

1 A bill to be entitled
2 An act relating to emergencies; amending s. 83.63,
3 F.S.; requiring certain tenants to be given specified
4 opportunities or notice; amending s. 101.733, F.S.;
5 removing provisions relating to an elections emergency
6 contingency plan; creating s. 101.7325, F.S.;
7 authorizing certain supervisors of elections to take
8 specified actions under certain circumstances;
9 requiring such supervisors to use specified methods to
10 inform affected voters of election changes; creating
11 s. 101.735, F.S.; requiring the Division of Elections
12 to develop a statewide election emergency contingency
13 plan for a specified purpose; requiring such plan to
14 include certain procedures; requiring supervisors of
15 elections to develop a local election emergency
16 contingency plan in consultation with certain
17 officials; requiring the plan to be submitted to the
18 division for approval by a certain date; requiring the
19 division to make a determination by a certain date;
20 requiring the division to adopt rules; amending s.
21 101.736, F.S.; defining the term "tabletop exercise";
22 requiring the Secretary of State, in coordination with
23 supervisors of elections, to develop an election
24 emergency training program; requiring the Secretary of
25 State to convene a workgroup for a certain purpose by

26 a specified date of every odd-numbered year; providing
27 requirements for the workgroup; requiring the results
28 of the workgroup to be used in a specified manner;
29 creating s. 163.31795, F.S.; defining the terms
30 "cumulative substantial improvement period" and "local
31 government"; requiring local governments participating
32 in a specified insurance program to adopt certain
33 cumulative substantial improvement periods; amending
34 s. 163.31801, F.S.; prohibiting certain entities from
35 assessing impact fees for specified replacement
36 structures; providing an exception; amending s.
37 252.38, F.S.; requiring county emergency management
38 plans to include certain policies; creating s.
39 252.381, F.S.; requiring specified political
40 subdivisions to provide certain information on their
41 websites, develop certain procedures, and use their
42 best efforts to open permitting offices for at least
43 40 hours per week; requiring specified individuals to
44 complete certain training every 2 years beginning on a
45 specified date; creating s. 252.421, F.S.; defining
46 the term "contract"; requiring the Division of
47 Emergency Management to establish procedures for
48 setting maximum rates for certain contracts; requiring
49 the division to establish such rates by a specified
50 date and update such rates every 2 years; prohibiting

51 certain contracts from exceeding such rates; requiring
52 the division to coordinate with certain counties for a
53 specified purpose; creating s. 252.422, F.S.; defining
54 the term "impacted local government"; prohibiting
55 impacted local governments from proposing or adopting
56 certain moratoriums, amendments, or procedures for a
57 specified timeframe; authorizing the enforcement of
58 certain amendments, plans, permits, and orders under
59 certain circumstances; authorizing any person to file
60 suit to enforce specified provisions; authorizing
61 certain entities to request a court to make a
62 specified determination; prohibiting such entities
63 from taking certain actions until preliminary or final
64 judgment; requiring plaintiffs to provide certain
65 notification before filing suit; requiring impacted
66 local governments to take certain actions upon receipt
67 of such notification or a suit may be filed; providing
68 for reasonable attorney fees and costs; authorizing
69 the use of a certain summary procedure; requiring the
70 court to advance the cause on the calendar; creating
71 s. 252.505, F.S.; requiring certain contracts to
72 include a specified provision; defining the term
73 "emergency recovery period"; creating s. 489.1132,
74 F.S.; providing definitions; requiring a hurricane
75 preparedness plan to be available for inspection at

76 certain worksites; requiring certain equipment to be
 77 secured in a specified manner no later than 24 hours
 78 before the impacts of a hurricane are anticipated to
 79 begin; providing penalties; requiring the division to
 80 consult with specified entities to develop certain
 81 recommendations and provide a report to the
 82 Legislature by a specified date; authorizing the
 83 division to adopt emergency rules; providing a
 84 directive to the Division of Law Revision; providing
 85 an effective date.

