



26 major disasters; providing the contents of the  
27 emergency financial plan; recommending annual review  
28 of the emergency financial plan; amending s. 252.40,  
29 F.S.; authorizing local governments to create  
30 inspection teams for the review and approval of  
31 certain expedited permits; encouraging local  
32 governments to establish certain interlocal  
33 agreements; encouraging local governments to develop  
34 plans related to temporary accommodations of certain  
35 individuals; amending s. 287.055, F.S.; revising the  
36 definition of the term "continuing contract";  
37 providing for the future expiration and reversion of  
38 specified statutory text; amending s. 288.066, F.S.;  
39 creating the Local Government Emergency Revolving  
40 Bridge Loan Program within the Department of Economic  
41 Opportunity to provide certain financial assistance to  
42 local governments impacted by federally declared  
43 disasters; conforming provisions to changes made by  
44 the act; providing construction; authorizing the  
45 department to provide interest-free loans to eligible  
46 local governments through specified means; requiring  
47 the department to prescribe a loan application;  
48 requiring the department to determine the loan amount  
49 based on certain factors; authorizing the department  
50 to deny a loan application and providing specified

51 reasons for such denial; requiring the department to  
52 provide certain notice and make loan information  
53 available to eligible local governments; requiring  
54 loan repayments to be returned to the loan fund;  
55 providing that funds appropriated for the program are  
56 not subject to reversion; providing for expiration;  
57 creating s. 366.98, F.S.; providing liability  
58 protection for public utilities in certain  
59 circumstances; authorizing the Florida Public Service  
60 Commission to resolve certain issues; providing  
61 applicability; amending s. 489.117, F.S.; authorizing  
62 a registered contractor to engage in contracting under  
63 certain circumstances; providing an expiration  
64 timeframe for such authorization; authorizing the  
65 local jurisdiction to discipline the registered  
66 contractor under certain circumstances; creating s.  
67 553.7922, F.S.; requiring local governments impacted  
68 by certain emergencies to approve special processing  
69 procedures to expedite certain permits; amending s.  
70 553.80, F.S.; prohibiting certain local governments  
71 from raising building inspection fees during a certain  
72 timeframe; providing for future expiration;  
73 prohibiting counties and municipalities located within  
74 a certain area from adopting or amending certain  
75 moratoriums, amendments, or procedures for a specified

76 | period; declaring that such moratoriums, amendments,  
 77 | or procedures are null and void; providing for  
 78 | retroactive application; providing that certain  
 79 | comprehensive plan amendments, land development  
 80 | regulations, site plans, and development permits or  
 81 | orders may be enforced; providing for expiration;  
 82 | amending s. 823.11, F.S.; authorizing certain persons  
 83 | to engage in a process relating to the removal and  
 84 | destruction of derelict vessels; providing  
 85 | appropriations; providing for the transfer of certain  
 86 | appropriated funds to the Economic Development Trust  
 87 | Fund of the Department of Economic Opportunity;  
 88 | requiring that loan repayments be repaid to the  
 89 | Economic Development Trust Fund; authorizing certain  
 90 | independent special fire control districts to file a  
 91 | specified report on an alternative schedule; providing  
 92 | effective dates.

94 | Be It Enacted by the Legislature of the State of Florida:

96 | Section 1. Section 125.023, Florida Statutes, is created  
 97 | to read:

98 | 125.023 Temporary shelter prohibition.—

99 | (1) For the purposes of this section, the term "temporary  
 100 | shelter" includes, but is not limited to, a recreational

101 vehicle, trailer, or similar structure placed on a residential  
102 property.

103 (2) Notwithstanding any other law, ordinance, or  
104 regulation to the contrary, following the declaration of a state  
105 of emergency issued by the Governor for a natural emergency as  
106 defined in s. 252.34(8) during which a permanent residential  
107 structure was damaged and rendered uninhabitable, a county may  
108 not prohibit the placement of one temporary shelter on the  
109 residential property for up to 36 months after the date of the  
110 declaration or until a certificate of occupancy is issued on the  
111 permanent residential structure on the property, whichever  
112 occurs first, if all of the following circumstances apply:

113 (a) The resident makes a good faith effort to rebuild or  
114 renovate the damaged permanent residential structure, including,  
115 but not limited to, applying for a building permit, submitting a  
116 plan or design to the county, or obtaining a construction loan.

