

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 certain determination by a
20 specified date; requiring the division to adopt rules;
21 creating s. 101.736, F.S.; defining the term "tabletop
22 exercise"; requiring the Secretary of State, in
23 coordination with supervisors of elections, to develop
24 an election emergency training program; requiring the
25 Secretary of State to convene a workgroup for a

26 certain purpose by a specified date of every odd-
27 numbered year; providing requirements for the
28 workgroup; requiring the results of the workgroup to
29 be used in a specified manner; creating s. 163.31795,
30 F.S.; defining the terms "cumulative substantial
31 improvement period" and "local government"; requiring
32 local governments that are participating in a
33 specified insurance program to adopt certain
34 cumulative substantial improvement periods; amending
35 s. 163.31801, F.S.; prohibiting certain entities from
36 assessing impact fees for specified replacement
37 structures; providing an exception; amending s.
38 193.155, F.S.; providing that repair and maintenance
39 of specified property is not a change, an addition, or
40 an improvement under certain circumstances; revising
41 the square footage limitations for certain changes,
42 additions, and improvements to damaged property;
43 amending s. 215.559, F.S.; removing a reference to a
44 certain report; revising public hurricane shelter
45 funding prioritization requirements for the Division
46 of Emergency Management; amending s. 250.375, F.S.;
47 authorizing certain servicemembers to provide medical
48 care in specified circumstances; amending s. 252.35,
49 F.S.; revising requirements for the state
50 comprehensive emergency management plan; requiring

51 such plan to include an update on the status of
52 certain emergency management capabilities; requiring
53 the division to collaborate with the Department of
54 Health; revising responsibilities of the division;
55 requiring the division to develop a certain template;
56 revising items required to be included in a specified
57 inventory; removing a specified reporting requirement;
58 amending s. 252.355, F.S.; authorizing the Department
59 of Veterans' Affairs to provide certain information to
60 specified clients or their caregivers; amending s.
61 252.3611, F.S.; directing specified entities to submit
62 specified contracts and reports to the Legislature
63 under specified conditions; requiring that such
64 contracts be posted on a specified secure contract
65 system; requiring the division to report annually to
66 the Legislature specified information on expenditures
67 relating to emergencies; providing requirements for
68 such report; amending s. 252.365, F.S.; requiring
69 agency heads to notify the Governor and the division
70 of the person designated as the emergency coordination
71 officer annually by a specified date; amending s.
72 252.37, F.S.; requiring the division to notify the
73 Legislature of its intent to accept or apply for
74 federal funds under certain circumstances; requiring
75 the division to take steps to maximize the

76 availability and expedite the distribution of
77 financial assistance from the Federal Government to
78 state and local agencies; requiring that such steps
79 include the standardization and streamlining of the
80 application process for federal financial assistance
81 and the provision of assistance to applicants for a
82 specified purpose; requiring the division to use
83 certain federal funds to implement such requirements;
84 creating s. 252.3713, F.S.; requiring the division to
85 administer the Hazard Mitigation Grant Program;
86 authorizing the division to retain a specified
87 percentage of the funds for use within this state;
88 requiring that the remaining percentage be distributed
89 for use by certain recipients; authorizing
90 subrecipients to make a certain election for a
91 specified use; requiring the prioritization of certain
92 projects; authorizing the division to coordinate with
93 specified entities under certain circumstances;
94 requiring the division to ensure that certain
95 requirements are met and certain projects are funded;
96 authorizing fiscally constrained counties to request
97 that the division administer the grant for such a
98 county; authorizing such counties to request certain
99 assistance from the division; requiring the division
100 to adopt rules; amending s. 252.373, F.S.; conforming

a cross-reference; amending s. 252.38, F.S.; requiring political subdivisions to annually provide specified notification to the division before a specified date; creating s. 252.381, F.S.; requiring counties and municipalities to post certain information on their websites; requiring counties and municipalities to develop a poststorm permitting plan; providing requirements for such plan; requiring counties and municipalities to publish on their websites a specified storm recovery guide and updates to such guide; prohibiting certain counties and municipalities from increasing building permit or inspection fees within a specified timeframe; requiring certain counties and municipalities to use their best efforts to open a permitting office for a minimum number of hours per week; requiring entities allow individuals to receive specified letters electronically; requiring specified individuals to complete certain training every 2 years beginning on a specified date; amending s. 252.385, F.S.; revising reporting requirements for the division; revising requirements for a specified list; requiring the Department of Health and the Agency for Persons with Disabilities to assist the division with certain determinations; creating s. 252.421, F.S.; requiring the division to coordinate

