

# LEGISLATIVE BILL SUMMARIES

Florida League of Cities

**Volume 51, Issue 10: April 11, 2025**

enforcing vehicular stacking regulations that limit traffic during school drop-off and pick-up times if such enforcement would restrict a school's enrollment capacity. The bills prohibit local governments from enforcing local building codes that are more stringent than the Florida Building Code and the Florida Fire Prevention Code if such regulation limits the student capacity of a conversion charter school. Finally, the bills prohibit local governments from requiring proposed charter schools to obtain a special exemption or conditional use approval for land use, ensuring they are automatically considered an allowable use under local zoning laws. CS/HB 569 was amended to clarify that charter schools are considered public facilities for concurrency purposes. The amendment also removed a provision that prohibits local governments from adopting, imposing, or enforcing any local building requirements addressed by and more stringent than the Florida Fire Prevention Code. (Cruz)

**Transportation Concurrency (Monitor)**

**CS/HB 203** (Grow), **SB 1074** (McClain) and **SB 1738** (Ingoglia) modify requirements for local government comprehensive plans in Florida, including transportation concurrency. Under current law, the capital improvements element of these plans must identify the facilities needed to achieve adopted levels of service within a five-year period. The bills add the phrase "or to maintain current levels of service" to this requirement. As a result, comprehensive plans will now need to identify the facilities necessary to meet adopted levels of service within five years or maintain existing service levels. (Cruz)

**NATURAL RESOURCES AND PUBLIC LAND****Farm Products (Monitor)**

**HB 211** (Cobb) and **SB 374** (Truenow) redefine "farm product" in Florida's agricultural lands and practices statute to include both edible and nonedible plants and plant

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claim above the statutory limits without the need for a claims bill, even if the payout exceeds insurance policy limits. The bills narrow the statute of limitation on negligence claims against government entities from four years to two years and the required pre-suit notice from three years to 18 months.

CS/HB 301 was amended to revise the statutory limits for claims to \$500,000 per person and \$1 million per incident for claims accruing between October 1, 2025, and October 1, 2030. After October 1, 2030, these limits will increase to \$600,000 per person and \$1.1 million, respectively. (Cruz)

**Other Bills of Interest**

**SB 48** (Garcia) and **HB 1375** (Basabe) – Judicial Sales Procedures

**HB 213** (Gossett-Seidman) and **SB 322** (Rodriguez) – Unlawful Actions Concerning Real Property

**SB 734** (Yarborough) and **HB 6017** (Trabulsy) – Actions for Recovery of Damages for Wrongful Death

**SB 1534** (Collins) – Litigation Financing

**HB 1387** (Persons-Mulicka) and **SB 1766** (Ingoglia) – Public Employees Relations Commission

**SB 1776** (McClain) and **HB 1601** (Johnson) – Employee Rights and Labor Regulations

**TRANSPORTATION****Department of Transportation (Monitor)**

**CS/CS/HB 567** (McFarland) and **CS/CS/CS/SB 462** (DiCeglie) are comprehensive bills addressing the Florida Department of Transportation (FDOT).

The bills address facility relocation for federal interstate projects, requiring FDOT to determine whether reimbursement is in the public's best interest and necessary to

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expedite construction. CS/SB 462 provides potential reimbursement of up to 50% of relocation costs for municipally-owned utility facilities and 100% for those in a Rural Area of Opportunity after deducting any increase in facility value and salvage value. CS/SB 462 was amended to clarify that reimbursement shall be conditioned upon FDOT determining it is necessary to expedite the construction of the project and that the utility owner has relocated their facility at least 5% ahead of the time allotted for relocation per the latest approved utility relocation schedule. CS/HB 567 was amended to revise the reimbursement provision to allow FDOT the discretion to provide an incentive to facilitate the accelerated completion of a utility relocation, which must be provided via a joint agreement between FDOT and the utility.

The bills also set procedures for coordinating FDOT-funded projects that cannot be completed within 10 years. Utility owners must submit existing and proposed plans within 30 to 120 days of receiving preliminary FDOT plans. Failure to comply may result in penalties, including withholding payments, permit denials, or exclusion from relocation work. However, extensions are available for emergencies or uncontrollable delays. If the utility owner fails to initiate work after a final 10-day notice, FDOT may seek injunctive relief. CS/SB 462 also establishes mediation boards to resolve disputes and outline repayment timelines for damages owed to FDOT.

