

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

HB 19 — Compensation of County Officials

by Rep. Mayfield and others (SB 870 by Senator Storms)

This bill allows certain county officials to reduce their salary on a voluntary basis. The county officers include each: member of a board of county commissioners, clerk of the circuit court, county comptroller, sheriff, supervisor of elections, property appraiser, and tax collector.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 36-0; House 116-0

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED

Committee on Community Affairs

CS/CS/CS/SB 88 — Public Employee Compensation

by Governmental Oversight and Accountability Committee; Judiciary Committee; Community Affairs Committee; and Senators Gaetz and Storms

This bill prohibits bonuses paid to public employees unless the bonus is awarded to the employee of a public hospital from private funds or is awarded to government employees based on statutorily specified bonus criteria. Specifically, under the bill, any policy, ordinance, rule, or resolution designed to implement a bonus scheme must:

- Base the award of a bonus on work performance;
- Describe the performance standards and evaluation process by which a bonus will be awarded;
- Notify all employees of the policy, ordinance, rule, or resolution before the beginning of the evaluation period on which a bonus will be based; and
- Consider all employees for the bonus.

This bill prohibits severance pay unless the severance pay is:

- Paid to the employee of a public hospital from private funds;
- Paid in an amount not greater than 20 weeks of compensation; or
- Paid as the result of a settlement agreement in an amount not to exceed 6 weeks of compensation.

Contracts for severance pay must include a provision stating that severance pay is not paid in cases of employee misconduct.

The bill defines severance pay as actual or constructive compensation including salary, benefits, or perquisites for employment services yet to be rendered which is provided to an employee who has recently been or is about to be terminated. The term does not include compensation for leave time, early retirement, or insurance subsidies.

The bill prohibits confidentiality clauses in agreements for extra compensation entered into after July 1, 2011.

The bill deletes provisions of law that are inconsistent with the provisions created in the bill.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 113-2

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

HB 93 — Security Cameras

by Rep. Steube and others (SB 172 by Senator Bennett)

In response to ongoing litigation, the bill (Chapter 2011-8, L.O.F.) reenacts a section of law created by Chapter 2009-96, L.O.F. (SB 360 (2009 Regular Session)) to eliminate any possible question that it could be subjected to a single-subject challenge or struck down as an unconstitutional unfunded mandate. The bill does not change the law, but reenacts a section of law created by Chapter 2009-96, L.O.F., which prevents local governments from requiring that a business spend funds for security cameras. The section does not limit the ability of a county, municipality, airport, seaport, or other local governmental entity to adopt standards for security cameras.

These provisions became law upon approval by the Governor on April 27, 2011.

Vote: Senate 36-0; House 97-18

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/SB 224 — Local Government Accountability

by Governmental Oversight and Accountability Committee; and Senators Dean and Lynn

This bill provides minimum budgeting standards for counties, county officers, municipalities, and special districts. The bill requires the budget of each county, municipality, special district, water management district, school district, and certain county officers to be posted on the government entity's website. The bill requires certain counties, municipalities, and special districts to file their annual financial report and annual financial audit report with the Department of Financial Services and the annual financial audit report with the Office of the Auditor General within nine months of the end of the fiscal year. This bill also amends the reporting process used by the Legislative Auditing Committee and the Department of Community Affairs to compel special districts to file certain required financial reports.

The bill further allows certain municipalities to levy and collect special assessments in order to fund certain special security and crime prevention services and facilities. If the costs of such services and facilities are funded by ad valorem taxes prior to the levy of the assessment, the bill requires the taxes to be abated annually thereafter in an amount equal to the full amount of the special assessment.

If approved by the Governor, these provisions take effect October 1, 2011.

Vote: Senate 38-0; House 116-0

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/CS HB 281 — Value Adjustment Boards

by Finance and Tax Committee; Economic Affairs Committee; Community and Military Affairs Subcommittee; and Rep. Logan and others (CS/SB 880 by Budget Committee and Senator Garcia)

This bill requires a value adjustment board petitioner that is challenging an assessment to pay all non-ad valorem assessments and make a partial payment of at least 75 percent of taxes due before the taxes become delinquent on April 1.