126 with certain counties for a specified purpose;
127 creating s. 252.422, F.S.; defining the term "impacted
128 local government"; prohibiting impacted local
129 governments from proposing or adopting certain
130 moratoriums, amendments, or procedures for a specified
131 timeframe; authorizing the enforcement of certain
132 amendments, plans, permits, and orders under certain
133 circumstances; authorizing any person to file suit to
134 enforce specified provisions; authorizing counties and
135 municipalities to request a specified determination by
136 a court; prohibiting counties and municipalities from
137 taking certain actions until the court has issued a
138 preliminary or final judgment; requiring plaintiffs to
139 provide certain notification before filing suit;
140 requiring impacted local governments to take certain
141 actions upon receipt of such notification or a suit
142 may be filed; providing for reasonable attorney fees
143 and costs; authorizing the use of a certain summary
144 procedure; requiring the court to advance the cause on
145 the calendar; creating s. 252.505, F.S.; requiring
146 certain contracts to include a specified provision;
147 defining the term "emergency recovery period";
148 amending s. 400.063, F.S.; conforming a cross-
149 reference; amending s. 403.7071, F.S.; providing that
150 local governments are authorized and encouraged to add

151 certain addendums to certain contracts and agreements;
152 requiring counties and municipalities to apply to the
153 Department of Environmental Protection for
154 authorization to designate at least one debris
155 management site; authorizing municipalities to apply
156 jointly with a county or adjacent municipality for
157 authorization of a debris management site if such
158 entities approve a memorandum of understanding;
159 providing requirements for such memorandum; creating
160 s. 489.1132, F.S.; providing definitions; requiring a
161 hurricane preparedness plan to be available for
162 inspection at certain worksites; requiring certain
163 equipment to be secured in a specified manner no later
164 than 24 hours before the impacts of a hurricane are
165 anticipated to begin; providing penalties; requiring
166 the division to consult with specified entities to
167 develop certain recommendations and provide a report
168 to the Legislature by a specified date; prohibiting
169 certain counties from proposing or adopting certain
170 moratoriums, amendments, or procedures for a specified
171 timeframe; declaring that such moratoriums,
172 amendments, or procedures are null and void; providing
173 for retroactive application; authorizing the
174 enforcement of certain amendments, plans, permits, and
175 orders under certain circumstances; authorizing

176 certain residents and business owners to bring a civil
177 action for declaratory and injunctive relief against a
178 county or municipality that violates specified
179 provisions; providing for reasonable attorney fees and
180 costs under specified circumstances; providing for
181 future expiration; providing a directive to the
182 Division of Law Revision; providing an effective date.
183

184 Be It Enacted by the Legislature of the State of Florida:
185

186 **Section 1. Section 83.63, Florida Statutes, is amended to**
187 **read:**

188 83.63 Casualty damage.—If the premises are damaged or
189 destroyed other than by the wrongful or negligent acts of the
190 tenant so that the enjoyment of the premises is substantially
191 impaired:
192

192 (1) The tenant may terminate the rental agreement and
193 immediately vacate the premises. The tenant may vacate the part
194 of the premises rendered unusable by the casualty, in which case
195 the tenant's liability for rent shall be reduced by the fair
196 rental value of that part of the premises damaged or destroyed.
197 If the rental agreement is terminated, the landlord shall comply
198 with s. 83.49(3).

199 (2) The tenant must be given:

200 (a) The opportunity to collect his or her belongings from

201 the premises when it is safe to do so; or

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

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

207 101.733 Emergency suspension or delay of an election
208 ~~emergency; purpose; elections emergency contingency plan.-~~
209 Because of the existing and continuing possibility of an
210 emergency or common disaster occurring before or during a
211 regularly scheduled or special election, and in order to ensure
212 maximum citizen participation in the electoral process and
213 provide a safe and orderly procedure for persons seeking to
214 exercise their right to vote, generally to minimize to whatever
215 degree possible a person's exposure to danger during declared
216 states of emergency, and to protect the integrity of the
217 electoral process, it is hereby found and declared to be
218 necessary to designate a procedure for the emergency suspension
219 or delay and rescheduling of elections.

