; require more than one parking space per dwelling. A

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local government must approve subdivision of the parcel if it meets the requirements of chapter 177. If the parcel includes recreational facilities or areas reserved for recreational use and such facilities are adjacent to single-family homes on all sides, the developer must: 1) establish the facilities have not been in use for at least 12 months; 2) pay double the parks or recreational impact fee to compensate for loss of this use or space; 3) notify adjacent property owners that they may elect to purchase the recreational facilities or areas. Development applications for these parcels must be administratively approved and each local government must post its policies relating to such approvals on its website. The bills' provisions apply retroactively. The bills prohibit a local government from adopting or enforcing a more burdensome or restrictive requirement or procedure for the development of qualifying parcels. (O'Hara)

### Land Use and Development Regulations (Oppose)

**CS/SB 208** (McClain) relates to application fees for development orders and permits and residential land use compatibility. The bill, as filed, would have significantly limited the ability of local governments to deny or impose conditions on residential developments to ensure compatibility between proposed and existing land uses. In addition, the bill would have required administrative approval of certain residential developments up to 100 acres in size. The bill was substantially amended. As amended, the bill requires that any application fee associated with a development permit or development order be related to the direct and reasonable indirect costs associated with processing the application. Fees must be published on the municipality's fee schedule and may not be based on a percentage of construction costs, site costs, or project valuation.

The amended bill also imposes new requirements on local governments relating to the review of certain residential developments. It requires local government



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comprehensive plans and land development to include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category.

Land development regulations must incorporate objective design standards or other measures for mitigating or minimizing potential incompatibility. The bill requires local governments to identify each area of incompatibility before recommending denial of an application for rezoning, subdivision, or site plan approval on compatibility grounds.

The bill prohibits local governments from denying an application on compatibility grounds if the applicant has proposed mitigation measures, unless the denial includes written findings stating that the proposed mitigation measures are inadequate and no feasible mitigation measures exist.

The bill requires a denial of an application on compatibility grounds to specify with particularity the area or areas of incompatibility. References to “community character” or “neighborhood feel” are not independently sufficient to support a denial of an application on compatibility grounds. (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.



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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 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)

### **Local Government Land Development Regulations and Orders (Oppose)**

**SB 948** (McClain) and **HB 1143** (Nix) prohibit the application of certain land development regulations to residential lots, require approval of townhomes and fourplexes on all residential lots, impose shot clocks and administrative approval requirements for all types of development permits and development orders, require administrative approval of lot splits, require local governments to prove the validity of their land development regulations by demonstrating the regulation satisfies a compelling governmental interest, and authorize lawsuits against local governments with attorney fee awards to prevailing plaintiffs.

### *Land Use Deregulation for Residential Parcels Served by Water & Sewer*

The bills create a new section 163.3254, F.S., which prohibits local government land development regulations that:

- Prohibit, limit, or otherwise restrict the development of residential dwelling units (defined as single-family, duplex, triplex, fourplex, or townhome)

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*Bills are in alphabetical order by subject area*

*Text highlighted in yellow indicate recent revisions made to a bill*

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- Require minimum lot sizes greater than 1,200 square feet for existing lots or lots created by lot split or subdivision
- Define “residential unit” to exclude townhomes, duplexes, triplexes or fourplexes
- Require minimum setbacks greater than zero feet for side; 10 feet for rear; or 20 feet for front (requires zero feet for front if the lot fronts a shared space)
- Require lot dimensions exceeding 20 feet
- Require more than 30% of the lot to be reserved for open space or permeable surface
- Impose building height restrictions of less than three stories or 35 feet
- Require a maximum floor area ratio of less than three
- Require owner occupancy
- Impose a minimum dwelling size greater than what is required by the Florida Building Code
- Impose a maximum residential density that is more restrictive than what is allowed under the bill
- Prohibit lots from fronting a shared space instead of a public right-of-way, and for such lots may not require parking minimums greater than one space per unit if the lot is 4,000 square feet or less, and may not require any minimum parking requirements for lots located within 1/2 mile of a permanent public transit stop (defined as a stop for commuter rail or rapid transit)

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### *Administrative Lot Splits*

Land development regulations governing lot splits (defined as dividing a parcel into eight or fewer lots) are limited to:

- Requiring submission of relevant documentation and payment of a fee for the cost of reviewing the documentation;
- Requiring compliance with land development regulations that govern lots not created by a lot split
- Requiring that the parent parcel was not created by lot split or subdivision within the preceding 12 months

For historic properties, a local government may not impose land development regulations on lots created by a lot split that differ from the regulations that apply to non-split lots (this requirement does not apply to regulations governing the demolition or alteration of historic structures)

### *“Shot Clocks” and Administrative Approval for ALL Development Orders and Development Permits Except Building Permits*

The bills create section 163.3254(6) to govern the review of applications for plats and replats, zoning, rezoning, subdivision approval, certification, special exception, or variance. The process:

- Confirm receipt of an application by the next business day
- Seven business days to review the application and issue notice of completeness or notice of any deficiencies
- Sixty days for applicant to correct any deficiencies

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- Seven days after resubmittal of information by applicant to issue notice of completeness or identify remaining deficiencies
- Twenty days to *administratively approve* application once it's deemed complete
- A denial must include written findings
- Applicant (but not the local government) may request a 60-day time extension
- If the local government fails to meet any required timeframe, the application is *deemed approved*
- Local government must refund the entire application fee for failure to meet the seven-day period to deem an application complete or identify further deficiencies

### *Land Development Regulations Applicable to Residential Lots Must Serve a Compelling Governmental Interest*

The bills prohibit the adoption of land development regulations applicable to residential lots unless the regulation furthers a compelling governmental interest and is the least restrictive means of furthering that interest.

- Exemptions for regulations that prevent or abate a nuisance, enforce a license, permit, or authorization, enforce a federal law requirement, or result from a final judicial decision
- Ambiguities must be construed in favor of the right to acquire and possess land.

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- “Compelling governmental interest” is defined as an interest that has a substantial connection to protecting public safety, health, or reasonable enjoyments and expectations of property, such as requiring structural integrity, safe plumbing, safe electricity, or preventing nuisances.

### *Lawsuits Against Local Governments*

An affected property owner or association may sue a local government to enforce the requirements of the newly created section 163.3254 (relating to regulations applicable to residential lots, lot splits, and procedures for development permits and orders).

- The proceeding is de novo and subject to preponderance of evidence standard
- Local government has the burden to demonstrate by clear and convincing evidence that the land development regulation at issue furthers a compelling governmental interest and that it is the least restrictive means of furthering that interest.
- Court may order declaratory relief, mandamus relief, injunctive relief, or remand
- Prevailing plaintiff recovers attorney fees and costs, including appellate
- Waives sovereign immunity

### *Application to Deed-restricted Communities*

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Deed restrictions and governing documents of a homeowner's or condominium association recorded after July 1, 2026, are void and unenforceable to the extent they conflict with the newly created section 163.3254. (O'Hara)

### **Transportation Infrastructure Land Development Regulations (Oppose)**

**HB 1183** (Cross) and **SB 1342** (Rouson) impose substantial development mandates on rural cities as well as cities that have bus rapid transit, rail service, commuter rail, intercity rail service, or fixed guideway transportation systems. The rural portions of the bill apply to either the county seat or the highest population municipality within the following counties: Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, Washington, Walton.

#### *Rural Municipality Mandates*

The bill requires the highest population municipality in a rural county to establish a "Liveable Urban Village" (LUV) by December 1, 2026, which is defined as an area where residential development is allowed on any lots zoned for commercial, industrial, or mixed use. Within an LUV, a municipality may not: restrict building height to less than four stories; impose maximum floor area ratios of less than 3.0 for residential and less than 2.0 for commercial; impose any side setback; impose a front setback greater than 20 feet or rear setback greater than 10 feet; impose minimum parking requirements of more than one space per unit. 70 percent of every lot within an LUV must be built upon or covered with an impermeable surface.

#### *Mandates for Cities with Transit or Rail Service*

The bill requires counties and cities to establish Tier 1 and Tier 2 Transit Oriented Development Zones (TOD) by December 1, 2026. Tier 1 TOD consists of all lots within a quarter mile of a transit or rail stop or station. Tier 2 TOD consists of all lots between a quarter mile and half a mile of a transit or rail stop or station.

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### Tier 1 TOD Zone Mandates

A local government may not impose: building height restrictions of less than 8 stories (or four stories for lots adjacent to certain single-family areas); maximum floor area ratios of less than six for residential or less than three for commercial; any minimum side, front or rear setback; any minimum parking requirement; and any requirement that greater than 10% of a lot be reserved for open space or permeable surface. Height and floor area ratio minimums are doubled for counties greater than 800,000 and cities greater than 75,000 in population.

### Tier 2 TOD Zone Mandates

A local government may not impose: building height restrictions of less than four stories (or three stories if adjacent to certain single family residences); a maximum floor area ratio of less than three for residential or less than three for commercial; any minimum side, front, or rear setback; no minimum parking requirement; and any requirement that more than 20% of a lot be reserved for open space or permeable surface. Height and floor area ratio minimums are doubled for counties greater than 800,000 and cities greater than 75,000 in population.

### *Additional Development Mandates for LUV's, and Tier 1 & 2 TOD Zones*

For all lots within these areas, a local government must: zone the lots for mixed use and authorize commercial uses. A local government may not impose: any restriction or prohibition on any type of single-family or multifamily use, a maximum density requirement, or a minimum dwelling unit size.

### *Authorizes Lawsuits against Local Governments and Shifts Legal Burden to Local Governments*

The bill allows any aggrieved or adversely affected property owner or housing organization to sue a local government for damages to force compliance with the bill's requirements. A prevailing plaintiff may recover attorney fees and costs. In any

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legal proceeding, the local government has the burden to prove, by clear and convincing evidence, that the local government's regulation furthers a compelling governmental interest and that it is the least restrictive means of furthering that interest. (O'Hara)

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

#### **Beach Management (Oppose)**

**HB 1297** (Greco) and **SB 636** (Leek) require the Department of Environmental Protection (DEP) to update criteria for designating "critically eroded beaches," including consideration of repeated local, private, or grant-funded repair efforts. The bills mandate automatic designation for beaches meeting specified dune and seabed conditions when local governments have a dedicated financial plan to preserve required matching funds.