The amendment for CS/SB 462 provides that a municipality, county, or authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. The department may also provide for improvements to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

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CS/HB 567 was amended to specify that a local government may adopt an ordinance providing one or more minimum age requirements to operate an electric bicycle and may adopt an ordinance requiring an operator of an electric bicycle to possess a government-issued photo identification while operating the electric bicycle. (Singer)

**Utility Relocation (Oppose)**

**CS/HB 703** (Robinson, W.) and **CS/SB 818** (McClain) revise a utility owner's responsibilities after receiving written notice that the authority has found a utility placed upon, under, over, or within the rights-of-way limits of any public road or publicly owned rail corridor to be unreasonably interfering with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion of such public road or publicly owned rail corridor.

The bills require a utility owner to provide a relocation schedule within 30 days of receiving such notice, and CS/SB 818 requires them to initiate the necessary work within 60 days. The bills will also require rather than allow utility owners to perform relocation work necessitated by a federally funded highway or rail project and will require the State to fund it. The bills make other currently allowable funding mechanisms required, if a utility was installed solely to serve the authority and relocated to enhance vehicular, bicycle, or pedestrian safety, then the authority must pay for its relocation.

CS/SB 818 mandates an authority requiring a provider of broadband, cable, or video services to relocate a facility, the service provider owning or operating such facility must perform any work upon notice from the authority, and the authority requiring such relocation to pay the entire expense properly attributable to such work.

CS/HB 703 was amended to specify that when an authority requires a provider of communications services subject to Communications Services Tax to relocate a

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facility used to provide such services, the initiating authority must pay the entire expense properly attributable to such work. (Singer)

**Operating Motor Vehicles at Slow Speeds (Support)**

**CS/HB 241** (Cross) and **CS/SB 350** (DiCeglie) create an exception to state law, allowing local ordinances to require drivers to reduce their speed on flooded or inundated streets to minimize wakes and waves that could further damage nearby homes. The exception also includes those operating a boat or any other conveyance. (Singer)

**Traffic Infraction Enforcement (Support)**

**HB 1275** (Michael) and **SB 812** (Calatayud) define a "railroad traffic infraction detector" as a system that detects vehicle movements at railroad crossings using radar or LiDAR to capture photographic or video evidence. The bills allow counties and municipalities to install these detectors with proper signage on roadways adjacent to at-grade railroad crossings with the owner's permission after enacting an ordinance authorizing its placement after considering safety risk assessments. The bills also allow the Florida Department of Transportation to install these when authorized by the local government having jurisdiction over or maintenance responsibility for the state road, street, or highway.

The bills provide procedures for issuing, disputing, and dismissing traffic citations related to detected infractions, including the provision of evidence to vehicle owners and the process for submitting an affidavit to contest citations.

The bills specify the penalty amounts to be assessed for violations and the distribution formula for collected funds. Distributions must be made weekly and are as follows: 60% shall be remitted to the Department of Revenue (DOR) for deposit into the General Revenue Fund, 30% shall be remitted to DOR for deposit into the

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Department of Transportation for Florida Operation Lifesaver, and 10% shall be distributed to the municipality in which the violation occurred. (Singer)

**Transportation (Monitor)**

**CS/CS/HB 1397** (Abbott) and **CS/SB 1662** (Collins) are comprehensive bills addressing transportation policy.

Both bills have been amended to provide that a municipality may not prohibit or require a permit for the installation of a public sewer transmission line placed and maintained within and under publicly dedicated rights-of-way as part of a septic-to-sewer conversion where the work is being performed under certain state permits.

The bills make several changes to statutes regulating airports. The bills require each airport to submit to DOT a comprehensive maintenance program report with several specific provisions that must be included. The bills also require an airport to retain all records of materials and equipment used for their maintenance and repair work. The bills provide DOT the authority to determine whether an airport failed to perform routine maintenance and to withhold state funds for any of the airport's capital expansion projects until such deficiencies are corrected. The bills redefine commercial airports to include those large, medium, small, and non-hub airports as classified by the Federal Aviation Administration. The bills adjust the existing statutory requirements that a commercial service airport post operating information on its website to extend that requirement for at least five years or for as long as the information is actively in use by the entity and revise the information that must be posted. The bills introduce a new requirement that commercial service airports must notify DOT within 48 hours of a federal directive or communication regarding public health testing or the transfer of unauthorized aliens. They also require notifying DOT as soon as reasonably possible but no later than 48 hours after incidents related to



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the safety of the public, potential breaches or security risks associated with cybersecurity, or other issues of statewide concern as defined by DOT.