86

87 Be It Enacted by the Legislature of the State of Florida:

88

89 **Section 1. Section 83.63, Florida Statutes, is amended to**
 90 **read:**

91 83.63 Casualty damage.—If the premises are damaged or
 92 destroyed other than by the wrongful or negligent acts of the
 93 tenant so that the enjoyment of the premises is substantially
 94 impaired:⁷

95 (1) The tenant may terminate the rental agreement and
 96 immediately vacate the premises. The tenant may vacate the part
 97 of the premises rendered unusable by the casualty, in which case
 98 the tenant's liability for rent shall be reduced by the fair
 99 rental value of that part of the premises damaged or destroyed.

100 If the rental agreement is terminated, the landlord shall comply

101 with s. 83.49(3).

102 (2) The tenant must be given:

103 (a) The opportunity to collect his or her belongings from
104 the premises when it is safe to do so; or

105 (b) Notice of the date by which the tenant will be able to
106 collect his or her belongings from the premises, which must
107 occur within a reasonable time.

108 **Section 2. Subsection (3) of section 101.733, Florida**
109 **Statutes, is amended to read:**

110 101.733 Emergency suspension or delay of an election
111 ~~emergency; purpose; elections emergency contingency plan.-~~
112 Because of the existing and continuing possibility of an
113 emergency or common disaster occurring before or during a
114 regularly scheduled or special election, and in order to ensure
115 maximum citizen participation in the electoral process and
116 provide a safe and orderly procedure for persons seeking to
117 exercise their right to vote, generally to minimize to whatever
118 degree possible a person's exposure to danger during declared
119 states of emergency, and to protect the integrity of the
120 electoral process, it is hereby found and declared to be
121 necessary to designate a procedure for the emergency suspension
122 or delay and rescheduling of elections.

123 ~~(3) The Division of Elections of the Department of State~~
124 ~~shall adopt, by rule, an elections emergency contingency plan,~~
125 ~~which shall contain goals and policies that give specific~~

126 ~~direction to state and local elections officials when an~~
127 ~~election has been suspended or delayed due to an emergency. The~~
128 ~~contingency plan shall be statewide in scope and shall address,~~
129 ~~but not be limited to, the following concerns:~~

130 ~~(a) Providing a procedure for state and local elections~~
131 ~~officials to follow when an election has been suspended or~~
132 ~~delayed to ensure notice of the suspension or delay to the~~
133 ~~proper authorities, the electorate, the communications media,~~
134 ~~poll workers, and the custodians of polling places.~~

135 ~~(b) Providing a procedure for the orderly conduct of a~~
136 ~~rescheduled election, whether municipal, county, district, or~~
137 ~~statewide in scope; coordinating those efforts with the~~
138 ~~appropriate elections official, and the members of the governing~~
139 ~~body holding such election, if appropriate; and working with the~~
140 ~~appropriate emergency management officials in determining the~~
141 ~~safety of existing polling places or designating additional~~
142 ~~polling places.~~

143 ~~(c) Providing a procedure for the release and~~
144 ~~certification of election returns to the department for~~
145 ~~elections suspended or delayed and subsequently rescheduled~~
146 ~~under the provisions of ss. 101.731-101.74.~~

147 **Section 3. Section 101.7325, Florida Statutes, is created**
148 **to read:**

149 101.7325 Election emergency.—

150 (1) If the Governor declares a state of emergency for a

151 natural emergency, as defined in s. 252.34, fewer than 60 days
152 before an election, the supervisor of a county designated as
153 affected by such declaration may take any of the following
154 actions necessary while the declaration continues to designate
155 the area as an affected area:

156 (a) Notwithstanding the designation deadline in s.
157 101.657(1)(b), change the location of designated early voting
158 sites. The supervisor must immediately notify the division of
159 the new address of each early voting site and the hours during
160 which early voting will occur at each site.

161 (b) Request approval from the Secretary of State to
162 designate early voting sites at locations not specifically
163 authorized under s. 101.657(1). The request must set forth
164 sufficient facts to establish that a sufficient number of early
165 voting sites that were designated, or that may be designated
166 under paragraph (a), are unavailable due to the emergency. For
167 purposes of this paragraph, reasons that early voting sites may
168 be unavailable include, but are not limited to, the site is no
169 longer safe for occupancy, the site is located in an area that
170 is currently dangerous to travel to and from, or the site does
171 not have adequate utilities. The Secretary of State must approve
172 or deny the request within 36 hours after receipt. An early
173 voting site designated under this paragraph must, to the maximum
174 extent practicable, be geographically located so as to provide
175 all voters in the area with an equal opportunity to cast a

176 ballot.