The bills authorize DEP's secretary to require certain coastal local governments to develop "local strategic beach management plans" that analyze compound flooding, property values, environmental conditions, and engineering recommendations. Municipalities subject to this requirement would assume new analytical, planning, and coordination responsibilities and may need to integrate these plans with local comprehensive plans and budgeting processes. The bills also expands the scope of areas that may be designated as areas of critical state concern, which could affect municipal permitting, development review, and long-term land-use planning in newly eligible coastal or low-elevation areas. (Singer)

#### **Public Waters (Monitor)**

**HB 669** (Gossett-Seidman) and **SB 1042** (Rodriguez) seek to amend public water permitting and beach water health advisory processes that affect counties,

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municipalities, and special districts. The bills prohibit a county, municipality, or special district from applying for a permit to establish or maintain a public mooring field outside its territorial boundaries and prohibits counties from applying for such permits within incorporated areas, with limited grandfathering for permits issued before December 31, 2025.

The bills also require the Department of Health to adopt and enforce rules for bacteriological sampling of beach waters and public bathing places, and set minimum rule requirements. Counties, municipalities, and special districts (or the state if it owns the waters) must issue health advisories within 24 hours after sampling shows standards are not met, notify the Department of Environmental Protection and local television affiliates of advisories, and close affected waters or bathing places until water quality is restored. Local governments and special districts will need to notify DOH of unsafe water quality incidents within 24 hours and are responsible for posting and maintaining health advisory signage at affected beach access points and conspicuous areas around affected waters. (Singer)

### Other Bills of Interest

**HB 1161** (Botana) and **SB 1636** (Martin) – Big Cypress Basin

### 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 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.

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Violations are subject to a civil fine of \$500 per day. (Wagoner)

### Clerks of Court (Oppose)

**HB 925** (Trabulsy) and **SB 1322** (Martin) are comprehensive bills dealing with the reallocation of court-related fees and penalties related to remittances to the clerk's fine and forfeiture trust fund. Of concern to cities is the provision to cut the allocation relating to the "disposition of civil penalties" from its current 50.8% distribution to 28.2% and increase the allocation going to the clerk's trust fund from 5.6% to 28.2%. As a result, cities may receive less revenue from civil traffic citations and similar penalties than they do under current statutory distributions because the penalty-share formulas are adjusted to favor retention by clerks. (Wagoner)

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

**CS/CS/SB 290** (Truenow) and **HB 433** (D. Alvarez) are comprehensive bills relating to the Department of Agriculture and Consumer Services (DACS). Of note to municipalities, the bills define "gasoline-powered farm equipment" and "gasoline-powered landscape equipment" and preempt 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 bills prohibit municipalities from creating different standards for such equipment or distinguishing such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting. However, the bills do not prohibit municipalities from encouraging the voluntary use of alternative farm or landscape equipment.

The bills also direct 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, prohibit local governmental entities from transferring future development rights for any such surplus lands.

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The bills also add a requirement that, for a new biosolids land application site permit or permit renewal issued after July 1, 2020, the permittee must ensure that only Class AA biosolids are applied to the soil.

CS/CS/SB 290 was amended to clarify that only surplus lands acquired on or after January 1, 2024, will be eligible for consideration for bona fide agricultural purposes. The amendment also removed the provision providing that the changes to the Acquisition and Restoration Council would be retroactive to January 1, 2024.

CS/CS/SB 290 was amended to create new definitions for “ecologically significant parcel” and “low-density municipality” and establishes a statewide density cap for qualifying properties. Under the new framework, residential development on ecologically significant parcels within low-density municipalities may not exceed one dwelling unit per 20 acres unless the limitation is waived by a unanimous vote of the municipal governing body or the development is limited to housing for family members. These provisions override local zoning and comprehensive plan policies for these parcels in the affected municipalities.

CS/CS/SB 290 was also amended to modify agritourism law by adding a new definition of “rural event venue” and specifically prohibits local governments from requiring rural event venue permits or licenses on agricultural land. (Singer)

### Department of Environmental Protection (Oppose)

**HB 1417** (LaMarca) and **SB 1510** (Massullo) make extensive revisions to Florida’s environmental governance and program administration, with multiple implications for municipalities. The bills eliminate the Environmental Regulation Commission and transfer its powers and duties to the Acquisition and Restoration Council, which is expanded and assigned administration and oversight of the Florida Communities

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Trust. The bills revise legislative intent language for the trust, remove references to local government involvement in conservation land acquisition and stewardship, and eliminate the trust's authority to award loans to local governments, limiting assistance to grants.

The bills expand the Department of Environmental Protection's (DEP) authority over onsite sewage treatment and disposal systems (OSTDS), including permitting, inspection, maintenance, reporting, and enforcement. Municipalities would be prohibited from issuing building or plumbing permits or approving occupancy for structures served by onsite systems unless DEP has provided the required approvals, and would be preempted from requiring inspections or imposing permitting conditions at the point of property sale beyond those authorized in statute.

The bills amend the definition of "wastewater services" to include services related to the management of domestic septage from residences and establishments served by onsite treatment and disposal systems.

The bills expand the scope of wastewater facility needs analyses that local governments must submit to DEP to require analysis of domestic biosolids and septage generation, treatment, management, use, and disposal within the applicable service area, adding new analytical and reporting responsibilities for municipal wastewater utilities.

The bills revise requirements governing agricultural fertilizer products containing or composed of Class AA biosolids produced by domestic wastewater or biosolids treatment facilities. For municipalities that produce or manage biosolids, the bills would clarify inspection fee calculations by requiring fees to be assessed based on



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equivalent dry tons of material and would specify applicable fertilizer management practices.

The bills also amend eligibility criteria for reduced local cost shares under the Statewide Flooding and Sea Level Rise Resilience Plan by expanding eligibility to municipalities or counties located within a statutorily defined rural community.

The bills also revise the annual deadline for major sources of air pollution to pay operating license fees to DEP to June 30 of each year. (Singer)

### Department of Health (Monitor)

**HB 733** (Gerwig) and **SB 902** (Garcia) prohibit medical marijuana treatment centers' cultivation and processing facilities from being located within 500 feet of parks, child-care facilities, early learning facilities, or schools, and provide that once a facility is approved, subsequent establishment of those uses does not affect its continued operation. For dispensing facilities, the same restrictions apply unless a local government approves the location through a formal public proceeding. Facilities approved by July 1, 2026, would be exempt from these preemptions. (Wagoner)

### Design Professional Contracts (Oppose)

**HB 699** (Conerly) and **SB 888** (Martin) significantly restrict the indemnification, hold harmless, and defense obligations that may be required of design professionals (architects, engineers, surveyors, etc.) in professional services contracts entered into between design professionals and government entities, including cities, on or after July 1, 2026, for public construction projects. The bills limit indemnification and hold harmless provisions to the design professional's proportionate fault and prohibit requiring a design professional to defend claims that are not covered by the

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professional's liability insurance. They also prohibit requiring a public agency to be named as an additional insured on a design professional's professional liability policy, while still allowing additional insured status on general and automobile liability policies.

The bills further provide that any professional services contract containing a prohibited indemnification, defense, insurance, or heightened standard-of-care provision is void and unenforceable in its entirety, with no severability protection. As a result, a single noncompliant clause could invalidate the entire contract. Taken together, the bills shift risk away from design professionals and onto government entities, significantly constraining traditional risk-transfer tools used by local governments on public construction projects and increasing legal and operational risk. (Wagoner)

### **Expenditure of Public Funds by Local Governments (Oppose)**

**HB 1251** (Shoaf) prohibits a city, county, or other local government from expending public funds to retain or pay an external, contract lobbyist for representation before the Florida legislative or executive branch, but it does not prohibit a local government from employing or compensating in-house staff who perform legislative advocacy or governmental-affairs functions as part of their official duties. The bill also prohibits outside persons or entities from accepting local government public funds to conduct lobbying on matters the bill places off-limits for public expenditures. Additionally, the bill authorizes any member of the public to file a complaint with the Florida Commission on Ethics alleging improper expenditures, requires the Commission to investigate and report findings to the presiding officers of the Legislature and the affected local government, and directs the Commission to adopt rules to administer and enforce the new restrictions. (Wagoner)

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### Foreign Influence (Monitor)

**HB 905** (Persons–Mulicka) and **SB 1178** (Grall) provide that a local government is not allowed to knowingly enter into a contract with an entity for information technology if the entity is owned by a government of a country of foreign concern, the country of foreign concern has a controlling interest, or the entity is organized under the laws or has its principal place of business in a foreign country of concern. Additionally, the bills provide that a public officer or local government attorney is prohibited from soliciting or accepting anything of value from an individual or entity that represents or is acting on behalf of a designated foreign terrorist organization, or any of its subdivisions. Lastly, the bills prohibit any governmental agencies from contracting with a foreign source of concern if the contract were to authorize direct or remote access by the foreign source of concern with critical infrastructure. (Wagoner)

### Gambling (Monitor)

**CS/CS/HB 189** (Trabulsky), **HB 591** (Jacques), **SB 204** (Bradley), **SB 1164** (Yarborough), and **SB 1580** (Martin) are comprehensive bills dealing with gaming. Of concern to cities, CS/CS/HB 189, HB 591, SB 1164, and SB 1580 all preempt local governments from enacting or enforcing ordinances or local rules relating to gaming, gambling, lotteries, or any other activities as defined in section 546.10, Florida Statutes. (Wagoner)

### Legal Notices (Support)

**CS/SB 380** (Trumbull) and **HB 1009** (Griffitts) expand 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 was amended to define that clerks of court, tax collectors, and cities are considered a "special governmental agency" that may use online posting to meet their own notice requirements. Most importantly, the bill

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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)

### Local Administration of Vessel Restrictions (Support)

**HB 1103** (Andrade) and **SB 1682** (Trumbull) authorize counties and municipalities, in coordination with the Florida Fish and Wildlife Conservation Commission, to adopt local ordinances to manage vessels at risk of becoming derelict, enforce long-term anchoring permit requirements, and address derelict and migrant vessels through administrative code enforcement rather than criminal proceedings. The bills also expand local enforcement authority, establish grant programs for vessel removal and disposal, and allow local governments to access technical assistance and pursue cost recovery under state standards. (Wagoner)

### Local Licensing of Home Caregivers (Support)

**HB 555** (Skidmore) and **SB 580** (Harrell) authorize cities to license home caregivers within their jurisdictions. (Wagoner)

### Official Actions of Local Governments (Monitor)

**HB 1001** (Black) and **SB 1134** (Yarborough) prohibit counties and municipalities from taking any official actions related to diversity, equity, and inclusion (DEI) and voiding any existing ordinances, resolutions, rules, and regulations relating to DEI. The bills define DEI as classifying individuals based on race, color, sex, national origin, gender identity, or sexual orientation and promoting preferential treatment based on these classifications. The legislation establishes penalties for violations, including holding local elected officials accountable for misfeasance or malfeasance in office if they engage in prohibited DEI-related actions. Additionally, the bills create a cause