The bills also define “air ambulance operation,” requiring the DOT to develop policies for Advanced Air Mobility and integrate them into statewide aviation planning. This includes designating a subject matter expert within the department to serve as a resource for local jurisdictions navigating advances in aviation technology.

The bills also include a requirement during a state of emergency for airports to provide DOT the opportunity to use any property that is not within the air navigation facility for the staging of equipment and personnel to support emergency preparedness and response operations at no cost.

CS/HB 1397 revises the DOT’s Small County Outreach Program statute to fund it annually to at least \$50 million from the State Transportation Trust Fund and to clarify the definition of “small county” for the purposes of the program to include:

- A municipality within a rural area of opportunity, which may compete for the additional project funding at up to 100% percent of project costs, excluding capacity improvement projects
- A local government within the Everglades Agricultural Area, Peace River Basin, or Suwannee River Basin, which may compete for the additional project funding at up to 100% percent of project costs on state or county roads used primarily as farm-to-market connections between agricultural areas and market distribution centers, excluding capacity improvement projects

CS/CS/HB 1397 was amended to add a provision that provides that any authority established under state or local laws, including but not limited to transportation, parking, and economic development, shall have full power to conduct business; to

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operate, manage, and control facilities; and to provide services beyond the geographical boundaries of such local governments that originally chartered such authority. Authorities are permitted to engage in activities outside of their chartering jurisdiction upon entering into an interlocal agreement with the governing body of the affected local government.

CS/SB 1662 prohibits DOT from expending any state funds to a public transit provider, regional transportation authority, expressway and bridge authority, Jacksonville transportation authority, public-use airport or port that supports a project or program that adopts or promotes energy policy goals inconsistent with state energy policy, or any intended or actual measures, obligations, targets, or timeframes related to the reduction in carbon dioxide emissions.

The bills revise the purpose and responsibilities of the Florida Seaport Transportation and Economic Development Council. The bills also revise the structure and responsibilities of the Jacksonville Transportation Authority. (Singer)

**Personal Mobility Device Battery Safety Standards (Monitor)**

**SB 410** (Rodriguez) establishes mandatory battery safety standards for personal mobility devices. Of interest to municipalities, the bill instructs the Florida Department of Highway Safety and Motor Vehicles to coordinate with local governments to ensure compliance, including imposing fines and seizing non-compliant personal mobility devices. The House companion bill, **CS/HB 291** (Blanco), was amended to remove these provisions impacting municipal operation and shifts compliance responsibility to the Department of Environmental Protection. (Singer)

**Other Bills of Interest**

**HB 339** (Abbott) and **SB 320** (Gaetz) – Licensure Requirements for Surveyors and Mappers



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**Volume 51, Issue 10: April 11, 2025****SB 830** (Rodriguez) – Lost or Abandoned Property**HB 1285** (Mooney) – Disposition of Migrant Vessels

## **UTILITIES**

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

**HB 11** (Robinson, F.) and **SB 202** (Jones) require a municipality that operates a water or sewer utility providing services to customers in another recipient municipality using a facility or plant located in the recipient municipality to charge customers in the recipient municipality the same rates, fees, and charges it imposes on customers within its own municipal boundaries. (O'Hara)

### **Utility Services (Oppose)**

**SB 1704** (Calatayud) and **HB 1523** (Busatta) cap municipal utility enterprise fund transfers and eliminate authority to impose a 25% surcharge for extraterritorial water and wastewater service.

#### *Enterprise Fund Transfer Capped at 10%*

A municipality that provides extraterritorial electric, gas, water, or wastewater utility services may not use more than 10% of the gross revenues generated from such services for general government functions. If any utility revenues generated from extraterritorial service remain after payment of the utility's costs to provide the services, these excess revenues must be either reinvested in the utility or returned to the extraterritorial customers.

#### *Elimination of 25% Surcharge on Extraterritorial Water & Wastewater Service*

The bills eliminate current law authorization for a municipal water or wastewater utility to impose a surcharge of up to 25% on extraterritorial service. The bills retain current law authority for a municipal water or wastewater utility to charge the *same*