177 (c) Notwithstanding s. 101.657(1)(d), allow early voting
178 to occur the day before an election.

179 (d) Notwithstanding ss. 101.657 and 101.71, request
180 approval from the Secretary of State to allow election day
181 voting at early voting sites. The request must set forth
182 sufficient facts to establish that a sufficient number of early
183 voting sites that were designated, or that may be designated
184 under paragraph (a), are unavailable due to the emergency. For
185 purposes of this paragraph, reasons that a polling place may be
186 unavailable include, but are not limited to, the polling place
187 is no longer safe for occupancy, the polling place is located in
188 an area that is currently dangerous to travel to and from, or
189 the polling place does not have adequate utilities. The
190 Secretary of State must approve or deny the request within 36
191 hours after receipt. An early voting site designated as a
192 polling place under this paragraph must, to the maximum extent
193 practicable, be geographically located so as to provide all
194 voters in the area with an equal opportunity to cast a ballot.

195 (e) Notwithstanding the designation deadline in s.
196 101.69(2)(b), designate additional secure ballot intake
197 stations. The supervisor must immediately notify the division of
198 the location of the additional secure ballot intake stations.

199 (f) Send a vote-by-mail ballot to a voter who has
200 requested such ballot:

201 1. By forwardable mail or to an address other than the
 202 address listed for the voter in the statewide voter registration
 203 system.

204 2. Notwithstanding s. 101.62(1)(a) and (b), without the
 205 voter's written request or if a written request is not signed.

206 3. Notwithstanding s. 101.62(3)(c), as soon as
 207 practicable.

208 (g) If the supervisor determines that a poll worker
 209 shortage exists, appoint poll workers who have not met the
 210 training requirements in s. 102.014. However, such poll workers
 211 must have received the required training within the previous 2
 212 years.

213 (h) Notwithstanding s. 102.012(2), appoint inspectors and
 214 clerks who are registered qualified electors of this state but
 215 who are not registered qualified electors of the applicable
 216 county.

217 (2) The supervisor shall use print and broadcast media,
 218 social media, Internet websites, polling place signage, and any
 219 other method necessary to inform affected voters of any changes
 220 to elections made under this section.

221 **Section 4. Section 101.735, Florida Statutes, is created**
 222 **to read:**

223 101.735 Election emergency contingency plans.—

224 (1) The division shall adopt by rule a statewide election
 225 emergency contingency plan to provide specific direction in the

226 event an emergency occurs preceding or during an election. The
227 contingency plan shall include, at minimum, procedures to:

228 (a) Ensure that necessary parties are notified of any
229 changes impacting an election that has been suspended, delayed,
230 rescheduled, or otherwise affected by an emergency. As used in
231 this paragraph, necessary parties include proper authorities,
232 the electorate, the media, poll workers, and polling place
233 custodians.

234 (b) Ensure that an election that has been suspended,
235 delayed, rescheduled, or otherwise affected by an emergency is
236 conducted in a safe and orderly manner. The procedures must
237 include a plan to coordinate the actions of the division,
238 supervisors, county canvassing boards, and, if appropriate,
239 members of the governing body holding such election.

240 (c) Determine the safety of existing polling places or
241 designate additional polling places in coordination with the
242 appropriate emergency management officials.

243 (d) Release and certify returns to the division for
244 elections suspended, delayed, rescheduled, or otherwise affected
245 by an emergency.

246 (e) Coordinate efforts between supervisors in affected and
247 unaffected counties to ensure voting opportunities for affected
248 voters, including ensuring the delivery of vote-by-mail ballots
249 to law enforcement officers, military personnel, first
250 responders, and utility line workers.

251 (2) Each supervisor shall develop, in consultation with
252 local emergency management officials, a local election emergency
253 contingency plan. The contingency plan must be submitted to the
254 division for approval by May 1 of every odd-numbered year. The
255 division must determine whether the local election emergency
256 contingency plan is sufficient no later than May 30. The
257 division shall adopt rules to implement this subsection,
258 including the creation of standard criteria for determining the
259 sufficiency of local election emergency contingency plans.