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of action allowing residents to file lawsuits against counties or municipalities for violations. Notably, the legislation prohibits municipalities and counties from recovering attorney fees even if they prevail in such lawsuits. The bills provide that a county or municipality may not expend any funds to establish or staff a DEI office or to employ, contract, or otherwise engage a person to serve as a DEI officer. Lastly, the bills require a potential recipient of a county or municipal grant or contract to certify that they do not and will not use the awarded funds for DEI instruction materials for employees, contractors, volunteers, vendors, or agents. (Wagoner)

### **Parking on Public Property (Oppose)**

**HB 323** (Steele) and **SB 910** (Mayfield) create new provisions governing parking on public property. The bills create new definitions and require cities to refund or credit drivers for any unused portion of paid parking time. The bills provide that immediate towing or citation of vehicles is prohibited for a certain amount of time after a parked car's paid-for time has elapsed. Lastly, the bills prohibit a city from leasing out public land to a private entity that charges a fee for parking. (Wagoner)

### **Protection of Historic Monuments and Memorials (Monitor)**

**HB 455** (Black) and **SB 496** (McClain) prohibit local governments from removing, damaging, or altering historic Florida monuments or memorials. The bills define these monuments broadly, including long-standing public statues, plaques, flags, markers, and military memorials that have been in place for at least 25 years. The Department of State would be responsible for ensuring uniform statewide protection of these sites. The bills also create penalties for local officials who knowingly violate the law, including civil fines of up to \$1,000 per violation and potential court-ordered remedies. Aggrieved parties may sue to enforce compliance. A narrow exception allows temporary removal or relocation for military needs, construction, or

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infrastructure work, as long as the monument is protected and restored afterward. The bills take effect upon becoming law. (Wagoner)

### **Recovery Residence Accountability and Protection Act (Monitor)**

**SB 1290** (Harrell) and **HB 1165** (Rosenwald) would create the Recovery Residence Accountability and Protection Act of 2025, requiring all recovery residences—including single-family, multifamily, and community housing—to obtain and maintain state certification through the Department of Children and Families. The bills revise administrator qualifications and impose uniform statewide operational and oversight standards. For cities, the primary impact is indirect but meaningful, as mandatory state certification may intersect with local zoning, occupancy limits, and code enforcement practices for residential properties. (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)

### **Residential Living Arrangements (Monitor)**

**SB 1238** (Harrell) and **HB 1193** (Long) are comprehensive bills regulating the operation of community residential homes and recovery communities. The bills establish that a community residence is a residential use of property and that a family community residence or transitional community residence must be treated as a residential use



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allowed in specified zoning districts if certain statutory requirements are met, and it provides that a proposed community residence may receive a reasonable accommodation from local government if the sponsoring entity demonstrates compliance with criteria set forth in the bill.

In sum, the bills preempt or restricts local land use/zoning authority by (1) defining these facilities as residential uses permitted in specified zoning districts, (2) mandating reasonable accommodations when statutory criteria are met, (3) imposing state-level spacing and siting standards, and (4) setting procedural timing requirements that limit how and when local governments may act on these applications. (Wagoner)

### Unauthorized Aliens (Monitor)

**HB 1307** (Jacques) and **SB 1542** (Pizzo) address illegal immigration through restrictions on benefits, employment verification, and government contracting. HB 1307 prohibits government and certain private entities from providing down payment assistance to unauthorized aliens, limits eligibility for state-issued licenses and certifications, and requires that governmental procedures, instruction, and testing be conducted only in English. SB 1542 expands mandatory E-Verify use to all private employers and expressly includes public agencies, requiring cities to verify employment eligibility for all new hires. The bill also imposes public contracting requirements, requiring cities to terminate contracts with vendors they reasonably believe have knowingly employed unauthorized aliens and barring future contracts with those entities. Finally, SB 1542 authorizes municipal law enforcement agencies to use E-Verify to investigate the immigration status of detained individuals, potentially affecting local law enforcement operations and coordination with federal authorities. (Wagoner)

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### Unauthorized Aliens (Monitor)

**SB 1380** (Martin) is a comprehensive bill titled Unauthorized Aliens that imposes new restrictions and requirements relating to individuals who are not lawfully present in the United States. For cities, the key impacts are tied to housing, down-payment assistance, and local government involvement in related programs. The bill prohibits state and local governmental entities from providing down-payment assistance or silent second mortgage help to unauthorized aliens. If an unauthorized alien is discovered to have received downpayment assistance, they must immediately repay the assistance to the appropriate entity. If the unauthorized alien does not repay the assistance, then the governmental entity must initiate foreclosure proceedings. (Wagoner)

### Other Bills of Interest

**HB 637** (Griffitts) and **SB 386** (Trumbull) – Farm Equipment

**SB 322** (McClain) and **HB 431** (Albert) – Construction

**HB 657** (Porras) – Community Associations

**HB 607** (Yarkosky) – Industries and Professional Activities

### PERSONNEL AND COLLECTIVE BARGAINING

### Governmental Agencies and Personnel (Monitor)

**HB 593** (Andrade) makes multiple changes affecting state and local government ethics, political activity, travel reimbursement, settlements, and governance. The bill would prohibit state agencies from giving settlement money to third parties and would require notice to the Legislature and the Attorney General about any settlement agreements. The bill would tighten restrictions on public officers and employees using official authority to solicit political contributions; limit travel and per

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diem reimbursements for certain high-level state officials; define “office” for constitutional dual-officeholding purposes; expand lobbying restrictions and enforcement related to water management districts; and remove the prohibition on state residency requirements for university board of trustees members. (Chapman)

### Local Government Salaries and Benefits (Oppose)

**HB 1125** (Giallombardo) requires that any increase in salary, retirement benefits, or other compensation for members of governing bodies be approved by a local referendum to be held at a general election during a presidential election year. The bill would require that any increase in salary, retirement benefits, or other compensation for county commissioners, municipal governing body members, or special district governing board members be approved by a local referendum, and the costs of those referendum elections would be borne by the local government entity. This significantly limits municipal flexibility by delaying compensation decisions until general elections, potentially by multiple years. (Chapman)

### Public Employees Relations Commission (Monitor)

**SB 1296** (Martin) and **HB 995** (Persons-Mulicka) both make major changes to Florida’s public employee union laws, but they do not do everything the same way. Both bills update how final orders are issued under state law, change how workers join or leave unions, tighten rules for union registration and reporting, and revise bargaining, decertification, and impasse processes. However, there are important differences. SB 1296 limits when employees can cancel union membership by setting a 30-day revocation window, gives the Legislature more power to step in and settle bargaining disputes, and creates automatic penalties like decertifying unions that do not meet reporting rules or minimum membership levels. It also adds stronger

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limits on paid union activities and increases penalties for strikes and other violations. HB 995 is more flexible than SB 1296 in some areas. It allows employees to leave a union at any time and requires union dues to stop right away after they quit. It adds more detailed rules about bargaining units and grievance processes, shortens some hearing timelines, and requires equal access to government facilities during union elections. While it still tightens reporting and membership rules, it focuses more on procedures and timelines rather than expanding legislative control. In short, both bills move in the same direction, but SB 1296 takes a tougher approach with tighter deadlines and stronger enforcement provisions, while HB 995 gives employees more freedom to leave unions and adds more detail about how disputes and elections must be handled. (Chapman)

### Public Officers and Employees (Monitor)

**SB 802** (Mayfield) imposes new residency and citizenship requirements for senior executive-branch officials, members of state commissions and boards, and higher-education governing boards, with offices deemed vacant if the requirements are not met. The bill also tightens ethics laws by prohibiting public officers and employees from using official authority to solicit political contributions, restricting travel and per diem reimbursements for certain high-level officials, defining “office” for constitutional dual-officeholding purposes, and expanding lobbying prohibitions and enforcement related to water management districts. (Chapman)

### Workforce Notice Requirements (Monitor)

**HB 1495** (Sapp) and **SB 1698** (McClain) revise the powers and procedures of the Public Employees Relations Commission (PERC), which oversees public-sector labor relations and collective bargaining disputes. The bills make changes to how unfair

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labor practice complaints, representation petitions, and related proceedings are processed and adjudicated by PERC. For cities, the impact is indirect but relevant, as any changes to PERC procedures can affect how municipal labor disputes, bargaining unit issues, and union certification matters are handled. Cities may need to adjust their labor relations strategies and coordination with counsel to account for revised timelines, standards, or processes at PERC. (Chapman)

**Other Bills of Interest**

**SB 136** (Polsky) – 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

**SB 842** (Jones) and **HB 1095** (Spencer) – Local Government Official Salaries

**HB 641** (Plakon) – Gender Identity Employment Practices

**HB 915** (Tant) and **SB 1016** (Bradley) – Medical Assistance Eligibility for Working Persons with Disabilities

**HB 987** (Nixon) – Department of Labor

**SB 1112** (Garcia) – Labor Pool Act

**HB 1187** (Gonzalez Pittman) and **SB 1216** (Rodriguez) – Public School Personnel Compensation

**SB 1720** (Calatayud) – Public School Personnel Compensation

**HB 1289** (Yarkosky) and **SB 1304** (Martin) – Special Risk Class

**SB 1298** (Martin) and **HB 997** (Persons-Mulicka) – Public Records/Public Employees Relations Commission

**SB 618** (Truenow) and **HB 1243** (Conerly) Worker's Compensation Insurance

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### PROCUREMENT

#### **Department of Commerce (Monitor)**

**HB 741** (Owen) and **SB 998** (Yarborough) are comprehensive legislative proposals relating to the Department of Commerce. The bills restructure Florida's administration of federal Community Development Block Grant (CDBG) funding by repealing the existing statutory framework for the Florida Small Cities CDBG Program and replacing it with a broader Community Development Block Grant Program administered by the Department of Commerce. In doing so, the bills remove numerous program-specific requirements previously set in statute, including legislative intent, application criteria, grant ceilings, administrative cost limits, and other Small Cities-only guardrails, shifting those details to agency discretion and rulemaking authority.

Under the revised structure, the Department of Commerce becomes the designated state entity responsible for receiving and administering all federal CDBG funding from HUD, including standard allocations as well as supplemental federal funds for disaster recovery, long-term recovery, and infrastructure restoration tied to federally declared disasters. The agency is granted broad discretion to award grants consistent with federal law and HUD guidance and is authorized to adopt rules to administer the program. The bills also strengthen state enforcement authority for employment eligibility compliance, including expanded E-Verify enforcement, enhanced recordkeeping, defined standards for "noncompliance," and authorization for escalating penalties such as fines, suspensions, and recovery of enforcement costs for repeated violations.