220 ~~(3) The Division of Elections of the Department of State~~
221 ~~shall adopt, by rule, an elections emergency contingency plan,~~
222 ~~which shall contain goals and policies that give specific~~
223 ~~direction to state and local elections officials when an~~
224 ~~election has been suspended or delayed due to an emergency. The~~
225 ~~contingency plan shall be statewide in scope and shall address,~~

226 ~~but not be limited to, the following concerns:~~

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

232 ~~(b) Providing a procedure for the orderly conduct of a~~
233 ~~rescheduled election, whether municipal, county, district, or~~
234 ~~statewide in scope; coordinating those efforts with the~~
235 ~~appropriate elections official, and the members of the governing~~
236 ~~body holding such election, if appropriate; and working with the~~
237 ~~appropriate emergency management officials in determining the~~
238 ~~safety of existing polling places or designating additional~~
239 ~~polling places.~~

240 ~~(c) Providing a procedure for the release and~~
241 ~~certification of election returns to the department for~~
242 ~~elections suspended or delayed and subsequently rescheduled~~
243 ~~under the provisions of ss. 101.731-101.74.~~

244 **Section 3. Section 101.7325, Florida Statutes, is created**
245 **to read:**

246 101.7325 Election emergency.—

247 (1) If the Governor declares a state of emergency for a
248 natural emergency, as defined in s. 252.34, fewer than 60 days
249 before an election, the supervisor of a county designated as
250 affected by such declaration may take any of the following

251 actions necessary while the declaration continues to designate
252 the area as an affected area:

253 (a) Notwithstanding the designation deadline in s.
254 101.657(1)(b), change the location of designated early voting
255 sites. The supervisor must immediately notify the division of
256 the new address of each early voting site and the hours during
257 which early voting will occur at each site.

258 (b) Request approval from the Secretary of State to
259 designate early voting sites at locations not specifically
260 authorized under s. 101.657(1). The request must set forth
261 sufficient facts to establish that a sufficient number of early
262 voting sites that were designated, or that may be designated
263 under paragraph (a), are unavailable due to the emergency. For
264 purposes of this paragraph, reasons that early voting sites may
265 be unavailable include, but are not limited to, the site is no
266 longer safe for occupancy, the site is located in an area that
267 is currently dangerous to travel to and from, or the site does
268 not have adequate utilities. The Secretary of State must approve
269 or deny the request within 36 hours after receipt. An early
270 voting site designated under this paragraph must, to the maximum
271 extent practicable, be geographically located so as to provide
272 all voters in the area with an equal opportunity to cast a
273 ballot.

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

276 (d) Notwithstanding ss. 101.657 and 101.71, request
277 approval from the Secretary of State to allow election day
278 voting at early voting sites. The request must set forth
279 sufficient facts to establish that a sufficient number of early
280 voting sites that were designated, or that may be designated
281 under paragraph (a), are unavailable due to the emergency. For
282 purposes of this paragraph, reasons that a polling place may be
283 unavailable include, but are not limited to, the polling place
284 is no longer safe for occupancy, the polling place is located in
285 an area that is currently dangerous to travel to and from, or
286 the polling place does not have adequate utilities. The
287 Secretary of State must approve or deny the request within 36
288 hours after receipt. An early voting site designated as a
289 polling place under this paragraph must, to the maximum extent
290 practicable, be geographically located so as to provide all
291 voters in the area with an equal opportunity to cast a ballot.

292 (e) Notwithstanding the designation deadline in s.
293 101.69(2)(b), designate additional secure ballot intake
294 stations. The supervisor must immediately notify the division of
295 the location of the additional secure ballot intake stations.

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

298 1. By forwardable mail or to an address other than the
299 address listed for the voter in the statewide voter registration
300 system.

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

303 3. Notwithstanding s. 101.62(3)(c), as soon as
304 practicable.

305 (g) If the supervisor determines that a poll worker
306 shortage exists, appoint poll workers who have not met the
307 training requirements in s. 102.014. However, such poll workers
308 must have received the required training within the previous 2
309 years.

310 (h) Notwithstanding s. 102.012(2), appoint inspectors and
311 clerks who are registered qualified electors of this state but
312 who are not registered qualified electors of the applicable
313 county.