260 **Section 5. Section 101.736, Florida Statutes, is created**
261 **to read:**

262 101.736 Election emergency training; best practices.—

263 (1) As used in this section, the term "tabletop exercise"
264 means a session in which participants are guided through
265 possible scenarios and discuss their roles and responsibilities
266 if such a scenario occurs, as well as how they would respond to
267 such a scenario.

268 (2) The Secretary of State, in coordination with
269 supervisors, shall develop an election emergency training
270 program. The training is required for newly elected or appointed
271 supervisors and any critical staff, as determined by a
272 supervisor. The Secretary of State shall update such training at
273 least once every 4 years.

274 (3) By June 1 of every odd-numbered year, the Secretary of
275 State shall convene a workgroup to create a list of best

276 practices for conducting an election during an emergency.

277 (a) The workgroup must include at least 10 current
 278 supervisors.

279 (b) The workgroup must participate in tabletop exercises
 280 involving election emergencies.

281 (4) Using the list created in subsection (3), the
 282 Secretary of State must:

283 (a) Incorporate practices applicable to all counties into
 284 the statewide election emergency contingency plan under s.
 285 101.735(1).

286 (b) Recommend practices applicable to specific counties to
 287 the applicable supervisor for inclusion in the supervisor's
 288 local election emergency contingency plan under s. 101.735(2).

289 **Section 6. Section 163.31795, Florida Statutes, is created**
 290 **to read:**

291 163.31795 Participation in the National Flood Insurance
 292 Program.—

293 (1) For purposes of this section, the term:

294 (a) "Cumulative substantial improvement period" means the
 295 period during which an aggregate of improvements or repairs are
 296 considered for purposes of determining substantial improvement
 297 as defined in s. 161.54(12).

298 (b) "Local government" has the same meaning as in s.
 299 163.2514.

300 (2) A local government that is participating in the

301 National Flood Insurance Program may not adopt a cumulative
302 substantial improvement period that is longer than 1 year.

303 **Section 7. Subsection (14) is added to section 163.31801,**
304 **Florida Statutes, to read:**

305 163.31801 Impact fees; short title; intent; minimum
306 requirements; audits; challenges.—

307 (14) A local government, school district, or special
308 district may not assess an impact fee for the reconstruction or
309 replacement of a previously existing structure if the
310 replacement structure is of the same land use as the original
311 structure. However, a local government, school district, or
312 special district that uses a tiered scale to assess may assess
313 an impact fee equal to the impact fee for the original structure
314 less the impact fee for the replacement structure.

315 **Section 8. Paragraph (f) is added to subsection (1) of**
316 **section 252.38, Florida Statutes, to read:**

317 252.38 Emergency management powers of political
318 subdivisions.—Safeguarding the life and property of its citizens
319 is an innate responsibility of the governing body of each
320 political subdivision of the state.

321 (1) COUNTIES.—

322 (f) County emergency management plans must include
323 policies for coordination with private entities to relocate
324 large items such as shipping containers and dumpsters that are
325 located near roadways before a hurricane to prevent possible

326 damage and debris caused by such items.

327 **Section 9. Section 252.381, Florida Statutes, is created**
328 **to read:**

329 252.381 Information related to natural emergencies.—

330 (1) Each county and municipality must post on its publicly
331 accessible website:

332 (a) A frequently asked questions web page related to
333 natural emergency response, emergency preparedness, and public
334 relief for residents following an emergency. The web page must
335 answer questions concerning resident evacuations; safety tips;
336 generator, food and drinking water, and wastewater and
337 stormwater safety; damage assessment; debris cleanup; accessing
338 assistance through the Federal Emergency Management Agency and
339 this state; building recovery; natural emergency guidance;
340 applicable laws; and what to do before, during, and after an
341 emergency.

342 (b) A disaster supply list and a list of emergency
343 shelters.

344 (c) Links to information about flood zones.

345 (d) A checklist for residents explaining next steps to
346 take during postdisaster recovery.