Additionally, the bills create a new exemption from state reversionary-interest requirements for land conveyed to federal agencies at less than appraised value,



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eliminating automatic reversion to the Board of Trustees if the land ceases to be used as a military-installation buffer or if the installation closes. (Cruz)

### **Prohibited Uses of Public Funds by Political Subdivisions (Oppose)**

**HB 605** (Steele) prohibits political subdivisions from using public funds to financially support not-for-profit entities or organizations. For purposes of the prohibition, the bill defines a “not-for-profit entity or organization” as a Florida not-for-profit corporation incorporated under chapter 617 and approved by the Secretary of State. The term “political subdivision” is defined by cross-reference to existing ethics law and includes counties, municipalities, districts, and other local governmental entities.

Under the bill, political subdivisions are broadly barred from providing public funding to qualifying not-for-profit entities, regardless of the purpose of the funding or the services provided, unless a specific statutory exception applies. The bill includes a limited exception allowing political subdivisions to use public funds to support rural hospitals, as defined in Section 395.602(2), Florida Statutes. No other exceptions are provided. (Cruz)

### **Other Bills of Interest**

**HB 197** (Jacques) and **SB 1278** (Martin) – Requiring all employers to use the E-Verify system

**HB 687** (Driskell) and **SB 780** (Berman) – Government Waste and Misconduct

### **PUBLIC MEETINGS**

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

**CS/HB 655** (Duggan) and **SB 332** (Bradley) allow local governments, after receiving a Bert Harris Act claim, to hold a private meeting with their attorneys during the 90-day

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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)

### **Release of Conservation Easements (Monitor)**

**HB 673** (Duggan) and **SB 938** (McClain) require water management districts to release certain conservation easements on privately owned property upon application by the fee simple owner if several specified criteria are met. The bills apply to parcels of 15 acres or less that are predominantly surrounded by impervious surfaces, lack historical or cultural significance, and are adjacent to similarly sized undeveloped parcels. As a condition of release, the property owner must obtain mitigation credits through the Uniform Mitigation Assessment Method to offset wetland impacts. If developed, the bills will require the property owner to assume any stormwater requirements. The bills exclude conservation easements located within residential developments and proprietary easements held by water management districts.

Upon release of a qualifying easement, the property may be developed consistent with adjacent zoning, and ad valorem taxation must be based on just value rather than conservation use. Municipalities may experience impacts related to land use planning and zoning, as parcels previously restricted by conservation easements become eligible for development. (Singer)

### **PUBLIC RECORDS**

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### Disclosure of Public Servants' Personal Information (Support)

**SB 1064** (Bradley) and **HB 1027** (Porrás) permit current and former public servants (including law enforcement, judges, elected officials, and others) to send a written notice to data brokers to stop disclosing their “protected information” (like home address, phone, email, SSN, and similar identifiers), prohibit those brokers from releasing that information after receiving the notice, and create a civil cause of action with damages and fees if they fail to comply. (Wagoner)

### 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 (Oppose)

**HB 437** (Andrade) and **SB 770** (Rouson) update public records access rules covering fees, response times, and penalties for noncompliance. The bills expand the “actual cost of duplication” to include clerical, supervisory, and IT costs, excluding overhead. The bills require agencies to promptly acknowledge requests and respond within three business days with records, a timeline, or a denial citing legal exemptions. The bills prohibit fees if agencies fail to act within three days and ban charges for requests taking under 30 minutes or for redacted record inspections. The bills require written explanations for delays over 15 days or exemption claims. The bills also establish fines and misdemeanor penalties for violations, including out-of-state offenses. Lastly, the bills allow courts to impose fees on non-compliant agencies and reimburse attorney costs in some cases. (Wagoner)

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### **Public Records/Body Camera Recordings (Monitor)**

**HB 511** (Partington) and **SB 506** (Burgess) create a public records exemption for body cameras worn by code inspectors. (Wagoner)

### **Public Records/Law Enforcement Officers Actively Engaged in Official Duty (Monitor)**

**HB 627** (Berfield) and **SB 744** (Yarborough) amend Florida's public records law to clarify that law enforcement officers who are actively performing official duties may not accept or process public records requests while engaged in those duties. Under the bills, officers must instead verbally inform the requester that they cannot take the request and direct them to the appropriate custodian or official public records portal. The bills also make it an obstruction of a law enforcement officer to knowingly and willfully attempt to force an officer to accept a records request under these circumstances. (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) and **SB 830** (Jones) create a public records exemption for the personal information of current county and city administrative officials, and their spouses and children. (Wagoner)

## **PUBLIC SAFETY**

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### **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)

### **Code Inspector Body Cameras (Monitor)**

**CS/HB 509** (Partington) and **SB 504** (Burgess) require that any governmental entity in Florida that permits its code inspectors to wear body-cameras must adopt formal policies and procedures governing use, maintenance, storage, retention, and release of video and audio data. The law mandates training for personnel and ensures recordings are retained in accordance with public records laws. The bills require periodic review of compliance and clarify that criminal wire-tapping statutes in Chapter 934 do not apply to such body-camera recordings by inspectors. (Wagoner)

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

**SB 86** (Gaetz) and **HB 1247** (Shoaf) require law enforcement to take into custody anyone operating a commercial motor vehicle who is determined to be an unauthorized alien, and to transfer that unauthorized alien into federal custody and impound the commercial motor vehicle. A \$50,000 fine shall be assessed and

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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. SB 86 requires any motor carrier that owns, leases, or operates a commercial vehicle driven by a person taken into custody to be prohibited from operating within the state. Whereas HB 1247 authorizes the assessment of a \$50,000 civil penalty against any motor carrier that permits an unauthorized alien to operate a commercial motor vehicle, if such authorization is discovered during an investigation, safety audit, or in the normal course of business. (Wagoner)

### **Complaints Against Law Enforcement and Correctional Officers (Monitor)**

**HB 1283** (Fabricio) and **SB 1544** (Pizzo) revise how complaints against law enforcement and correctional officers are handled by requiring that complaints be in writing, signed under oath, and provided to the officer before any interrogation or personnel action occurs, with penalties for false complaints. Municipal law enforcement agencies would likely need to adjust their reporting, notification, and personnel processes, and possibly train staff to handle affidavit-style complaints and documentation protocols in order to reduce legal liability tied to complaint handling. (Wagoner)

### **Fines for Violations Detected by Traffic Infraction Detectors (Monitor)**

**HB 521** (Yeager) and **SB 654** (DiCeglie) significantly reshape local traffic enforcement authority by explicitly authorizing counties and municipalities to issue civil fines for violations detected by automated traffic infraction detectors (such as red-light and speed cameras), provided the citations include photographic or electronic evidence of the alleged violation. The bills also repeal existing statutory provisions that govern the use of automated traffic infraction detectors (red light cameras) by local governments. This means that the distribution framework for the allocation of penalty revenue would also be repealed. (Wagoner)



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### Firefighter Cancer Benefits and Prevention (Monitor)

**HB 813** (Busatta) and **SB 984** (DiCeglie) revise Florida's firefighter cancer benefits statute expanding the mandatory cancer-related benefits that employers must provide to firefighters. The bills require former employers of firefighters to provide up to 10 years of employer-sponsored health coverage after the firefighter has terminated employment so long as the firefighter otherwise met certain criteria prior to termination. Additionally, the bill requires that a \$25,000 one-time cash payout be made available by a former employer for up to 10 years, again requiring the firefighter to have met criteria prior to termination of employment. (Wagoner)

### First Responders (Support)

**HB 1129** (Alvarez, D.) and **SB 1286** (Wright) expand the state's existing law enforcement recruitment bonus program to include firefighters and establish a statewide Institute for Posttraumatic Stress Disorder to support first responders. It renames the program to include firefighters, adds newly hired firefighters to bonus eligibility, and clarifies standards for firefighter misconduct. The bills also authorize the Chief Financial Officer to oversee fire-related grant review panels and create the PTSD Institute to coordinate research, training, outreach, and policy development focused on first responder behavioral health.

### Public Safety (Oppose)

**HB 1427** (Alvarez, D.) and **SB 1586** (DiCeglie) require every county and public agency within the county or region to provide 911 dispatch services through a centralized call center operated by the county or regional entity chosen by a unanimous vote of the Emergency Communications Center (ECC). The bills set deadlines for when these goals should be accomplished and direct the state to withhold emergency funding by 25% for each year a county fails to comply, starting on January 1, 2029. (Wagoner)

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### 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, 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) and **SB 986** (Gruters) define “public place” as any place to which the public has access. The bills broaden the definition of “smoking” and “vaping” to include marijuana products and further outline 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)

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**911 Public Safety Telecommunicator Employment-related Mental or Nervous Injuries (Opposed)**

**HB 451** (Holcomb) and **SB 774** (Pizzo) classify 911 operators as first responders, allowing them to receive medical benefits for mental injuries when no physical injury occurs. Currently, only law enforcement officers and firefighters are eligible for this benefit. (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 117** (Berfield) and **SB 244** (Rodriguez) – Residential Swimming Pool Requirements

**HB 155** (Hinson) and **SB 702** (Bracy Davis) – Mental Health Programs for Gun Violence Prevention

**SB 168** (Truenow) and **HB 481** (Booth) – Public Nuisances

**HB 197** (Jacques) and **SB 1278** (Martin) – Employment Eligibility

**HB 277** (Tendrich) and **SB 682** (Calatayud) – Violent Criminal Offenses

**SB 310** (Polsky) and **HB 599** (Lopez) – 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 330** (Bradley) and **HB 739** (Sapp) – Disability Provisions for Firefighters and Law Enforcement and Correctional Officers

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

**HB 351** (Maney) and **SB 502** (Whight) – Concurrent Legislative Jurisdiction over United States Military Installations

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**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

**HB 501** (Eskamani) and **SB 612** (Smith) – Construction Disruption Assistance

**SB 610** (Smith) – Residential Swimming Pool Requirements

**HB 633** (Berfield) and **SB 1200** (Massullo) – Public Swimming and Bathing Places

**HB 715** (Young) and **SB 814** (Jones) – School and Child Care Facility Emergency Alerts

**HB 735** (Steele) and **SB 872** (Burgess) – Division of State Fire Marshall

**HB 923** (Owen) and **SB 1030** (Gruters) – Recovery Residences

**SB 954** (Polsky) and **HB 6017** (Daley) – Preemption of Firearms and Ammunition

**HB 1003** (Black) and **SB 1056** (Martin) – Open Cannabis Containers in Motor Vehicles

**SB 1102** (Massullo) and **HB 1077** (Holcomb) – Funding for Body Cameras

**HB 1283** (Fabricio) and **SB 1544** (Pizzo) – Complaints Against Law Enforcement and Correctional Officers

**SB 1290** (Harrell) and **HB 1165** (Rosenwald) – Recovery Residence Accountability and Protection Act

**HB 1307** (Jacques) and **SB 1542** (Pizzo) – Unauthorized Aliens

**HB 1361** (Woodson) – Public Records Requests Pertaining to Law Enforcement Officers

**SB 1378** (Martin) – Traffic Enforcement

**SB 1390** (Bernard) and **HB 1313** (Tendrich) – Surrendering to Law Enforcement

**SB 1400** (Bernard) and **HB 1363** (Antone) – Towing Disabled Vehicles

**SB 1426** (Rodriguez) – Accessing Personnel Files of Law Enforcement Officers

**HB 1471** (Cassel) – Systems of Law and Terrorist Organizations

**HB 1473** (Cassel) – Public Records/Terrorist Organizations

**SB 1632** (Grall) – Ideologies Inconsistent with American Principles

**SB 1634** (Grall) – Public Records and Meetings/Chief of Domestic Security

**SB 1642** (McClain) – Gender Identity Employment Practices

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### RESILIENCY

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

**CS/SB 302** (Garcia) and **HB 1035** (Mooney) address the use of nature-based methods to improve coastal resilience but take different approaches with distinct implications for local governments.