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

318 **Section 4. Section 101.735, Florida Statutes, is created**
319 **to read:**

320 101.735 Election emergency contingency plans.—

321 (1) The division shall adopt by rule a statewide election
322 emergency contingency plan to provide specific direction in the
323 event an emergency occurs preceding or during an election. The
324 contingency plan shall include, at minimum, procedures to:

325 (a) Ensure that necessary parties are notified of any

326 changes impacting an election that has been suspended, delayed,
327 rescheduled, or otherwise affected by an emergency. As used in
328 this paragraph, necessary parties include proper authorities,
329 the electorate, the media, poll workers, and polling place
330 custodians.

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

337 (c) Determine the safety of existing polling places or
338 designate additional polling places in coordination with the
339 appropriate emergency management officials.

340 (d) Release and certify returns to the division for
341 elections suspended, delayed, rescheduled, or otherwise affected
342 by an emergency.

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

348 (2) Each supervisor shall develop, in consultation with
349 local emergency management officials, a local election emergency
350 contingency plan. The contingency plan must be submitted to the

division for approval by May 1 of every odd-numbered year. The
division must determine whether the local election emergency
contingency plan is sufficient no later than May 30. The
division shall adopt rules to implement this subsection,
including the creation of standard criteria for determining the
sufficiency of local election emergency contingency plans.

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

101.736 Election emergency training; best practices.—

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

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

(3) By June 1 of every odd-numbered year, the Secretary of
State shall convene a workgroup to create a list of best
practices for conducting an election during an emergency.

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

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

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

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

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

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

163.31795 Participation in the National Flood Insurance Program.—

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

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

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

(2) A local government that is participating in the National Flood Insurance Program may not adopt a cumulative substantial improvement period that is longer than 1 year.

Section 7. Subsection (14) is added to section 163.31801,

Florida Statutes, to read:

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

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

Section 8. Paragraphs (a) and (b) of subsection (4) of section 193.155, Florida Statutes, are amended to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4) (a) Except as provided in paragraph (b) and s. 193.624, changes, additions, or improvements to homestead property shall be assessed at just value as of the first January 1 after the changes, additions, or improvements are substantially completed. Maintenance or repair of the homestead property, including roof

426 or window replacement, may not be considered to be a change, an
427 addition, or an improvement under this subsection.

428 (b)1. Changes, additions, or improvements that replace all
429 or a portion of homestead property, including ancillary
430 improvements, damaged or destroyed by misfortune or calamity
431 shall be assessed upon substantial completion as provided in
432 this paragraph. Such assessment must be calculated using the
433 homestead property's assessed value as of the January 1
434 immediately before the date on which the damage or destruction
435 was sustained, subject to the assessment limitations in
436 subsections (1) and (2), when:

437 a. The square footage of the homestead property as changed
438 or improved does not exceed 130 ~~110~~ percent of the square
439 footage of the homestead property before the damage or
440 destruction; or

441 b. The total square footage of the homestead property as
442 changed or improved does not exceed 2,000 ~~1,500~~ square feet.

443 2. The homestead property's assessed value must be
444 increased by the just value of that portion of the changed or
445 improved homestead property which is in excess of 130 ~~110~~
446 percent of the square footage of the homestead property before
447 the damage or destruction or of that portion exceeding 2,000
448 ~~1,500~~ square feet.

449 3. Homestead property damaged or destroyed by misfortune
450 or calamity which, after being changed or improved, has a square

footage of less than 100 percent of the homestead property's total square footage before the damage or destruction shall be assessed pursuant to subsection (5).

4. Changes, additions, or improvements assessed pursuant to this paragraph must be reassessed pursuant to subsection (1) in subsequent years. This paragraph applies to changes, additions, or improvements commenced within 5 years after the January 1 following the damage or destruction of the homestead.

Section 9. Paragraph (b) of subsection (1) of section 215.559, Florida Statutes, is amended to read:

215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss Mitigation Program is established in the Division of Emergency Management.

(1) The Legislature shall annually appropriate \$10 million of the moneys authorized for appropriation under s. 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the division for the purposes set forth in this section. Of the amount:

(b) Three million dollars in funds shall be used to construct or retrofit facilities used as public hurricane shelters. Each year the division shall prioritize the use of these funds for projects included in the annual report ~~of the Shelter Development Report~~ prepared in accordance with s. 252.385(3). The division shall ~~must~~ give funding priority to projects located in counties ~~regional planning council regions~~

476 that have shelter deficits, projects that are publicly owned,
477 other than schools, and ~~to~~ projects that maximize the use of
478 state funds.