117 (b) The temporary shelter is connected to water and  
118 electric utilities and does not present a threat to health and  
119 human safety.

120 (c) The resident lives in the temporary structure.

121 Section 2. Section 166.0335, Florida Statutes, is created  
122 to read:

123 166.0335 Temporary shelter prohibition.—

124 (1) For the purposes of this section, the term "temporary  
125 shelter" includes, but is not limited to, a recreational

126 vehicle, trailer, or similar structure placed on a residential  
127 property.

128 (2) Notwithstanding any other law, ordinance, or  
129 regulation to the contrary, following the declaration of a state  
130 of emergency issued by the Governor for a natural emergency as  
131 defined in s. 252.34(8) during which a permanent residential  
132 structure was damaged and rendered uninhabitable, a municipality  
133 may not prohibit the placement of one temporary shelter on the  
134 residential property for up to 36 months after the date of the  
135 declaration or until a certificate of occupancy is issued on the  
136 permanent residential structure on the property, whichever  
137 occurs first, if all of the following circumstances apply:

138 (a) The resident makes a good faith effort to rebuild or  
139 renovate the damaged permanent residential structure, including,  
140 but not limited to, applying for a building permit, submitting a  
141 plan or design to the municipality, or obtaining a construction  
142 loan.

143 (b) The temporary shelter is connected to water and  
144 electric utilities and does not present a threat to health and  
145 human safety.

146 (c) The resident lives in the temporary structure.

147 Section 3. Effective upon becoming a law, paragraphs (bb),  
148 (cc), and (dd) are added to subsection (2) of section 252.35,  
149 Florida Statutes, to read:

150 252.35 Emergency management powers; Division of Emergency

151 Management.—

152 (2) The division is responsible for carrying out the  
 153 provisions of ss. 252.31-252.90. In performing its duties, the  
 154 division shall:

155 (bb) Post on its website a model of a local government  
 156 contract for debris removal to be used by political  
 157 subdivisions. The initial model contract must be posted to the  
 158 website no later than June 1, 2023, and, thereafter, the model  
 159 contract must be annually updated and posted to the website no  
 160 later than June 1.

161 (cc) Prioritize technical assistance and training to  
 162 fiscally constrained counties as defined in s. 218.67(1) on  
 163 aspects of safety measures, preparedness, prevention, response,  
 164 recovery, and mitigation relating to natural disasters and  
 165 emergencies.

166 (dd) Administer a revolving loan program for local  
 167 government hazard mitigation projects.

168 Section 4. Paragraph (a) of subsection (1) of section  
 169 252.363, Florida Statutes, is amended to read:

170 252.363 Tolling and extension of permits and other  
 171 authorizations.—

172 (1)(a) The declaration of a state of emergency issued by  
 173 the Governor for a natural emergency tolls the period remaining  
 174 to exercise the rights under a permit or other authorization for  
 175 the duration of the emergency declaration. Further, the

176 emergency declaration extends the period remaining to exercise  
177 the rights under a permit or other authorization for 24 ~~6~~ months  
178 in addition to the tolled period. The extended period to  
179 exercise the rights under a permit or other authorization may  
180 not exceed 48 months in total in the event of multiple natural  
181 emergencies for which the Governor declares a state of  
182 emergency. The tolling and extension of permits and other  
183 authorizations under this paragraph shall apply retroactively to  
184 September 28, 2022. This paragraph applies to the following:  
185       1. The expiration of a development order issued by a local  
186 government.  
187       2. The expiration of a building permit.  
188       3. The expiration of a permit issued by the Department of  
189 Environmental Protection or a water management district pursuant  
190 to part IV of chapter 373.  
191       4. Permits issued by the Department of Environmental  
192 Protection or a water management district pursuant to part II of  
193 chapter 373 for land subject to a development agreement under  
194 ss. 163.3220-163.3243 in which the permittee and the developer  
195 are the same or a related entity.  
196       5. The buildout date of a development of regional impact,  
197 including any extension of a buildout date that was previously  
198 granted as specified in s. 380.06(7)(c).  
199       6. The expiration of a development permit or development  
200 agreement authorized by Florida Statutes, including those

201 authorized under the Florida Local Government Development  
 202 Agreement Act, or issued by a local government or other  
 203 governmental agency.