Taxpayers that challenge the denial of a classification or exemption, or argue that the property was not substantially complete on the date of assessment must pay the non-ad valorem assessments and must make a “good faith” payment of the tax. If the value adjustment board determines that the payment was grossly disproportionate to what was owed and was not made in good faith, the tax collector is to collect a 10 percent penalty. The bill requires the value adjustment board to deny the petition by April 20, if the required payment is not timely made.

If the value adjustment board determines that the petitioner owes taxes in excess of the amounts paid, the unpaid amount shall accrue interest at 12 percent per year from the date the payment was due. If the value adjustment board determines that the amount paid is more than what is ultimately due, the excess amount paid accrues interest at the rate of 12 percent per year from the date the taxes became delinquent.

The provisions of the bill do not apply to petitions for tax deferrals.

This bill further provides that the current 4 percent property tax discount for early payment shall apply, but only if the corrected tax notice is mailed prior to the date the taxes become delinquent.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 37-1; House 113-1

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/HB 287 — Economic Development

by Economic Affairs Committee; Finance and Tax Committee; and Rep. Eisnaugle (CS/SB 506 by Community Affairs Committee and Senator Bogdanoff)

Article VII, section 3(c) of the Florida Constitution, allows counties and municipalities to grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses as defined by general law. Under current law, the economic development exemption may only be granted through a county or municipal ordinance that is previously approved by the electors of the participating county or municipality.

This bill provides greater flexibility for counties and municipalities and may promote job creation by revising the definitions of “new business” and “expansion of an existing business” to include qualifying organizations and by requiring eligible businesses and organizations to pay a wage above the average wage of the locality.

The bill expands eligibility for the economic development exemption to include target industry businesses and allows the board of county commissioners of a charter county to hold a referendum to grant such exemption upon receiving a petition in a charter county signed by the requisite number of electors prescribed in the county charter, including charters that require the signatures of less than 10 percent of the electors.

The current ballot language required in a referendum that determines whether an entity may grant an economic development exemption is modified to address whether the new or existing business is expected to create new, full-time jobs in a county or municipality and additional criteria is provided for counties and municipalities to consider when reviewing applications for such exemption.

The bill also allows local governments to enter into a written agreement with an applicant applying for an economic development exemption which may include performance criteria consistent with applicable laws and must require the applicant to report the actual number of new, full-time jobs created and their actual average wage.

The provisions in this bill only apply to exemptions from ad valorem taxation granted pursuant to referenda held on or after July 1, 2011, under s. 196.1995(1), F.S.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 37-0; House 116-0

THE FLORIDA SENATE
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Committee on Community Affairs

SB 298 — Municipal Governing Body Meetings

by Senator Alexander

The bill authorizes the governing bodies of municipalities with fewer than 500 residents to hold meetings within five miles of their exterior jurisdictional boundary.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 40-0; House 116-0

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/CS/HB 311 — Local Business Taxes

by Economic Affairs Committee; Finance and Tax Committee; Business and Consumer Affairs Subcommittee; and Rep. K. Roberson and others (CS/CS/SB 582 by Budget Subcommittee on Finance and Tax; Community Affairs Committee; and Senator Detert)

Under the bill, employees are not required to pay a local business tax, obtain a local business tax receipt, or apply for an exemption from a local business tax. For local business tax purposes, the bill defines independent contractors by reference to the current statutory definition in s. 440.02(15)(d)1.a. and b., F.S. Under the bill, independent contractors are not employees, but individuals licensed and operating as a real estate broker or sales associate are employees.

The bill specifies that employees may not be held liable for failure of their employer to apply for an exemption or pay the tax. Local governments may not require exempt individuals to apply for an exemption or pay the tax. Employers may not be required to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt.

The newly-created employee exemption is retroactive to October 13, 2010, but the bill states that the exemption does not apply to business taxes imposed before that date.

The bill removes statutory language which requires the Department of Business and Professional Regulation, by August 1 of each year, to submit to the local official who issues local business tax receipts a current list of professions the department regulates and information regarding those practitioners that should not be allowed to renew their local business tax receipt due to suspension, revocation, or inactivation of a state license, certification, or registration.

The bill adds language to expand the types of professions that must prove active certification to include any profession regulated by the Florida Supreme Court or any state regulatory agency.