479 **Section 10. Section 250.375, Florida Statutes, is amended**
480 **to read:**

481 250.375 Medical officer authorization.—A servicemember
482 trained to provide medical care who is assigned to a military
483 duty position and authorized by the Florida National Guard to
484 provide medical care by virtue of such duty position may provide
485 such medical care to military personnel and civilians within
486 this state ~~physician who holds an active license to practice~~
487 ~~medicine in any state, a United States territory, or the~~
488 ~~District of Columbia,~~ while serving as a ~~medical officer~~ with or
489 in support of the Florida National Guard, pursuant to federal or
490 state orders, ~~may practice medicine on military personnel or~~
491 ~~civilians~~ during an emergency or declared disaster ~~or during~~
492 federal military training.

493 **Section 11. Paragraphs (y) through (dd) of subsection (2)**
494 **of section 252.35, Florida Statutes, are redesignated as**
495 **paragraphs (x) through (cc), respectively, and paragraphs (a),**
496 **(c), and (s) and present paragraph (x) of that subsection are**
497 **amended to read:**

498 252.35 Emergency management powers; Division of Emergency
499 Management.—

500 (2) The division is responsible for carrying out the

provisions of ss. 252.31-252.90. In performing its duties, the division shall:

(a) Prepare a state comprehensive emergency management plan, which must ~~shall~~ be integrated into and coordinated with the emergency management plans and programs of the Federal Government. The division shall adopt the plan as a rule in accordance with chapter 120. The plan must be implemented by a continuous, integrated comprehensive emergency management program. The plan must contain provisions to ensure that the state is prepared for emergencies and minor, major, and catastrophic disasters, and the division shall work closely with local governments and agencies and organizations with emergency management responsibilities in preparing and maintaining the plan. The state comprehensive emergency management plan must be operations oriented and:

1. Include an evacuation component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of evacuation activities. This component must, at a minimum: contain guidelines for lifting tolls on state highways; ensure coordination pertaining to evacuees crossing county lines; set forth procedures for directing people caught on evacuation routes to safe shelter; establish strategies for ensuring sufficient, reasonably priced fueling locations along evacuation routes; and establish policies and strategies for emergency medical evacuations.

526 2. Include a shelter component that includes specific
527 regional and interregional planning provisions and promotes
528 coordination of shelter activities between the public, private,
529 and nonprofit sectors. This component must, at a minimum:
530 contain strategies to ensure the availability of adequate public
531 shelter space in each county ~~region of the state~~; establish
532 strategies for refuge-of-last-resort programs; provide
533 strategies to assist local emergency management efforts to
534 ensure that adequate staffing plans exist for all shelters,
535 including medical and security personnel; provide for a
536 postdisaster communications system for public shelters;
537 establish model shelter guidelines for operations, registration,
538 inventory, power generation capability, information management,
539 and staffing; and set forth policy guidance for sheltering
540 people with special needs.

541 3. Include a postdisaster response and recovery component
542 that includes specific regional and interregional planning
543 provisions and promotes intergovernmental coordination of
544 postdisaster response and recovery activities. This component
545 must provide for postdisaster response and recovery strategies
546 according to whether a disaster is minor, major, or
547 catastrophic. The postdisaster response and recovery component
548 must, at a minimum: establish the structure of the state's
549 postdisaster response and recovery organization; establish
550 procedures for activating the state's plan; set forth policies

551 used to guide postdisaster response and recovery activities;
552 describe the chain of command during the postdisaster response
553 and recovery period; describe initial and continuous
554 postdisaster response and recovery actions; identify the roles
555 and responsibilities of each involved agency and organization;
556 provide for a comprehensive communications plan; establish
557 procedures for monitoring mutual aid agreements; provide for
558 rapid impact assessment teams; ensure the availability of an
559 effective statewide urban search and rescue program coordinated
560 with the fire services; ensure the existence of a comprehensive
561 statewide medical care and relief plan administered by the
562 Department of Health; and establish systems for coordinating
563 volunteers and accepting and distributing donated funds and
564 goods.

565 4. Include additional provisions addressing aspects of
566 preparedness, response, recovery, and mitigation as determined
567 necessary by the division.