204 Section 5. Section 252.391, Florida Statutes, is created  
 205 to read:

206 252.391 Emergency financial plans.-

207 (1) As used in this section, the term "local governmental  
 208 entity" means a county, municipality, or district school board.

209 (2) Each local governmental entity is encouraged to  
 210 develop an emergency financial plan for major natural disasters  
 211 that may impact its jurisdiction. Disasters include, but are not  
 212 limited to, hurricanes, tornadoes, floods, and wildfires.

213 (3) Each emergency financial plan should be based on the  
 214 likely frequency of the disaster's occurrence. The financial  
 215 plan should include a calculation of the costs for the natural  
 216 disaster event and a determination of the financial resources  
 217 available to the local governmental entity. If insufficient  
 218 funds are available to address the disaster event, the emergency  
 219 financial plan should identify strategies to close the gap  
 220 between the disaster event costs and the local governmental  
 221 entity's financial capacity. Such strategies may include rainy  
 222 day funds, reprioritizing its annual budget, and borrowing.

223 (4) Local governmental entities should annually review  
 224 their emergency financial plans to address changes in  
 225 conditions.

226 Section 6. Subsections (3) and (4) are added to section  
 227 252.40, Florida Statutes, to read:

228 252.40 Mutual aid arrangements.—

229 (3) Local governments may create inspection teams to  
 230 review and approve expedited permits for temporary housing  
 231 solutions, repairs, and renovations after a natural disaster.

232 Local governments are encouraged to establish interlocal  
 233 agreements with other jurisdictions to provide additional  
 234 inspection services during a state of emergency.

235 (4) Municipalities and counties are encouraged to develop  
 236 and adopt plans to provide temporary accommodations for  
 237 contractors, utility workers, first responders, and others  
 238 dispatched to aid in hurricane recovery efforts. Public areas,  
 239 including, but not limited to, fairgrounds and parking lots, may  
 240 be used for tents and trailers for such temporary  
 241 accommodations.

242 Section 7. Effective upon becoming a law, paragraph (g) of  
 243 subsection (2) of section 287.055, Florida Statutes, is amended  
 244 to read:

245 287.055 Acquisition of professional architectural,  
 246 engineering, landscape architectural, or surveying and mapping  
 247 services; definitions; procedures; contingent fees prohibited;  
 248 penalties.—

249 (2) DEFINITIONS.—For purposes of this section:

250 (g) A "continuing contract" is a contract for professional

251 services entered into in accordance with all the procedures of  
252 this act between an agency and a firm whereby the firm provides  
253 professional services to the agency for projects in which the  
254 estimated construction cost of each individual project under the  
255 contract does not exceed \$4 million, for study activity if the  
256 fee for professional services for each individual study under  
257 the contract does not exceed \$500,000, or for work of a  
258 specified nature as outlined in the contract required by the  
259 agency, with the contract being for a fixed term or with no time  
260 limitation except that the contract must provide a termination  
261 clause. Firms providing professional services under continuing  
262 contracts shall not be required to bid against one another. The  
263 term "continuing contract" includes contracts executed through  
264 December 31, 2023, for professional services to the agency for  
265 projects related to repairs and remediation to a specific site  
266 due to damage caused by Hurricane Ian in which the estimated  
267 construction cost for each individual project does not exceed  
268 \$15 million.

269 Section 8. The amendments made by this act to s.  
270 287.055(2)(g), Florida Statutes, expire on January 1, 2024, and  
271 the text of that paragraph shall revert to that in existence on  
272 the day before the date that this act became a law, except that  
273 any amendments to such text enacted other than by this act shall  
274 be preserved and continue to operate to the extent that such  
275 amendments are not dependent upon the portions of the text which

276 | expire pursuant to this section.