347 (2) Each county and municipality must provide an online
348 option for receiving, reviewing, and accessing substantial
349 damage and substantial improvement letters. The county or
350 municipality must allow homeowners to provide an e-mail address

351 where they can receive digital copies of such letters.

352 (3) As soon as reasonably possible, each county and
353 municipality that has experienced a direct impact from a natural
354 emergency must use its best efforts to open a permitting office
355 at which residents can access government services for at least
356 40 hours per week.

357 (4) Beginning October 1, 2025, emergency management
358 personnel of a county or municipality, and individuals who
359 perform key roles in postdisaster response for a county or
360 municipality, must complete the training provided pursuant to s.
361 252.35 every 2 years.

362 **Section 10. Section 252.421, Florida Statutes, is created**
363 **to read:**

364 252.421 Management of debris related to natural
365 emergencies.—

366 (1) (a) As used in this subsection, the term "contract"
367 means an agreement for the provision of debris removal services
368 after a natural emergency.

369 (b) The division must establish by rule procedures for
370 setting maximum rates for contracts. The procedures may
371 establish different rates based on geographic location. The
372 division must consult with local governments to establish such
373 procedures.

374 (c) The division must establish maximum rates for
375 contracts by June 1, 2025, and must update such rates every 2

376 years. The division must publish the maximum rates on its
 377 website. Any contract amended or established after June 1, 2025,
 378 may not exceed such rates.

379 (2) The division shall coordinate with fiscally
 380 constrained counties, as described in s. 218.67(1), included in
 381 a declared state of emergency for a natural emergency and the
 382 Department of Transportation to provide such counties with state
 383 resources to remove debris from roadways, including roadways
 384 that are publicly accessible but not maintained by the county.

385 **Section 11. Section 252.422, Florida Statutes, is created**
 386 **to read:**

387 252.422 Rebuilding and repairing structures after
 388 hurricanes.-

389 (1) As used in this section, the term "impacted local
 390 government" means a county or municipality located entirely or
 391 partially within 100 miles of the track of a storm declared to
 392 be a hurricane by the National Hurricane Center. The term only
 393 includes such local governments within 100 miles of the track
 394 while the storm was categorized as a hurricane.

395 (2) For 2 years after a hurricane makes landfall, an
 396 impacted local government may not propose or adopt:

397 (a) A moratorium on construction, reconstruction, or
 398 redevelopment of any property.

399 (b) A more restrictive or burdensome amendment to its
 400 comprehensive plan or land development regulations.

401 (c) A more restrictive or burdensome procedure concerning
402 review, approval, or issuance of a site plan, development
403 permit, or development order, to the extent that those terms are
404 defined in s. 163.3164.

405 (3) Notwithstanding paragraph (a), a comprehensive plan
406 amendment, land development regulation amendment, site plan,
407 development permit, or development order approved or adopted by
408 an impacted local government before or after the effective date
409 of this act may be enforced if:

410 (a) The associated application is initiated by a private
411 party other than the impacted local government.

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

414 (4) (a) Any person may file suit against any impacted local
415 government for declaratory and injunctive relief to enforce this
416 section.

417 (b) A county or municipality may request a determination
418 by a court of competent jurisdiction as to whether such action
419 violates this section. Upon such a request, the county or
420 municipality may not enforce the action until the court has
421 issued a preliminary or final judgment determining whether the
422 action violates this section.

423 (c) Before a plaintiff may file suit, the plaintiff shall
424 notify the impacted local government by setting forth the facts
425 upon which the complaint or petition is based and the reasons

426 the impacted local government's action violates this section.
427 Upon receipt of the notice, the impacted local government shall
428 have 14 days to withdraw or revoke the action at issue or
429 otherwise declare it void. If the impacted local government does
430 not withdraw or revoke the action at issue within the time
431 prescribed, the plaintiff may file suit. The plaintiff shall be
432 entitled to entry of a preliminary injunction to prevent the
433 impacted local government from implementing the challenged
434 action during pendency of the litigation. In any action
435 instituted pursuant to this paragraph, the prevailing plaintiff
436 shall be entitled to reasonable attorney fees and costs.

437 (d) In any case brought under this section, any party is
438 entitled to the summary procedure provided in s. 51.011, and the
439 court shall advance the cause on the calendar.