CS/SB 302 directs the Florida Department of Environmental Protection (DEP) to adopt detailed rules and guidelines governing nature-based solutions for improving coastal resilience. The bill requires DEP to establish a framework for local governments to identify vulnerable public and private coastal properties so they may create local protection and restoration zone programs or projects implementing nature-based solutions through the Resilient Florida Grant Program. The bill also requires DEP to include provisions encouraging local governments to promote public awareness of the value of nature-based solutions, including wetland and floodplain preservation and restoration, through education campaigns. CS/SB 302 further clarifies the definition of “hybrid infrastructure,” defined as a combination of gray and green infrastructure, and removes prior language requiring such approaches to be more effective than either approach alone. In addition, the bill requires DEP to conduct a statewide feasibility study on the use of nature-based solutions to reduce coastal flood risk and improve National Flood Insurance Program Community Rating System scores.

HB 1035 similarly requires DEP to develop guidelines and standards for nature-based coastal resiliency methods, but places greater emphasis on establishing a clear and consistent statewide permitting framework. The bill requires DEP to initiate rulemaking to create a statewide permitting process under s. 373.4131, Florida Statutes, including permit criteria, monitoring, inspection, reporting requirements,

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emergency provisions, and post-disaster permitting processes. HB 1035 also amends statutes governing aquatic preserves to expressly authorize nature-based solutions, living shorelines, and hybrid green-gray infrastructure within those preserves. Unlike CS/SB 302, the House bill does not authorize local protection and restoration zones, but it expressly identifies ways local governments may participate in coastal resiliency projects and requires both DEP and local governments to promote public awareness and education regarding the value of nature-based solutions. (Singer)

### Other Bills of Interest

**HB 1305** (Barnaby) and **SB 992** (Rodriguez) – Resilient Buildings

### RETIREMENT/PENSIONS ISSUES

#### Deferred Compensation Plans for Public Employees (Support)

**SB 1018** (Truenow) and **SB 1403** (Salzman) authorize an automatic enrollment in public employees' deferred compensation plans. The bills would require a default investment choice for contributions when no employee election is made. The bills would allow local governments to adopt automatic enrollment arrangements, while requiring legislative approval for the state plan. (Chapman)

#### Roth Contribution Plans in Deferred Compensation Programs (Support)

**SB 7010** (Government Oversight and Accountability Committee) is a proposal that would let state and local governments establish and contribute Roth Investment contributions into their deferred compensation plans. It adds new language that allows employees to make these qualified Roth contributions and removes the old rule that limited what workers could contribute to the state plan. It also officially approves the Chief Financial Officer's earlier decision to allow Roth contributions in



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the state's plan. All of these changes would also apply to past contributions, not just future ones. (Chapman)

### Other Bills of Interest

**SB 640** (Rodriguez) and **HB 647** (Borrero) – Senior Management Service Class

**SB 1410** (Smith) and **HB 1441** (Dunkley) – Optional Retirement Programs

**SB 1528** (Pizzo) – Transferring Years of Creditable Services (FRS)

### REVENUES AND BUDGETING

#### Department of Financial Services (Oppose)

**HB 1303** (Miller) and **SB 1572** (DiCeglie) seek to formally establish the Florida Agency for Fiscal Oversight to audit local governments, impose fines for financial noncompliance, enhance whistle-blower protections, and expand contract transparency requirements. The identified goal of the Florida Agency for Fiscal Oversight within the Department of Financial Services is to identify unnecessary spending and conduct audits of local governments that propose new or increased taxes. The power to issue penalties such as administrative fines and withhold certain state funds from local governments that fail to provide requested fiscal information is authorized. A new requirement for annual financial ethics training for agency employees, elected officials, and volunteers is included. Whistle-blower protections are extended to those employees of local governments who report information to the new oversight agency. Additionally, there is a prohibition on agencies and vendors from entering into contracts that bar participation with or require nondisclosure arrangements for the oversight agency. Local governments are mandated to submit yearly Local Government Efficiency Reports to the Department of Financial Services. Counties are required to track and post

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contract information within the State secure contract tracking system or an approved alternative. (Wagoner)

### Local Government Spending (Oppose)

**HB 1329** (Benarroch) and **SB 1566** (DiCeglie) propose to expand local government budget posting requirements, increase budget transparency, require budget-cutting exercises, and prohibit publicly funded diversity, equity, and inclusion initiatives. The minimum posting period for tentative county and municipal budgets is increased from two to 14 days and requires that final budgets remain posted online for five years instead of two years. The posted budgets are required to feature enhanced data accessibility, including searchable formats, downloadable financial data and graphs, and detailed employee salary and travel expense listings. A budget-cutting exercise is mandated by county and municipal budget officers whereby they go through a process of identifying 10% in specific reductions to tentative budgets, to be performed at least 14 days before final adoption. The notice period for public hearings on county budget amendments is increased from two to seven days, and there is a requirement that adopted amendments be posted online at least seven days before adoption and remain online for five years. A new prohibition is created preventing local governments from expending public funds or contracting for any diversity, equity, and inclusion programs, with enforcement and potential fines administered by the Chief Financial Officer. (Wagoner)

### Other Bills of Interest

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

**SB 1038** (Gruters) and **HB 1039** (Snyder) – Florida Strategic Cryptocurrency Reserve

**SB 1040** (Gruters) – Trust Funds

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**HB 1311** (Bankson) and **SB 1588** (Gruters) – Legal Tender

**HB 1415** (Holcomb) and **SB 1568** (DiCeglie) – Use of Digital Currency by the Department of Financial Services

**SB 1612** (DiCeglie) and **HB 967** (Buchanan) – Electronic Payments to Local Governments

### **RIGHTS-OF-WAY**

#### **Railroad Crossing Safety (Monitor HB 1323, Oppose SB 1310)**

**HB 1323** (Tuck) and **SB 1310** (Rodriguez) address the installation of advanced detection and monitoring systems at railroad crossings but differ materially in how responsibilities are assigned between rail operators and local governments.

HB 1323 creates a new section of law requiring that railroad crossings constructed after July 1, 2026, and existing crossings that undergo upgrades or significant modifications after that date, incorporate advanced detection and monitoring systems capable of hazard assessment, real-time alerts, and integration with rail operation protocols. The bill places implementation and reporting obligations on rail operators and directs the Florida Department of Transportation (FDOT) to develop technical standards, identify priority crossings, and provide technical assistance. Impacts to municipalities under HB 1323 are indirect and may arise when cities coordinate with rail operators or FDOT on projects affecting crossings within municipal rights-of-way or as part of locally initiated transportation improvements.

SB 1310 amends existing law to require that, beginning January 1, 2027, the governmental entity with jurisdiction over or maintenance responsibility for a public railroad-highway grade crossing install and maintain specified detection and

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monitoring systems when a crossing is established, updated, or modified. Municipalities with affected crossings would assume direct capital, operational, maintenance, and annual reporting obligations, including submitting system-generated data to FDOT. While the bill authorizes grants, state and federal funds, and public-private partnerships, and allows FDOT to provide financial assistance and technical support, the statutory duty to install and maintain the systems rests with the local government rather than the rail operator. (Singer)

### **SOLID WASTE**

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

**HB 575** (Weinberger) and **CS/SB 240** (Garcia) preempt 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.

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

The bills provide 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:

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- 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 bills require 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 bills direct 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)

### Local Regulation of Drinking Straws and Stirrers (Monitor)

**HB 865** (Blanco) and **SB 958** (Bradley) create a new section of law establishing statewide standards governing when and how local governments may regulate drinking straws and stirrers. The bills seek to preempt local regulation in this area, but authorize counties and municipalities to regulate drinking straws and stirrers,

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provided such regulation permits products meeting specified material and third-party certification criteria established in statute.

Under the bills, any local regulation in this area must allow straws and stirrers that are renewable, certified as home or industrially compostable, and certified as marine biodegradable by recognized third-party standards organizations. The bills do not require a local government to adopt regulations on drinking straws or stirrers, but provide that any existing local ordinance that does not conform to these standards must be amended by January 1, 2027, to allow compliant products. The bills also exempt straws and stirrers used in prepackaged beverages and those used in hospitals, medical care facilities, and senior care facilities. (Singer)

### Waste Management (Oppose)

**HB 629** (Esposito) and **SB 766** (Martin) expand state preemption prohibiting local governments and local governmental agencies from enacting or enforcing ordinances or regulations governing the use, disposition, sale, prohibition, restriction, or taxation of auxiliary containers, as defined in statute. The bills define an auxiliary container as any reusable or single-use bag or other packaging made from common materials (such as plastic, paper, cloth, metal, or glass) that is used to transport, contain, consume, or protect merchandise, food, or beverages provided by a public food service establishment, food establishment, or retailer. The bills narrow the scope of this preemption by expressly authorizing local governments to restrict the use of glass auxiliary containers within the boundaries of public beaches. They also clarify that the preemption does not supersede local ordinances authorized under Florida Statutes 500.90, which includes a grandfathered exception for local ordinances regulating polystyrene products enacted before January 1, 2016, and preserves local authority to restrict the use of polystyrene products by individuals on public property, temporary vendors on public property, and entities engaged in



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contractual relationships with the local government, except where otherwise preempted by law.