277 | Section 9. Section 288.066, Florida Statutes, as created  
 278 | by section 1 of chapter 2023-1, Laws of Florida, is amended to  
 279 | read:

280 | 288.066 Local Government Emergency Revolving Bridge Loan  
 281 | Program.—

282 | (1) CREATION.—The Local Government Emergency Revolving  
 283 | Bridge Loan Program is created, ~~subject to appropriation,~~ within  
 284 | the department to provide financial assistance to local  
 285 | governments impacted by federally declared disasters ~~Hurricane~~  
 286 | ~~Ian or Hurricane Nicole~~. The purpose of the loan program is to  
 287 | assist these local governments in maintaining government  
 288 | operations by bridging the gap between the time that the  
 289 | declared disaster occurred and the time that additional funding  
 290 | sources or revenues are secured to provide them with financial  
 291 | assistance.

292 | (2) ELIGIBILITY.—To be eligible for a loan under the  
 293 | program, a local government must be a county or a municipality  
 294 | located in an area designated in a ~~the~~ Federal Emergency  
 295 | Management Agency disaster declaration ~~declarations for~~  
 296 | ~~Hurricane Ian or Hurricane Nicole~~. The local government must  
 297 | show that it may suffer or has suffered substantial loss of its  
 298 | tax or other revenues as a result of the disaster ~~hurricane~~ and  
 299 | demonstrate a need for financial assistance to enable it to  
 300 | continue to perform its governmental operations. Access to and

301 eligibility for the loan program supersedes any local government  
302 charter or borrowing limitations that would otherwise  
303 financially constrain the local government's ability to recover  
304 from a disaster.

305 (3) LOAN TERMS.—

306 (a) The department may provide interest-free loans to  
307 eligible local governments through a promissory note or other  
308 form of written agreement evidencing an obligation to repay the  
309 borrowed funds to the department.

310 (b) The amount of each loan must be based upon  
311 demonstrated need ~~and must be disbursed to the local government~~  
312 ~~in a lump sum.~~

313 (c) The term of the loan is up to 24 months ~~1 year, unless~~  
314 ~~otherwise extended by the department.~~ However, the department  
315 may extend loan terms for up to 6 months based on the local  
316 government's financial condition.

317 (4) APPLICATION.—The department shall prescribe a loan  
318 application and may request any other information determined  
319 necessary by the department to review and evaluate the  
320 application. The eligible local government must submit a loan  
321 application within the 12 months after the date that the federal  
322 disaster was declared. Upon receipt of an application, the  
323 department shall review the application and may request  
324 additional information as necessary to complete the review and  
325 evaluation. If the loan application is approved, the department

326 shall determine the amount to be loaned, which may be a lower  
327 amount than requested, based on the information provided and the  
328 total amount of funds available to be loaned and in relation to  
329 demonstrated need from other eligible applicants. If the loan  
330 application is denied, reasons for the denial may include, but  
331 are not limited to, the loan risk, an incomplete application,  
332 failure to demonstrate need, or the fact that receiving a loan  
333 may negatively affect the local government's eligibility for  
334 other federal programs.

335 (5)-(4) USE OF LOAN FUNDS.—A local government may use loan  
336 funds only to continue local governmental operations or to  
337 expand or modify such operations to meet disaster-related needs.  
338 The funds may not be used to finance or supplant funding for  
339 capital improvements or to repair or restore damaged public  
340 facilities or infrastructure.

341 (6)-(5) LOAN REPAYMENT.—

342 (a) The local government may make payments against the  
343 loan at any time without penalty. Early repayment is encouraged  
344 as other funding sources or revenues become available to the  
345 local government.

346 (b) Loans become due and payable in accordance with the  
347 terms of the agreement.

348 (7)-(6) ADMINISTRATION.—

349 (a) Upon the issuance of a federal disaster declaration,  
350 the department shall provide notice of application requirements

351 and the total amount of funds available and shall make loan  
352 information available to eligible local governments. Based upon  
353 the amount of funds in the Economic Development Trust Fund  
354 available to be loaned and anticipated balances, the department  
355 may make funds available in an amount reasonably related to the  
356 anticipated need, based upon the impacts of the federal  
357 disaster, up to the total amount available ~~The department may~~  
358 ~~approve loans in the 2022-2023 fiscal year or the 2023-2024~~  
359 ~~fiscal year up to the total amount appropriated.~~

360 (b) The department must coordinate with the Division of  
361 Emergency Management or other applicable state agencies to  
362 assess whether such loans would affect reimbursement under  
363 federal programs for disaster-related expenses.