440 **Section 12. Section 252.505, Florida Statutes, is created**
441 **to read:**

442 252.505 Breach of contract during emergency recovery
443 periods for natural emergencies.—Each state or local government
444 contract for goods or services related to emergency response for
445 a natural emergency entered into, renewed, or amended on or
446 after July 1, 2025, must include a provision that requires a
447 vendor or service provider that breaches such contract during an
448 emergency recovery period to pay actual and consequential
449 damages and a \$5,000 penalty. As used in this section, the term
450 "emergency recovery period" means a 1-year period that begins on

451 the date that the Governor initially declared a state of
452 emergency for a natural emergency.

453 **Section 13. Section 489.1132, Florida Statutes, is created**
454 **to read:**

455 489.1132 Regulation of hoisting equipment used in
456 construction, demolition, or excavation work during a
457 hurricane.—

458 (1) As used in this section, the term:

459 (a) "Hoisting equipment" means power-operated cranes,
460 derricks, and hoists used in construction, demolition, or
461 excavation work that are regulated by the Occupational Safety
462 and Health Administration under 29 C.F.R. 66 parts 1910.66 and
463 1926.66.

464 (b) "Mobile crane" means a type of hoisting equipment
465 incorporating a cable-suspended latticed boom or hydraulic
466 telescoping boom designed to be moved between operating
467 locations by transport over a roadway. The term does not include
468 a mobile crane with a boom length of less than 25 feet or a
469 maximum rated load capacity of less than 15,000 pounds.

470 (c) "Tower crane" means a type of hoisting equipment using
471 a vertical mast or tower to support a working boom in an
472 elevated position if the working boom can rotate to move loads
473 laterally either by rotating at the top of the mast or tower or
474 by the rotation of the mast or tower itself, whether the mast or
475 tower base is fixed in one location or ballasted and moveable

476 between locations.

477 (2) (a) When a tower crane or mobile crane is located on a
478 worksite, a hurricane preparedness plan for the crane must be
479 available for inspection at the worksite.

480 (b) In preparation for a hurricane, hoisting equipment
481 must be secured in the following manner no later than 24 hours
482 before the impacts of the hurricane are anticipated to begin:

483 1. All hoisting equipment must be secured in compliance
484 with manufacturer recommendations relating to hurricane and
485 high-wind events, including any recommendations relating to the
486 placement, use, and removal of advertising banners and rigging.

487 2. Tower crane turntables must be lubricated before the
488 event.

489 3. Fixed booms on mobile cranes must be laid down whenever
490 feasible.

491 4. Booms on hydraulic cranes must be retracted and stored.

492 5. The counterweights of any hoists must be locked below
493 the top tie-in.

494 6. Tower cranes must be set in the weathervane position.

495 7. All rigging must be removed from hoist blocks.

496 8. All power at the base of tower cranes must be
497 disconnected.

498 (3) A person licensed under this part who intentionally
499 violates this section is subject to discipline under ss. 455.227
500 and 489.129.

501 **Section 14.** The Division of Emergency Management shall
502 consult with local governments, the Department of Business and
503 Professional Regulation, the Department of Environmental
504 Protection, and any other appropriate agencies to develop
505 recommendations for statutory changes necessary to streamline
506 the permitting process for repairing and rebuilding structures
507 damaged during natural emergencies. By July 1, 2026, the
508 division shall provide a report containing such recommendations
509 to the President of the Senate and the Speaker of the House of
510 Representatives.

511 **Section 15.** The Division of Emergency Management is
512 authorized, and all conditions are deemed met, to adopt
513 emergency rules under s. 120.54(4), Florida Statutes, for the
514 purpose of establishing maximum rates for contracts under s.
515 252.421(1), Florida Statutes. Notwithstanding any other law,
516 emergency rules adopted under this section are effective for 6
517 months after adoption and may be renewed during the pendency of
518 procedures to adopt permanent rules addressing the subject of
519 the emergency rules. This section expires July 1, 2026.

520 **Section 16.** The Division of Law Revision is directed to
521 replace the phrase "the effective date of this act" wherever it
522 occurs in this act with the date this act becomes a law.

523 **Section 17.** This act shall take effect upon becoming a
524 law.