The bill explicitly allows certification renewals to be completed online.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
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Committee on Community Affairs

CS/CS/CS/CS/CS/HJR 381 — Property Assessment/Homestead Exemption by Economic Affairs Committee; Appropriations Committee; Finance and Tax Committee; Community and Military Affairs Subcommittee; and Reps. Dorworth, Costello and others (CS/CS/SJR 658 by Judiciary Committee; Community Affairs Committee; and Senators Fasano and Gaetz)

This joint resolution proposes amendments to Article VII, section 4, of the Florida Constitution, to permit the Legislature to prohibit increases in the assessed value of homestead property and certain non-homestead property if the just value of the property decreases, with exceptions for changes, additions, reductions or improvements to property. The joint resolution also seeks to reduce the limitation on annual assessment increases applicable to certain non-homestead property from 10 percent to 5 percent.

The joint resolution proposes an amendment to Article VII, section 6, of the Florida Constitution, to allow individuals that are entitled to a homestead exemption under s. 6(a), Art. VII of the Florida Constitution, that have not previously received a homestead exemption in the past three calendar years to receive an additional homestead exemption equal to 50 percent of the just value of the homestead property not to exceed the median just value of all homestead property within the county. The additional exemption applies for a period of five years or until the property is sold and shall be reduced by 20 percent of the initial exemption on January 1 of each succeeding year until it is no longer available in the sixth and subsequent years. The exemption does not apply to school levies.

The joint resolution proposes an amendment to Article XII, section 27 of the Florida Constitution, to extend the sunset provisions relating to the non-homestead assessment limitation from January 1, 2019, to January 1, 2023.

The joint resolution creates Article XII, section 32 of the Florida Constitution, to provide that if the joint resolution is approved by Florida voters on the date of the 2012 presidential preference primary, this section and the amendments to Article VII, section 4 of the Florida Constitution, shall take effect upon approval of the voters, and operate retroactively to June 1, 2012. If the joint resolution is approved by Florida voters at the 2012 general election, these two provisions shall take effect on January 1, 2013.

The joint resolution also creates Article XII, section 33 of the Florida Constitution, to provide that if approved by Florida voters on the date of the 2012 presidential preference primary, this section and the amendments to Article VII, section 6 of the Florida Constitution, upon approval of the voters, and operate retroactively to January 1, 2012, and shall be available for properties purchased on or after January 1, 2011. If the joint resolution is approved by the Florida voters at the 2012 general election, then this provision shall take effect on January 1, 2013, and shall be available for properties purchased on or after January 1, 2012.

Vote: Senate 25-12; House 105-11

THE FLORIDA SENATE
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Committee on Community Affairs

HB 407 — Residential Building Permits

by Community and Military Affairs Subcommittee; and Rep. Perry and others (CS/SB 580 by Community Affairs Committee and Senator Oelrich)

This bill prohibits a local enforcement agency, and any local building code administrator, inspector, or other official or entity from requiring the inspection of any portion of a building, structure, or real property that is not directly related to the activity for which a permit is sought as a condition for issuance of a one- or two-family residential building permit.

The provisions of this bill do not apply to a building permit that is sought for: substantial improvements, a change in occupancy, conversions from residential with nonresidential or mixed use, and historic buildings.

The bill does not prohibit a local enforcement agency, or any local building code administrator, inspector, or other official or entity from:

- Citing a violation that was inadvertently observed in plain view during the course of an inspection conducted in accordance to this act;
- Inspecting a physically nonadjacent portion of the building, structure, or real property that is directly impacted by the activity for which the permit is sought;
- Inspecting any portion of the building, structure, or real property in which the owner or person having control has voluntarily consented to such inspection;
- Inspecting any portion of the building, structure, or real property pursuant to an inspection warrant issued in accordance to ss. 933.20-933.30, F.S.

The provisions of this bill shall expire upon being adopted into the Florida Building Code.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 38-0; House 114-2

THE FLORIDA SENATE
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SB 410 — Impact Fees

by Senator Bennett

In response to ongoing litigation, this bill reenacts the section of law created by Chapter 2009-49, Laws of Florida, (HB 227 (2009 Regular Session)) that created the “preponderance of the evidence” standard of review for the government in cases challenging the imposition or amount of an impact fee. The bill also provides a finding of important state interest.