The bills also amend definitions in Section 403.703, Florida Statutes, to expressly define “auxiliary container,” and delete obsolete statutory language requiring the Department of Environmental Protection to review and update its 2010 report on retail bags and auxiliary containers. SB 766 further authorizes the Department of Environmental Protection’s (DEP) Division of Recreation and Parks to regulate auxiliary containers within state parks, while HB 629 provides this authority to DEP to adopt rules. (Singer)

### **Waste Facilities (Monitor)**

**SB 1196** (Sharief) and **HB 1089** (Bartleman) prohibit a local government and the Department of Environmental Protection from issuing a construction permit for a new solid waste disposal facility that uses an ash-producing incinerator, or for a waste-to-energy facility, if the proposed location is within 2 miles (measured from the stack) of an impoundment area authorized by Congress with at least 100 acres of effective interior storage for specified water storage/conservation and environmental functions. The prohibition does not apply to canals, or to any existing construction, current operation, or modification in existence as of July 1, 2026. (Singer)

### **Other Bills of Interest**

**HB 1067** (Gentry) and **SB 912** (McClain) – Battery Collection and Recovery

### **SPECIAL DISTRICTS**

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### 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

**HB 1051** (Alvarez, J.) and **SB 1180** (Arrington) – Community Development District Recall Elections

### STORMWATER

### Standards for Storm Water Systems (Oppose)

**HB 239** (Grow) and **SB 558** (Burgess) require 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 bills also mandate 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 bills specify that these standards supersede all existing and local standards in municipalities and counties. (Singer)

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### Stormwater Treatment (Monitor)

**HB 1457** (Gonzalez Pittman) and **CS/SB 848** (Truenow) add new statewide definitions and criteria for “compensating stormwater treatment,” which may affect how municipalities plan or review stormwater systems. The bills specify when off-site stormwater treatment may be used, which may require municipalities to adjust local practices to align with these statutory conditions when coordinating with the Florida Department of Environmental Protection or water management district permitting.

The bills also authorize third-party entities to generate and sell water quality enhancement credits, including on public lands, and place regulatory compliance responsibility on the credit generator. Municipalities that operate stormwater facilities or consider allowing credit-generating activities on public land may face new administrative and coordination considerations under this credit-based framework.

CS/SB 848 adds new requirements directing the Department of Environmental Protection (DEP) to adopt rules for the establishment and operation of water quality enhancement areas. While rulemaking is underway, the bill authorized the provisional permits for water quality enhancement areas to be issued, allowing projects to move forward before the rules are in place.

The bill also adds new provisions to agreements between public landowners and third-party entities for the construction, modification, or operation of stormwater management systems on public land. It authorizes the DEP and water management districts to cease the operation of private credit-generating activities on public land if the project conflicts with public interest. This adds an additional layer of regulatory oversight to municipalities that allow private entities to operate water-quality enhancement projects on public land. (Singer)

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### TORT LIABILITY

#### **Causes of Action Based on Improvements to Real Property (Monitor)**

**SB 1592** (Gruters) and **HB 705** (Owen) amend Florida's statute of limitations and related deadlines for civil actions "founded on the design, planning, or construction of an improvement to real property" by clarifying when the limitations period begins and setting a clear outer deadline for filing claims; under the bills, the clock starts on the earliest completion event (such as issuance of a certificate of occupancy, final inspection, or abandonment of work) and generally must be brought within seven years thereafter, with each distinct structure treated separately for multi-building projects. By refining key definitions and triggers for accrual, the proposals aim to provide greater predictability and reduce litigation ambiguity across the construction industry. For municipalities, this affects local government construction, infrastructure, and permitting oversight because clearer accrual rules influence risk management, contract drafting, warranty enforcement, and potential liability exposure for government-led improvements, and may also affect how cities schedule inspections, issue certificates of occupancy, and manage long-term maintenance and recordkeeping for capital projects. (Cruz)

#### **Sovereign Immunity of Public Transit Contractors in Tort Actions (Monitor)**

**HB 581** (Busatta) and **SB 828** (Leek) amend Florida's sovereign immunity statute to designate contractors providing public transit services, and their employees, agents, and subcontractors, as agents of the state for purposes of tort liability when acting within the scope of their contracts. The bills apply to public transit services as defined in statute and take effect upon becoming law. The bills aim to reduce litigation exposure for public transit operators performing governmental functions, while preserving liability for acts outside contract scope or conducted in bad faith. (Cruz)

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### Suits Against the Government (Oppose)

**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.

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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 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.

**SB 1366** (Brodeur) is the Senate's proposal to reform Florida's sovereign-immunity statute, but it differs from HB 145 in nearly all substantive respects. It increases tort liability caps for claims accruing on or after October 1, 2026, to \$300,000 per person and \$450,000 per incident, while preserving the existing requirement that any payment above those caps must be approved by the Legislature through a claims bill unless fully paid within available insurance limits. The bill directs the Department of Financial Services to adjust the caps for inflation every five years using a CPI-based formula, but no single five-year adjustment may exceed 3%. It also expressly authorizes the Legislature, in a claims bill, to award attorney fees on amounts above the caps at a rate below 25% and to reduce cost payments to maximize net proceeds to the claimant. (Cruz)



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### Other Bills of Interest

**SB 1208** (Rodriguez) – Sovereign Immunity of County Constitutional Officers in Tort Actions

### TRANSPORTATION

#### **Advanced Air Mobility (Monitor)**

**HB 1093** (Spencer) and **SB 1362** (Harrell) create a comprehensive statutory framework for advanced air mobility and vertiports, with multiple direct impacts on municipal authority, permitting, and operations. The bills preempt local regulation of vertiport design, aeronautical operations, aviation safety, and electric aircraft charging stations and associated infrastructure, while preserving local land use, zoning, and reasonable noise compatibility authority so long as such regulations do not effectively prohibit federally authorized operations. Local governments are prohibited from enacting or enforcing ordinances related to the design, construction, or installation of electric aircraft charging stations and must issue required building permits for such stations based solely on compliance with state standards. If a local government does not approve or deny a complete permit application for an electric aircraft charging station within 15 business days, the application is deemed approved.

The bills require the Department of Transportation (FDOT) to create a model vertiport siting code, establish vertiport demonstration corridors, and adopt coordinating rules with the Federal Aviation Administration and local governments. Vertiports adopting the state model code must be expeditiously approved by FDOT. Commercial service airports, including municipally owned or operated airports, must include vertiport-related facilities within required airport infrastructure programs and submit annual certifications beginning November 1, 2025. The bills also authorize FDOT to fund up to

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100% of public or private vertiport project costs when federal funds are unavailable, or up to 80% of the nonfederal share when federal funds are available, and extend limited liability protections to public and private vertiport operators under specified conditions. (Singer)

### **Boating-restricted Areas (Support)**

**HB 1173** (Sirois) revises the authority of municipalities and counties to establish boating-restricted areas by ordinance. The bill specifies the types of boating-restricted areas local governments may adopt, including idle speed/no wake zones, slow speed/minimum wake zones, numerical speed limits, and vessel-exclusion zones, and enumerates the specific geographic and safety conditions under which each type of restriction may be established. The bill requires that the boundaries of locally adopted boating-restricted areas be clearly marked with uniform waterway markers consistent with state requirements.

The bill removes existing provisions requiring municipal and county boating-restricted ordinances to be reviewed and approved by the Fish and Wildlife Conservation Commission before taking effect. As a result, municipalities would no longer be subject to a state approval process for eligible boating-restricted ordinances, but would assume responsibility for ensuring that adopted restrictions meet the statutory criteria and marking requirements. (Singer)

### **Commercial Service Airports (Oppose)**

**HB 919** (Weinberger) and **SB 706** (Mayfield) preempt local authority by requiring that “major commercial service airports” be named only as provided in statute. The bills define this category using federal medium- and large-hub classifications and assign statutory names to the following affected airports: Fort Lauderdale–Hollywood International Airport, Jacksonville International Airport, Miami International Airport,

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Orlando International Airport, Palm Beach International Airport, Southwest Florida International Airport, and Tampa International Airport.

The bills require the Department of Transportation to review airport classifications annually and notify the Legislature of any additions or removals. If an airport newly meets the federal classification, the naming preemption and resulting municipal compliance obligations would apply, requiring updates to local records, signage, and official documents to reflect the statutory name. Government records created on or after July 1, 2026, must also use the state-designated names. (Singer)

### Electric Vehicle Charging Taxation (Oppose)

**HB 653** (Hodgers) and **SB 680** (Mayfield) amend state tax definitions to classify electricity sold to an electric vehicle charging operator as a sale for resale, making the operator's purchase of electricity a non-taxable wholesale transaction. They also exclude EV charging operators from the definition of "distribution company" for purposes of the state gross receipts tax and apply these changes retroactively to January 1, 2019. These revisions are intended to ensure that only the final retail charging transaction is subject to state sales tax, avoiding tax being applied both when the operator purchases electricity and when the operator sells a charging session to the consumer.

For municipal electric utilities and municipally owned electric vehicle charging stations, the bills clarify that electricity sold to an EV charging station operator, including a city operating its own stations, is treated as a nontaxable sale for resale for purposes of state sales tax, and that the operator's sale of charging to the public is not "utility service" subject to the state gross receipts tax. The clarifications apply retroactively to January 1, 2019, and the bills do not amend statutes governing municipal public service taxes or franchise fees. (Singer)

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### Electric Vehicle Registration Fees (Support)

**SB 804** (Truenow) establishes an additional annual registration fee for electric vehicles and directs the Department of Highway Safety and Motor Vehicles to collect the fee and deposit the revenue into the State Transportation Trust Fund. The bill defines “battery electric vehicle” as a motor vehicle powered solely by an electric motor drawing current from rechargeable batteries and not equipped with an internal combustion engine. The bill requires the owner of a battery electric vehicle registered in this state to pay a \$250 annual fee, collected at the time of initial registration and each renewal, in addition to existing license taxes and fees. All fees collected under this provision must be used for the planning, construction, maintenance, and repair of public roads and transportation infrastructure. (Singer)

### Golf Cart Crossings (Monitor)

**HB 519** (Yeager) permits the operation of a golf cart for the purpose of crossing a highway of five lanes or more upon a golf cart crossing at a signalizing intersection under certain conditions. The bill requires counties and municipalities in which the golf cart crossing is located to post appropriate signs at the signalized intersection to indicate that operation of a golf cart is allowed at the crossing. The bill also requires that individuals operating a golf cart under such circumstances must obtain a permit from the county or municipality in which the golf cart crossing is located. (Singer)

### Transportation (Oppose)

**HB 1233** (Griffitts) and **SB 1220** (Massullo) are broad transportation policy bills that address emerging mobility technologies, drone delivery services, port and airport planning, and the authority of the Department of Transportation (FDOT). While the bills overlap substantially in their treatment of personal delivery devices, mobile

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carriers, and drone delivery services, each bill contains distinct provisions with differing municipal implications.