568 5. Address the need for coordinated and expeditious
569 deployment of state resources, including the Florida National
570 Guard. In the case of an imminent major disaster, procedures
571 should address predeployment of the Florida National Guard, and,
572 in the case of an imminent catastrophic disaster, procedures
573 should address predeployment of the Florida National Guard and
574 the United States Armed Forces.

575 6. Establish a system of communications and warning to

576 ensure that the state's population and emergency management
577 agencies are warned of developing emergency situations,
578 including public health emergencies, and can communicate
579 emergency response decisions.

580 7. Establish guidelines and schedules for annual exercises
581 that evaluate the ability of the state and its political
582 subdivisions to respond to minor, major, and catastrophic
583 disasters and support local emergency management agencies. Such
584 exercises shall be coordinated with local governments and, to
585 the extent possible, the Federal Government.

586 8. Assign lead and support responsibilities to state
587 agencies and personnel for emergency support functions and other
588 support activities.

589 9. Include the public health emergency plan developed by
590 the Department of Health pursuant to s. 381.00315.

591 10. Include an update on the status of the emergency
592 management capabilities of the state and its political
593 subdivisions. The update must include the emergency management
594 capabilities related to public health emergencies, as determined
595 in collaboration with the Department of Health.

596
597 The complete state comprehensive emergency management plan must
598 be submitted to the President of the Senate, the Speaker of the
599 House of Representatives, and the Governor on February 1 of
600 every even-numbered year.

(c) Assist political subdivisions in preparing and maintaining emergency management plans. Such assistance must include the development of a template for comprehensive emergency management plans, including plans for natural disasters, and guidance on the development of mutual aid agreements.

(s) Complete an inventory of disaster response equipment, including portable generators owned by the state and local governments which are capable of operating during a major disaster. The inventory must identify, at a minimum, the location of each generator, the number of generators stored at each specific location, the agency to which each generator belongs, the primary use of the generator by the owner agency, and the names, addresses, and telephone numbers of persons having the authority to loan the stored generators as authorized by the division during a declared emergency.

~~(x) Report biennially to the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the Governor, no later than February 1 of every odd-numbered year, the status of the emergency management capabilities of the state and its political subdivisions. This report must include the emergency management capabilities related to public health emergencies, as determined in collaboration with the Department of Health.~~

Section 12. Paragraph (b) of subsection (2) of section

252.355, Florida Statutes, is amended to read:

252.355 Registry of persons with special needs; notice; registration program.—

(2) In order to ensure that all persons with special needs may register, the division shall develop and maintain a special needs shelter registration program. During a public health emergency in which physical distancing is necessary, as determined by the State Health Officer, the division must maintain information on special needs shelter options that mitigate the threat of the spread of infectious diseases.

(b) To assist in identifying persons with special needs, home health agencies, hospices, nurse registries, home medical equipment providers, the Department of Veterans' Affairs, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, the Department of Education, the Agency for Persons with Disabilities, the Department of Elderly Affairs, and memory disorder clinics shall, and any physician licensed under chapter 458 or chapter 459 and any pharmacy licensed under chapter 465 may, annually provide registration information to all of their special needs clients or their caregivers. The division shall develop a brochure that provides information regarding special needs shelter registration procedures. The brochure must be easily accessible on the division's website. All appropriate agencies and community-based service providers, including aging and

disability resource centers, memory disorder clinics, home health care providers, hospices, nurse registries, and home medical equipment providers, shall, and any physician licensed under chapter 458 or chapter 459 may, assist emergency management agencies by annually registering persons with special needs for special needs shelters, collecting registration information for persons with special needs as part of the program intake process, and establishing programs to educate clients about the registration process and disaster preparedness safety procedures. A client of a state-funded or federally funded service program who has a physical, mental, or cognitive impairment or sensory disability and who needs assistance in evacuating, or when in a shelter, must register as a person with special needs. The registration program shall give persons with special needs the option of preauthorizing emergency response personnel to enter their homes during search and rescue operations if necessary to ensure their safety and welfare following disasters.

Section 13. Subsection (2) of section 252.3611, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

252.3611 Transparency; audits.—

(2) If when the duration of a declaration of a state of an emergency issued by the Governor exceeds 90 days:

(a) 1. The Executive Office of the Governor or the

676 appropriate agency, within 72 hours after ~~of~~ executing a
677 contract executed with moneys authorized for expenditure to
678 support the response to the declared state of emergency, must
679 ~~the Executive Office of the Governor or the appropriate agency~~
680 ~~shall~~ submit a copy of such contract to the Legislature. For
681 contracts executed during the first 90 days of the declared
682 state of emergency, the Executive Office of the Governor or the
683 appropriate agency shall submit a copy to the Legislature within
684 the first 120 days of the declared state of emergency.