If approved by the Governor, these provisions take effect upon becoming law, and shall operate retroactively to July 1, 2009.

Vote: Senate 38-0; House 92-24

THE FLORIDA SENATE
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Committee on Community Affairs

CS/SB 478 — Property Taxation

by Budget Subcommittee on Finance and Tax; and Senator Thrasher

This bill revises, updates and consolidates provisions of chapter 197 of the Florida Statutes relating to tax collections, sales and liens in order to conform to present day collection technology methods. The bill tolls the statute of limitations relating to proceedings involving tax lien certificates or tax deeds to the period of intervening bankruptcy. The bill amends requirements for tax deed applications and the purchase of tax certificates to provide definitions and include interest, fees, and costs in the face value of the certificate. The bill provides for electronic notice, programs, sales, and fees. The bill also authorizes tax collectors to issue certificates of correction to the tax rolls for uncollectable personal property accounts. The bill consolidates provisions relating to the payment of deferred taxes.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 38-0; House 114-0

THE FLORIDA SENATE
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Committee on Community Affairs

HB 597 — Public Records/Agency Emergency Notification Information
by Rep. Taylor (SB 874 by Senators Hays, Norman, Bennett, and Storms)

This bill creates an exemption from public records requirements for any information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency, including the person's name, address, telephone number, e-mail address, or other electronic communication address. The bill provides for retroactive application of the exemption and for legislative review and repeal under the provisions of the Open Government Sunset Review Act.

The bill provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
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Committee on Community Affairs

HB 639 — Affordable Housing

by Rep. Aubuchon and others (SB 912 by Senators Bennett and Smith)

This bill removes the statutory limitation on documentary stamp tax revenues that go into the State and Local Government Housing Trust Funds and prohibits the use of affordable housing funds for new construction activities until July 1, 2012. The bill also provides targeted assistance for persons with special needs.

The bill allows the Florida Housing and Finance Corporation (FHFC) to receive federal funds for which no corresponding program has been created in statute and empowers local housing authorities to invest surplus funds. The bill provides preference for general contractors who demonstrate the highest rate of Florida job creation in the development and construction of affordable housing and deletes current preference language. The bill also authorizes an inspector general position within the FHFC and deletes the requirement that the inspector general of the Department of Community Affairs serve that function on behalf of the FHFC.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 37-2; House 117-0

THE FLORIDA SENATE
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Committee on Community Affairs

CS/HB 667 — Public Records/Local Government Inspector General
by Government Operations Subcommittee; and Rep. Clemens (CS/SB 828 by Community Affairs Committee and Senator Bogdanoff)

This bill creates an exemption from statutory and constitutional public records requirements for information received as part of active investigations of the inspector general on behalf of a unit of local government.

The exemption is subject to legislative review and repeal under the provisions of the Open Government Sunset Review Act.

If approved by the Governor, these provisions take effect October 1, 2011.
Vote: Senate 37-0; House 111-1

THE FLORIDA SENATE
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Committee on Community Affairs

CS/CS/HB 701 — Property Rights

by Economic Affairs Committee; Community and Military Affairs Subcommittee; Rep. Eisnaugle and others (CS/SB 998 by Judiciary Committee; and Senators Simmons, Hays, Thrasher, Wise, Bennett, Alexander, Dean, Gaetz, Evers, Haridopolos, and Siplin)

The bill amends the Bert Harris Act to make the following changes to Florida's statutory protections on real property rights. The bill:

- Specifies that a temporary impact on development that is in effect for longer than one year may, depending upon the circumstances, constitute an “inordinate burden;”
- Clarifies that circumstances leading to the time elapsed between enactment of the law or regulation and its first application to the property are relevant to determining whether the investment-backed expectations were inordinately burdened;
- Changes the required notification periods from 180 days to 150 days.
- Changes the term “ripeness decision” to “statement of allowable uses” and revises language specifying when the prerequisites for judicial review are met for property owners;
- Clarifies that the one-year statute of limitations begins to run when:
 - a law or regulation is first applied upon enactment and notice mailed to the property owner, or
 - there is a formal denial of a written request for development or variance; and
- Specifies that sovereign immunity is waived for purposes of the Bert Harris Act.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 98-15