The bills revise statutory definitions and authorize personal delivery devices and mobile carriers to operate on sidewalks, crosswalks, bicycle lanes, bicycle paths, and certain roadway shoulders, while prohibiting operation on limited-access facilities and the Florida Shared-Use Nonmotorized Trail Network. Municipalities retain authority to regulate safe operation, but may need to review local ordinances, pedestrian and bicycle safety policies, and enforcement practices for consistency with revised state standards.

The bills also preempt local governments from denying permits, business tax receipts, or land-use approvals for drone delivery services on commercial property based on drone port location, while allowing enforcement of generally applicable zoning standards and clarifying that drone delivery facilities do not reduce minimum parking requirements.

HB 1233 includes additional provisions with broader local government implications. The bill repeals statutes authorizing digital proof of driver's licenses and electronic insurance verification, which may affect municipal law enforcement practices. It expands FDOT's authority to require local governments to submit certain federal transportation grant applications for state review before submission, potentially adding a coordination step for municipalities pursuing federal funding. HB 1233 also establishes state policy and disclosure requirements related to the consideration of specified nonpecuniary factors, including environmental justice and climate-related considerations, in taxpayer-funded transportation project development, which may affect how municipalities document or publish transportation projects subject to federal requirements.

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SB 1220 places greater emphasis on infrastructure planning and coordination. The bill requires ports and commercial service airports to include strategies for obtaining and maintaining critical infrastructure resources, such as electricity, fuel, and water, within strategic plans and airport master plans, which may require coordination with host municipalities on land-use consistency and infrastructure capacity. The bill also amends statutes governing the Florida Shared-Use Nonmotorized Trail Network and authorizes Florida's participation in a multistate rapid rail transit compact, though it does not impose direct obligations on municipalities. (Singer)

### Transportation (Monitor)

**HB 543** (McFarland) and **SB 1274** (DiCeglie) make broad revisions to transportation, motor vehicle, and traffic safety statutes with several direct municipal implications. They require the Department of Transportation to increase the minimum perception-reaction time for steady yellow traffic signals statewide, which would affect signal timing at locally owned or operated intersections. The bills also create the Next-generation Traffic Signal Modernization Grant Program, authorizing FDOT to cost-share with counties and municipalities to deploy advanced signal technologies, with ongoing maintenance responsibilities assigned to local governments for participating intersections.

The bills repeal and revise multiple motor vehicle noise provisions, establish a new statewide exhaust noise standard, revise micromobility definitions, authorize private entities to install automated license plate recognition systems on private property under specified conditions, and allow certain golf carts converted to low-speed vehicles to be titled and registered without a state inspection. The bills impose new reporting requirements and restrict the conversion of certain cargo-supporting facilities at municipal seaports located in designated spaceport counties. The remaining provisions make largely technical and administrative revisions to



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transportation, motor vehicle, and enforcement statutes that do not create new municipal mandates but may require local governments to review ordinances, enforcement practices, and infrastructure policies for consistency with revised state law. (Singer)

### Other Bills of Interest

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

**HB 283** (Alvarez, J.) and **SB 498** (Rodriguez) – School Zone and Pedestrian Safety

### UTILITIES

#### **Advanced Nuclear Reactors (Monitor)**

**SB 1696** (McClain) grants to the Public Service Commission the sole authority to regulate advanced nuclear reactors. The bill imposes additional duties on the Florida Public Service Commission, the Department of Environmental Protection, and the Department of Health relating to advanced nuclear reactors and nuclear materials. The bill requires the PSC to consider certain factors before issuing certifications for the siting and operation of such facilities. (O'Hara)

#### **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,

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a wastewater treatment facility, a pumping station, a well, or other physical 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)

### Local Utility Revenues (Oppose)

**SB 1420** (DiCeglie) applies to county and municipal utilities providing water, wastewater, stormwater, electric, or gas service. The bill prohibits a county or municipal utility from transferring any utility revenues to fund general government functions or special projects that are not related to ongoing utility service. It specifies that any utility revenue surplus be returned to ratepayers. The bill permits utilities to reinvest utility revenues back into the utility and requires a utility, every five years, to develop a budget forecast and strategies for improvements and maintenance. It prohibits a county or municipality from charging a higher rate or from adding a surcharge for extraterritorial service that is greater than the cost of providing such services. Any violation of the bill's requirements is grounds for the withholding of state funds to which the utility may be entitled. The bill eliminates the first and second 25% surcharges for extraterritorial water and sewer service that is authorized under current law. A utility may charge separate rates, fees, and charges to

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extraterritorial customers after holding a public meeting, but such rates, fees, and charges may not be greater than 50% in excess of what is charged to customers within the municipality. (O'Hara)

### **Municipal Water and Sewer Utility Rates (Oppose)**

**SB 1188** (Grall) prohibits a municipal water or sewer utility from imposing any surcharge on extraterritorial service provided to customers located within another municipality. It does not prohibit surcharges for extraterritorial service provided to customers located within an unincorporated area. (O'Hara)

### **Municipal Water and Sewer Utility Rates, Fees, and Charges (Oppose)**

**SB 940** (McClain) prohibits a municipal water or sewer utility from imposing any surcharge on any extraterritorial customers served by the utility. The bill authorizes the utility to charge extraterritorial customers the *same* rates, fees and charges that are imposed on customers within the municipality. In addition, after holding a public hearing, the municipal utility may charge extraterritorial customers rates, fees and charges that are just and equitable and based on the same factors used in fixing rates, fees, and charges for customers inside the municipality. The bill authorizes municipal water and sewer utilities to continue imposing an extraterritorial surcharge only to the extent necessary to comply with the terms of bond covenants in effect as of July 1, 2024. The surcharges must be phased out upon retirement, expiration, or refinancing of the debt obligation. Finally, the bill requires municipal water and sewer utilities to submit a rate study to the Department of Environmental Protection by January 1, 2028, and every seven years thereafter. The bill specifies the minimum requirements for the rate study and authorizes municipal utilities serving less than 10,000 customers to petition for an extension of time to complete the required rate study. Such extension of time may be granted upon a showing of undue financial or administrative burden by the municipal utility. (O'Hara)

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**Municipal Electric and Gas Utilities/Enterprise Fund Transfers (Oppose)**

**HB 773** (Brackett) applies to municipal electric and gas utilities. Effective July 1, 2026, the bill limits the amount of utility earnings that may be transferred to the general fund of the municipality *for utility purposes* and *prohibits* any transfers to the general fund *for non-utility purposes*. If the utility service is provided to customers inside the municipality, the transfer amount is capped at 10% of the municipality's general fund. If the municipal utility serves extraterritorial customers, the amount transferred to the municipality's general fund must be based on the percentage of extraterritorial customers served but may not exceed 10% of the municipality's general fund. The transfer amount must decrease as the percentage of extraterritorial customers increases. The transfer amount must be approved in a local referendum by a vote of customers located within and outside the municipality. The transfer cap may be exceeded in the event of a disaster or emergency declared by the Governor, or by the passage of a resolution by a 4/5 vote of the governing body. The amount transferred pursuant to such resolution that exceeds the 10% cap must be repaid within three fiscal years. The bill *prohibits* the transfer of utility earnings to the general fund *for non-utility purposes*. A municipality that transfers utility funds in violation of this prohibition is ineligible for state funds for infrastructure under chapter 216, Florida Statutes. The bill requires a municipality that transfers a portion of its utility earnings to the general fund to disclose in its annual budget and financial report: 1) the amount and percentage of the transfers; 2) the percentage such amount represents of public utility earnings; and 2) the purpose of and reason for the transfer. (O'Hara)

**Provision of Municipal Utility Service to Owners Outside the Municipal Limits (Oppose)**

**SB 1014** (Mayfield) and **HB 1075** (Sirois) mandate that a municipal utility provide extraterritorial service. The bills differ slightly, but neither bill alters current law authorization relating to extraterritorial surcharges. SB 1014 prohibits a municipal

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water or sewer utility from refusing to extend service to property outside its municipal corporate limits on the sole basis that the customer does not consent to annexation. Upon an application for service to connect, a municipality must allow the service if: 1) the property is not within the service territory of another utility; 2) the utility has sufficient capacity to serve the property; or 3) the property is within 2,000 meters of the utility's facility (defined broadly in the bill to include any pipe, pumping station, etc.). The utility must provide a written response to an application for service within 90 days. If the utility has sufficient capacity to serve, the response must include the anticipated fees, charges, and other requirements to connect under the utility's existing fee structure. The bill allows a utility to establish minimum requirements for an application for service, including an estimate of the anticipated load for the property and any anticipated development, as well as an application fee. The bill allows a property owner to bring an action to enforce these requirements and authorizes recovery of attorney fees and costs by a prevailing plaintiff. HB 1075 mandates a municipal utility to allow an extraterritorial property owner or another municipality to connect with or use the utility's water, sewer, gas, or solid waste services if the utility has sufficient treatment, transmission, and distribution capacity and the requesting municipality or property owner pays all applicable rates, fees, and charges authorized by section 180.191, Florida Statutes. The municipal utility must provide a written capacity determination within 30 days of receiving an application for connection. A denial of a request for connection may be appealed to the circuit court, and a prevailing plaintiff may recover attorney fees and costs. A utility is not required to pay attorney fees and costs if it demonstrates by clear and convincing evidence that the denial was based on a good-faith determination of insufficient capacity. If a private entity has been granted a franchise by a municipality to provide utility services, the entity may, but is not required to, allow an extraterritorial municipality or property owner to connect. (O'Hara)

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### 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)

### Residential Utility Disconnections (Oppose)

**SB 1576** (Smith) prohibits an electric utility or water utility from disconnecting service to residential customers for nonpayment of bills or fees during days of extreme heat or extreme cold, during a state of emergency. It requires such utilities to waive reconnection fees and late fees under similar conditions and requires that all notices of nonpayment of bills and fees provide an offer of bill payment assistance or provide information on other assistance or payment programs. (O’Hara)