685 2. All contracts executed to support the response to a
686 declared state of emergency, including contracts executed before
687 a declared state of emergency to secure resources or services in
688 advance or anticipation of an emergency, must be posted on the
689 secure contract tracking system required under s. 215.985(14).

690 (b) The Executive Office of the Governor or the
691 appropriate agency shall submit monthly reports to the
692 Legislature of all state expenditures, revenues received, and
693 funds transferred by an agency during the previous month to
694 support the declared state of emergency.

695 (5) Annually, by January 15, the division shall report to
696 the President of the Senate, the Speaker of the House of
697 Representatives, and the chairs of the appropriations committee
698 of each house of the Legislature on expenditures related to
699 emergencies incurred over the year from November 1 of the
700 previous year. The report must include:

701 (a) A separate summary of each emergency event, whether
702 complete or ongoing, and key actions taken by the division.

703 (b) Details of expenditures, separated by emergency event
704 and agency, for preparing for, responding to, or recovering from
705 the event. The report must specify detailed expenditures for the
706 entire report time period; specify total expenditures for the
707 event; and indicate amounts that are being or are anticipated to
708 be reimbursed by the Federal Emergency Management Agency or
709 other federal entity, amounts ineligible for reimbursement, and
710 any amounts deobligated by the Federal Emergency Management
711 Agency or other federal entity for reimbursement. The division
712 shall review expenditures by state agencies to ensure that
713 efforts, purchases, contracts, or expenditures are not
714 duplicated.

715 (c) An accounting of all inventory and assets purchased,
716 separated by emergency event and agency, for preparing for,
717 responding to, or recovering from the event, including motor
718 vehicles, boats, computers, and other equipment, and the current
719 status of such assets, including divestment, sale, or donation
720 by the state. The report must include a detailed accounting for
721 the entire report time period and specify a total for the event.

722 **Section 14. Subsection (4) of section 252.365, Florida**
723 **Statutes, is amended to read:**

724 252.365 Emergency coordination officers; disaster-
725 preparedness plans.—

726 (4) On or before May 1 of each year, the head of each
727 agency shall notify the Governor and the division in writing of
728 the person initially designated as the emergency coordination
729 officer for such agency and her or his alternate and of any
730 changes in persons so designated thereafter.

731 **Section 15. Present paragraphs (c) and (d) of subsection**
732 **(5) of section 252.37, Florida Statutes, are redesignated as**
733 **paragraphs (d) and (e), respectively, a new paragraph (c) is**
734 **added to that subsection, and subsection (7) is added to that**
735 **section, to read:**

736 252.37 Financing.—

737 (5) Unless otherwise specified in the General
738 Appropriations Act:

739 (c) If the division intends to accept or apply for federal
740 funds for a division-administered program that is new, that will
741 be implemented in a manner that is innovative or significantly
742 different from the manner in which the program is typically
743 administered, or that will require a state match for which the
744 division will be required to seek new budget authority, the
745 division must notify the Legislature of its intent to accept or
746 apply for the federal funds. The notice must detail the federal
747 program under which the funds will be accepted or applied for,
748 the intended purpose and use of the funds, and the amount of
749 funds, including the estimated state match.

750 (7) The division shall take steps to maximize the

751 availability and expedite the distribution of financial
752 assistance from the Federal Government to state and local
753 agencies. Such steps must include the standardization and
754 streamlining of the application process for financial assistance
755 through the federal Public Assistance Program and provision of
756 assistance to applicants in order to mitigate the risk of
757 noncompliance with federal program requirements. The division
758 shall use federal funds allocated as management costs or other
759 funds as appropriated to implement this subsection.

760 **Section 16. Section 252.3713, Florida Statutes, is created**
761 **to read:**

762 252.3713 Hazard Mitigation Grant Program.—

763 (1) The division shall administer the Hazard Mitigation
764 Grant Program as authorized and described in s. 404 of the
765 Robert T. Stafford Disaster Relief and Emergency Assistance Act,
766 as amended by Pub. L. No. 103-181, Pub. L. No. 103-337, and Pub.
767 L. No. 106-390.