THE FLORIDA SENATE
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Committee on Community Affairs

HB 767 — Local Government

by Rep. Rooney (SB 1144 by Senator Margolis)

This bill authorizes the board of county commissioners to negotiate the lease of real property for a term not to exceed five years rather than go through the competitive bidding process. The bill also allows government entities to transfer title to a road by recording a deed with the county or counties in which the right-of-way is located.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 38-0; House 114-2

THE FLORIDA SENATE
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Committee on Community Affairs

CS/HB 811 — Florida Endowment Foundation for Vocational Rehabilitation
by Appropriations Committee; and Rep. Perry (CS/SB 480 by Community Affairs Committee
and Senator Wise)

The bill abolishes the State Board of Administration's role in investing and reinvesting monies in the endowment fund of the Florida Endowment Foundation for Vocational Rehabilitation (endowment fund).

The bill eliminates the threshold in law for the endowment fund principal.

The bill provides for dedicated funds through civil traffic collections remitted to the Department of Revenue to be deposited directly into the endowment fund. The bill also provides timelines for remission of funds to the endowment fund.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 116-0

Committee on Community Affairs

CS/CS/CS/HB 849 — Building Construction and Inspection

by Economic Affairs Committee; Rulemaking and Regulation Subcommittee; Business and Consumer Affairs Subcommittee; and Rep. Davis and others (CS/CS/SB 396 by Regulated Industries Committee; Community Affairs Committee; and Senator Bennett)

This bill exempts the Florida Building Code (Code) and the Florida Fire Prevention Code from being required to provide a statement of estimated regulatory costs and requires that proposed amendments to the foundation of the Code demonstrate a need for incorporation. Code amendments or modifications relating to the wind-resistance design of buildings and structures in the high-velocity hurricane zone of Miami-Dade and Broward Counties shall not expire and shall be carried forward to the next edition of the Code.

The bill redefines the term “sustainable building rating or national model building code” to include the International Green Construction Code and amends the membership composition requirements for the Florida Building Commission (Commission). The bill also expands the categories of persons who may be certified as qualified for licensure by endorsement as a home inspector and requires at least 2 hours of hurricane mitigation training to be included as part of a home inspector’s continuing education requirements.

The bill repeals the exemption that permits Division I contractors to perform both the inspection and repairs on a home and authorizes individuals who are licensed as a landscape architect to submit landscape design plans to government agencies for approval.

This bill replaces one of the public lodging industry seats on the Department of Health advisory review board with a county or local building official and clarifies that the Habitat for Humanity exemption also applies to the rehabilitation of certain family residences.

Part II of ch. 533, F.S., relating to the accessibility requirements for handicapped persons is amended in order to revise references to the current 2010 ADA Standards for Accessible Design standards and to conform the Florida-specific provisions to those standards. A license classification for “glass and glazing contractor” is created.

The bill provides for state agency compliance with the 2011 version of the National Fire Protection Association standard (NFPA 58) for LP gas tank separation and replaces specific references to energy efficiency requirements with a reference to the Florida Energy Efficiency Code for Building Construction.

As a result of this bill, products advertised as hurricane windstorm or impact protection from wind-borne debris are required to be approved as such under Florida’s product approval program and the Commission is prohibited from adopting rules that limit any of the statutory exceptions or exemptions to coastal construction control and erosion projection requirements.

The bill repeals current statutory provisions relating to requirements for scheduled increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building

Construction and requires certain public swimming pools and spas to be equipped with specified safety features.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 37-1; House 114-2

THE FLORIDA SENATE
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Committee on Community Affairs

CS/HB 913 — Public Records/Records Held by Public Airports

by Government Operations Subcommittee; and Rep. Horner and others (CS/SB 994 by Commerce and Tourism Committee; and Senator Latvala)

This bill creates public records exemptions for:

- Proprietary confidential business information held by a public airport. The exemption expires when the confidential and exempt information is otherwise publicly available or is no longer treated by the proprietor as proprietary confidential business information.
- Trade secrets held by a public airport.
- A proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities. The public records exemption expires upon approval by the governing body of a public airport. If a proposal or counterproposal is not submitted to the governing body for approval, then the public records exemption for the proposal or counterproposal expires 90 days after the cessation of negotiations between the public airport and the nongovernmental entity.