### Utility Services (Oppose)

**HB 1451** (Busatta) and **SB 1724** (Martin) apply to extraterritorial service by municipal gas, electric, water, and sewer utilities. The bills provide that a utility that generates revenue from extraterritorial services may not use more than 10% of the gross revenues generated from such services to fund general government functions. In addition, the bills eliminate the first and second 25% surcharges on extraterritorial water and sewer service. A water and sewer utility may, after holding a public hearing, set separate rates, fees, and charges for extraterritorial customers based on the same factors used to set rates, fees, and charges for customers within the



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municipality. Such separate rates, fees, and charges may not exceed the rates, fees, and charges for customers within the municipality by more than 25%. Finally, the bills specify that any agreement to provide extraterritorial utility service at retail must be written and that such agreement may not become effective until the utility participates in a public meeting within the extraterritorial area to be served. The meeting must solicit public input on the following: rates, fees, and charges to be imposed for the services, including any differential in charges between extraterritorial customers and other customers; the nature of the services to be provided; and the extent to which revenues generated from the service will be used to fund nonutility government functions. The bills require such a public meeting to be conducted annually. (O'Hara)

### Other Bills of Interest

**HB 379** (Shoaf) – Rural Electric Cooperatives

**SB 1532** (Smith) – Florida Public Service Commission

### WATER QUALITY AND WASTEWATER

#### **Advanced Wastewater Treatment (Monitor)**

**HB 1167** (Cross) and **SB 1468** (Berman) require sewage disposal facilities with a permitted capacity greater than 1 million gallons per day to submit annual reports to the Department of Environmental Protection (DEP) beginning July 1, 2027. The required reporting includes facility age and upgrades, permitted and actual treatment volumes, current treatment levels and pollutant concentrations (including nutrients, specified PFAS compounds, and other contaminants of emerging concern), estimated pollutant loadings, disposal methods and discharges, wastewater spills since 2010, facility elevation, and location within floodplains, flood zones, or coastal high-hazard areas.

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The bills also require DEP, in consultation with water management districts and sewage disposal facilities, to compile this information, submit an annual statewide report to the Governor and Legislature beginning December 31, 2027, and post the report on its website. Municipal wastewater utilities operating qualifying facilities would assume new recurring data-collection and reporting obligations, including reporting on historical wastewater spills and flood-risk characteristics of existing infrastructure. (Singer)

### **Biosolids Management (Monitor)**

**SB 1474** (Gaetz) and **HB 1285** (Boyles) prohibit the Department of Environmental Protection (DEP) from issuing or renewing a permit for a biosolids land application site that authorizes the disposal or land application of septage as Class B biosolids if a qualifying wastewater treatment facility providing higher levels of septage treatment is located within 50 miles of the proposed site. The prohibition applies when the nearby facility is owned or operated by the federal government, the state, or a political subdivision, and is not defunct, repurposed, or at capacity.

For municipalities that own or operate wastewater treatment facilities that accept septage for higher levels of treatment, the bill establishes a statutory condition that DEP must consider when permitting or renewing nearby Class B biosolids land application sites. (Singer)

### **Biosolids Management (Monitor)**

**SB 1294** (Bradley) and **HB 1245** (Shoaf) revise requirements governing the land application, distribution, and marketing of bulk Class AA biosolids fertilizer and compost products. The bills prohibit land application from exceeding the agronomic rate, as defined in federal regulation, and require land application site operators to maintain application records. They authorize bulk Class AA biosolids products to be

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distributed or marketed as fertilizer or soil amendments only if transferred through a statutorily defined bona fide sale and in compliance with applicable registration and labeling requirements, with limited exceptions for certain certified compost products and transactions between licensed entities.

For municipalities that own or operate wastewater treatment facilities or manage biosolids reuse programs, the bills establish substantive new constraints on how Class AA biosolids may be distributed and land applied. Distribution models involving nominal charges, exchanges, or arrangements intended to offset disposal costs would not qualify as bona fide sales, which may require municipalities to restructure existing biosolids reuse agreements or limit land application to sites expressly approved by the Department of Environmental Protection. The bills provide an exemption for municipalities that own or control the land where biosolids are applied from the bona fide sale requirement, but they must still comply with registration and labeling standards. The bills also direct the University of Florida's Institute of Food and Agricultural Sciences to publish biennial recommended agronomic rates, which may inform municipal biosolids management and land application practices. (Singer)

### Land and Water Management (Oppose)

**CS/HB 479** (Maggard) and **SB 718** (McClain) as filed preempt the regulation of water quality, water quantity, pollution control, pollutant discharge prevention and removal, and wetlands, including any delineation, to the state. The preemption does not apply to an interagency or interlocal agreement between the Department of Environmental Protection (DEP) and any agency, water management district, or local government that conducts programs relating to or affecting the water resources of the state. The preemption does not impact the authority of a county or municipality to regulate and operate its own water system, wastewater system, or stormwater system. The bills provide that if DEP determines that a county or municipality is in violation of this

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provision, DEP must notify the Chief Financial Officer (CFO) of the violation, and the CFO must withhold any state funds to which the county or municipality may be entitled.

CS/HB 479 has been amended to narrow the original bill's broad preemption over water quality, water quantity, pollution control, pollutant discharge prevention and removal, and wetlands. Instead, it prohibits local governments from adopting or enforcing regulations that restrict upland activities outside of a wetland buffer zone established at a minimum of 15 feet and an average of 25 feet. By codifying a fixed buffer standard, the bill prevents local governments from adjusting buffer requirements to fit their wetland conditions. (Singer)

### **Perfluoroalkyl and Polyfluoroalkyl Substances (Monitor)**

**HB 855** (Long) and **SB 1058** (Berman) are comprehensive bills aiming to update state law governing per- and polyfluoroalkyl substances (PFAS), including environmental cleanup standards, liability protections, and restrictions on firefighting foam, with direct implications for municipal utilities, property ownership, and fire services.

The bills revise the process for establishing PFAS cleanup target levels by requiring the Department of Environmental Protection (DEP) to adopt interim screening values by rule until the U.S. Environmental Protection Agency establishes final federal standards. The bills specify that DEP's interim standards are not legally enforceable unless ratified by the Legislature, and prohibit administrative or judicial enforcement actions based on unratified PFAS cleanup target levels. This limits near-term regulatory and liability exposure for municipalities that own or operate contaminated sites or water systems during the interim period.

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The bills also establish a framework for bona fide prospective purchaser protections for PFAS contamination, which may reduce municipal liability when acquiring contaminated property if statutory conditions are met, and specify timelines and procedures for DEP review of related applications.

The bills also restrict the use of Class B firefighting foam containing intentionally added PFAS. Beginning January 1, 2027, fire service providers, including municipal fire departments, may not discharge such foam except during emergency responses or when necessary for system testing or maintenance. This provision requires municipalities operating fire services to transition training practices and procurement away from PFAS-containing foam for non-emergency uses and to update operational policies to comply with the new statutory limitations. (Singer)

### **Perfluoroalkyl and Polyfluoroalkyl Substances (Monitor)**

**HB 1019** (Conerly) and **SB 1230** (Harrell) create a new statutory framework regulating firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) and impose new PFAS sampling requirements related to domestic wastewater biosolids. The bills define “aqueous film-forming foam” (AFFF) and establish a phased approach that restricts its use, sale, purchase, distribution, possession, and disposal over several years. Beginning July 1, 2026, the bills prohibit non-emergency AFFF use for training or testing and require entities in possession of AFFF to submit an inventory to the Department of Environmental Protection (DEP). Beginning July 1, 2027, the bills prohibit the sale, purchase, or distribution of AFFF and require entities with remaining inventories to submit disposal plans to DEP. Beginning July 1, 2028, possession and use of AFFF are prohibited, subject to limited statutory exemptions.

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For municipalities operating fire services, the bills would require changes to training practices, procurement policies, and inventory management related to PFAS-containing firefighting foam, as well as new administrative reporting and planning obligations. Municipal fire departments currently storing AFFF would be required to document inventories, coordinate disposal, and transition to compliant alternatives within the statutory timelines. The bills authorize DEP to administer grant or cost-share programs that may assist with these transition and disposal costs.

The bills also require all public entities that dispose of domestic wastewater biosolids to conduct annual PFAS sampling and submit results to DEP. Municipal wastewater utilities subject to this provision would assume ongoing sampling, monitoring, and reporting responsibilities, adding recurring operational and compliance obligations. (Singer)

### Other Bills of Interest

**SB 1654** (Simon) and **HB 1377** (Franklin) – Cooling Towers

### WATER SUPPLY AND POLICY

#### **Landscape Irrigation (Monitor)**

**HB 611** (Cobb) and **SB 508** (Truenow) establish the Landscape Irrigation Standards and Watering Restrictions Act and remove a provision of law that requires local governments to adopt and enforce an ordinance related to automatic landscape irrigation systems.

The bills provide that a person may not install, maintain, alter, repair, service, or inspect a landscape irrigation system unless the person is a licensed irrigation contractor or property owner. The bills allow local governments and water



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management districts to adopt more stringent requirements for a property owner who installs an irrigation system. The bills provide that to obtain a landscape irrigation permit, a licensed irrigation contractor must submit an application to the applicable local government or water management district with certain information prior to the construction of the irrigation system. The bills also require that before a local government or water management district can issue a landscape irrigation permit, the licensed irrigation contractor must provide a Letter of Certification of Design for a Landscape Irrigation System, a Letter of Completion Certifying Compliance with Design for a Landscape Irrigation System, and proof of certification by the Florida Water Star Certification program.

The bills also provide for landscape irrigation system sprinkler spacing and permits local governments to allow variances for areas where head-to-head spacing will oversaturate the soil or lead to inefficient water use.

Furthermore, the bills provide a landscape irrigation watering schedule. The bills allow local governments to grant a variance from the specific landscape irrigation watering schedule under certain circumstances, including instances in which strict adherence to the watering schedule would lead to unreasonable or unfair results. However, a local government may not grant a variance to allow a single zone to be irrigated more than two days per week during daylight saving time or more than one day per week during Eastern Standard Time or Central Standard Time.

The bills also address the enforcement of the act and provides that the Department of Environmental Protection (DEP), in coordination with local governments, must authorize law enforcement personnel or other government staff as the enforcement officials. Any funds generated by penalties imposed due to violations of the act must be used by the local government for the administration and enforcement of the act

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and to further water conservation activities. The bills specify that enforcement officials may not provide violators with more than one written warning before assessing a fine and authorizes local governments to take appropriate legal action, including injunctive action, to enforce the act. The bills also specify that it is unlawful for any governmental entity to enforce any law, rule, or regulation in conflict with the provisions of the act. (Singer)