364 (c) All repayments of principal and interest must be  
365 returned to the loan fund and made available as provided in this  
366 section. Notwithstanding s. 216.301, funds appropriated for this  
367 program are not subject to reversion ~~Upon receipt of any loan~~  
368 ~~payment from a local government, the department shall transfer~~  
369 ~~the funds to the General Revenue Fund.~~

370 (8)-(7) RULES.—The department may adopt rules to implement  
371 this section.

372 (9)-(8) EXPIRATION.—This section expires July 1, 2038. A  
373 loan may not be awarded after June 30, 2038 ~~June 30, 2027~~. Upon  
374 expiration, all unencumbered funds and loan repayments made on  
375 or after July 1, 2038, must be transferred ~~revert~~ to the General

376 Revenue Fund.

377 Section 10. Section 366.98, Florida Statutes, is created  
378 to read:

379 366.98 Public utility liability arising out of emergencies  
380 and disasters.-

381 (1) A public utility is not liable for damages based in  
382 whole or in part on changes in the reliability, continuity, or  
383 quality of utility services which arise in any way out of an  
384 emergency or disaster, including, but not limited to, a state of  
385 emergency declared under s. 252.36. Consistent with the  
386 commission's jurisdiction over public utility rates and service,  
387 issues relating to the sufficiency of a public utility's  
388 disaster preparedness and response shall be resolved by the  
389 commission.

390 (2) This section does not create a new cause of action. In  
391 the event that there is a conflict between this section and any  
392 other section of the Florida Statutes, this section shall  
393 control.

394 Section 11. Effective upon becoming a law, subsection (5)  
395 is added to section 489.117, Florida Statutes, to read:

396 489.117 Registration; specialty contractors.-

397 (5) Notwithstanding paragraph (1)(b), a registered  
398 contractor may engage in contracting only for work covered by  
399 the registration within an area for which a state of emergency  
400 is declared pursuant to s. 252.36 for a natural emergency. This

401 authorization terminates 24 months after the expiration of the  
402 declared state of emergency. The local jurisdiction that  
403 licenses the registered contractor may discipline the registered  
404 contractor for violations occurring outside the licensing  
405 jurisdiction which occur during the period such work is  
406 authorized under this subsection.

407 Section 12. Section 553.7922, Florida Statutes, is created  
408 to read:

409 553.7922 Local government-expedited approval of certain  
410 permits.—Following a state of emergency declared pursuant to s.  
411 252.36 for a natural emergency, local governments impacted by  
412 the emergency shall approve special processing procedures to  
413 expedite permit issuance for permits that do not require  
414 technical review, including, but not limited to, roof repairs,  
415 reroofing, electrical repairs, service changes, or the  
416 replacement of one window or one door. Local governments may  
417 waive application and inspection fees for permits expedited  
418 under this section.

419 Section 13. Effective upon becoming a law, present  
420 subsections (8) and (9) of section 553.80, Florida Statutes, are  
421 redesignated as subsections (9) and (10), respectively, and a  
422 new subsection (8) is added to that section, to read:

423 553.80 Enforcement.—

424 (8) Effective January 1, 2023, local governments located  
425 in areas designated in the Federal Emergency Management Agency

426 disaster declarations for Hurricane Ian or Hurricane Nicole may  
427 not raise building inspection fees, as authorized by s.  
428 125.56(2) or s. 166.222 and this section, before October 1,  
429 2024. This subsection expires June 30, 2025.

430 Section 14. (1) A county or municipality located entirely  
431 or partially within 100 miles of where either Hurricane Ian or  
432 Hurricane Nicole made landfall shall not propose or adopt any  
433 moratorium on construction, reconstruction, or redevelopment of  
434 any property damaged by Hurricane Ian or Hurricane Nicole;  
435 propose or adopt more restrictive or burdensome amendments to  
436 its comprehensive plan or land development regulations; or  
437 propose or adopt more restrictive or burdensome procedures  
438 concerning review, approval, or issuance of a site plan,  
439 development permit, or development order, to the extent that  
440 those terms are defined by s. 163.3164, Florida Statutes, before  
441 October 1, 2024, and any such moratorium or restrictive or  
442 burdensome comprehensive plan amendment, land development  
443 regulation, or procedure shall be null and void ab initio. This  
444 subsection applies retroactively to September 28, 2022.