The bill creates definitions for terms used in the exemptions.

The bill provides for repeal of the exemptions pursuant to the Open Government Sunset Review Act unless reviewed and saved from repeal by the Legislature. The bill also provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 38-1; House 92-24

THE FLORIDA SENATE
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Committee on Community Affairs

CS/CS/CS/HB 1163 — Ad Valorem Taxation

by Economic Affairs Committee; Appropriations Committee; Finance and Tax Committee; and Reps. Dorworth, Bovo and others (CS/SB 1722 by Judiciary Committee; and Senators Fasano and Gaetz)

This bill provides statutory implementation of House Joint Resolution (HJR) 381 should the joint resolution be approved by the voters. The bill reduces the limitation on annual assessment increases applicable to non-homestead property and certain residential and nonresidential property from 10 percent to 5 percent, except that changes, additions, and improvements begin being assessed at just value.

The bill also provides an additional homestead exemption for specified “first-time Florida homesteaders,” who have established the right to receive a homestead exemption as provided in s. 196.031, F.S., within one year after purchasing homestead property and who have not owned property and received a homestead exemption in the past three calendar years. The bill allows a “first-time Florida homesteader” to receive an additional homestead exemption equal to 50 percent of the just value of the homestead property, not to exceed the median just value of all homestead property within the county. The additional exemption applies for a period of five years or until the property is sold and shall be reduced by 20 percent of the initial exemption on January 1 of each succeeding year until it is no longer available in the sixth and subsequent years. The exemption does not apply to school levies.

The bill grants the Florida Department of Revenue emergency rulemaking authority in order to implement the provisions of this bill and requires an annual appropriation, beginning in the 2012-2013 fiscal year, to offset ad valorem revenue reductions experienced by fiscally constrained counties, as defined in s. 218.67(1), F.S., due to the constitutional revisions contained in HJR 381.

This bill shall take effect upon becoming law. If provisions of this bill take effect upon approval of HJR 381 at the 2012 presidential preference primary, the provisions shall apply retroactively to the 2012 tax roll. If provisions of this bill take effect upon approval of HJR 381 at the November 2012 general election, the provisions shall apply to the 2013 tax roll.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 28-8; House 96-18

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Committee on Community Affairs

HB 4031 — Local Government Services

by Rep. Dorworth and others (SB 1942 by Senator Bennett)

This bill repeals a section of law created in 1999 that provides a process for counties and municipalities to develop and adopt plans to improve the efficiency, accountability and coordination of the delivery of local government services. Local governments may accomplish the same results by entering into interlocal agreements and do not use the procedure provided in this law.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 39-0; House 118-0

THE FLORIDA SENATE
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Committee on Community Affairs

HB 7001 — Growth Management

by Community and Military Affairs Subcommittee and Rep. Workman (SB 174 by Senators Bennett and Gaetz)

In response to ongoing litigation, this bill (Chapter 2011-14, L.O.F.) reenacts sections of law amended by the parts of ch. 2009-96, Laws of Florida, (SB 360 from 2009) most closely related to the subject of growth management to eliminate any possible question that any of these provisions could be subjected to a single subject challenge. Additionally, since the bill passed by a 2/3 majority of each house, it could remove the argument that these provisions violate the mandates provision of the Florida Constitution. The bill does not change the law but reaffirms the changes to the law made in 2009 related to growth management.

These provisions became law upon approval by the Governor on April 27, 2011.

Vote: Senate 30-7; House 80-39

THE FLORIDA SENATE
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Committee on Community Affairs

HB 7003 — Affordable Housing

by Community and Military Affairs Subcommittee and Rep. Workman (SB 176 by Senators Bennett and Gaetz)

This bill (Chapter 2011-15, L.O.F.) reenacts certain sections of law created by ch. 2009-96, Laws of Florida, (SB 360 from 2009) that are most closely related to the subject of affordable housing in order to eliminate any possible question that it could be subjected to a single subject challenge or struck down as an unconstitutional unfunded mandate. The bill does not change the law, but reaffirms the changes to the law made in 2009 by SB 360 relating to affordable housing.

These provisions became law upon approval by the Governor on April 27, 2011.

Vote: Senate 36-2; House 116-0