445 (2) Notwithstanding subsection (1), any comprehensive plan  
446 amendment, land development regulation amendment, site plan,  
447 development permit, or development order approved or adopted by  
448 a county or municipality before or after the effective date of  
449 this section may be enforced if:

450 (a) The associated application is initiated by a private

451 party other than the county or municipality.

452 (b) The property that is the subject of the application is  
 453 owned by the initiating private party.

454 (3) This section shall take effect upon becoming a law and  
 455 expire June 30, 2025.

456 Section 15. Paragraph (d) is added to subsection (2) of  
 457 section 823.11, Florida Statutes, to read:

458 823.11 Derelict vessels; relocation or removal; penalty.—

459 (2)

460 (d) Notwithstanding the additional 45 days provided in  
 461 sub-subparagraph (b)2.b. during which an owner or a responsible  
 462 party may not be charged for a violation of this section, the  
 463 commission, an officer of the commission, a law enforcement  
 464 agency or officer specified in s. 327.70, or, during a state of  
 465 emergency declared by the Governor, the Division of Emergency  
 466 Management or its designee, may immediately begin the process  
 467 set forth in s. 705.103(2)(a) and, once that process has been  
 468 completed and the 45 days provided herein have passed, any  
 469 vessel that has not been removed or repaired such that it is no  
 470 longer derelict upon the waters of this state may be removed and  
 471 destroyed as provided therein.

472 Section 16. For the 2023-2024 fiscal year, the sums of \$1  
 473 million in nonrecurring funds from the General Revenue Fund and  
 474 \$10 million in nonrecurring funds from the Federal Grants Trust  
 475 Fund are appropriated to the Division of Emergency Management to

476 fund the Safeguarding Tomorrow Through Ongoing Risk Mitigation  
477 Act Revolving Loan Program. These funds shall be placed in  
478 reserve. The division is authorized to submit a budget amendment  
479 for release of the funds held in reserve for approval by the  
480 Legislative Budget Commission pursuant to chapter 216, Florida  
481 Statutes. Release is contingent upon documentation of an award  
482 or other approval by the Federal Emergency Management Agency and  
483 the division's approved intended use plan for the funds.

484 Section 17. (1) For the 2023-2024 fiscal year, the sum of  
485 \$50 million in nonrecurring funds is appropriated from the  
486 General Revenue Fund to the Economic Development Trust Fund of  
487 the Department of Economic Opportunity to fund the Local  
488 Government Emergency Revolving Bridge Loan Program.

489 (2) Funds appropriated in section 3 of chapter 2023-1,  
490 Laws of Florida, for the Local Government Emergency Bridge Loan  
491 Program which have not been loaned to a local government  
492 pursuant to a loan agreement as of July 1, 2023, shall be  
493 transferred by nonoperating budget authority to the Economic  
494 Development Trust Fund of the Department of Economic Opportunity  
495 to be used for the Local Government Emergency Revolving Bridge  
496 Loan Program.

497 (3) Notwithstanding sections 1 and 3 of chapter 2023-1,  
498 Laws of Florida, all loan repayments for loans made under the  
499 Local Government Emergency Bridge Loan Program shall be repaid  
500 into the Economic Development Trust Fund and be made available

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501 for loans under the Local Government Emergency Revolving Bridge  
502 Loan Program.

503       Section 18. Notwithstanding the timeframe specified in s.  
504 189.0695 (2) (c) and (d), Florida Statutes, an independent  
505 special fire control district located entirely or partially  
506 within 50 miles of where Hurricane Ian made landfall that was  
507 required to submit its final report of the performance review by  
508 July 1, 2023, may file such report no later than January 1,  
509 2024.

510       Section 19. Except as otherwise expressly provided in this  
511 act and except for this section, which shall take effect upon  
512 becoming a law, this act shall take effect July 1, 2023.