768 (2) The division may retain no more than 25 percent of the
769 total federal allocation of funds received for use within the
770 state. A minimum of 75 percent of any funds received pursuant to
771 a declared disaster must be distributed for use by the
772 subrecipients in the counties specified in the Presidential
773 Disaster Declaration for that disaster. However, a subrecipient
774 may elect to share some or all of its allocation with the
775 division to be used for projects benefiting the region in which

776 the subrecipient is located.

777 (3) The division and subrecipients shall prioritize
778 projects that fulfill the following purposes when adopting
779 mitigation strategies and plans and applying for funds under the
780 grant program:

781 (a) Reducing shelter space deficits through retrofitting
782 of existing shelters and hardening of public buildings that are
783 not schools. Reducing deficits in shelter space intended to
784 accommodate individuals with special needs must be prioritized
785 before addressing deficits in other types of shelter space.

786 (b) Mitigating impacts to public infrastructure, including
787 roads, bridges, and stormwater, water, and sewer systems, to
788 enhance resistance to natural hazards and prevent and reduce
789 losses.

790 (c) Mitigating impacts to school facilities which will
791 reduce future disaster losses and make the facilities more
792 resistant to natural hazards.

793 (d) Retrofitting of regional and local emergency
794 management or operations centers.

795 (e) Other projects that the division may define by rule.

796 (4) The division may coordinate with other state agencies
797 and political subdivisions to develop and implement innovative
798 approaches to funding mitigation projects using grants under the
799 Hazard Mitigation Grant Program, including, but not limited to,
800 combining funding received from multiple federal and state

801 programs. The division, in cooperation with other state agencies
802 that administer federal grant programs, shall ensure that:

803 (a) Projects funded through multiple programs comply with
804 all applicable federal and state requirements of the respective
805 programs under which funding was received.

806 (b) Funding is used for projects in the geographic areas
807 specified in the grant of funding.

808 (5) A fiscally constrained county may request that the
809 division administer the grant for such county. A fiscally
810 constrained county may request additional assistance from the
811 division in preparing applications for grants and developing a
812 structure for implementing, monitoring the execution of, and
813 closing out projects.

814 (6) The division shall adopt rules to implement this
815 section.

816 **Section 17. Paragraph (a) of subsection (2) of section**
817 **252.373, Florida Statutes, is amended to read:**

818 252.373 Allocation of funds; rules.—

819 (2) The division shall allocate funds from the Emergency
820 Management, Preparedness, and Assistance Trust Fund to local
821 emergency management agencies and programs pursuant to criteria
822 specified in rule. Such rules shall include, but are not limited
823 to:

824 (a) Requiring that, at a minimum, a local emergency
825 management agency either:

826 1. Have a program director who works at least 40 hours a
827 week in that capacity; or

828 2. If the county has fewer than 75,000 population or is
829 party to an interjurisdictional emergency management agreement
830 entered into pursuant to s. 252.38(3)(c) ~~s. 252.38(3)(b)~~, that
831 is recognized by the Governor by executive order or rule, have
832 an emergency management coordinator who works at least 20 hours
833 a week in that capacity.

834 **Section 18. Present paragraphs (a) and (b) of subsection**
835 **(3) of section 252.38, Florida Statutes, are redesignated as**
836 **paragraphs (b) and (c), respectively, a new paragraph (a) is**
837 **added to that subsection, and paragraph (a) of subsection (1) is**
838 **amended, to read:**

839 252.38 Emergency management powers of political
840 subdivisions.—Safeguarding the life and property of its citizens
841 is an innate responsibility of the governing body of each
842 political subdivision of the state.

843 (1) COUNTIES.—

844 (a) In order to provide effective and orderly governmental
845 control and coordination of emergency operations in emergencies
846 within the scope of ss. 252.31-252.90, each county within this
847 state shall be within the jurisdiction of, and served by, the
848 division. Except as otherwise provided in ss. 252.31-252.90,
849 each local emergency management agency shall have jurisdiction
850 over and serve an entire county. Unless part of an

interjurisdictional emergency management agreement entered into pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by the Governor by executive order or rule, each county must establish and maintain such an emergency management agency and shall develop a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program. Counties that are part of an interjurisdictional emergency management agreement entered into pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by the Governor by executive order or rule shall cooperatively develop an emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program.

(3) EMERGENCY MANAGEMENT POWERS; POLITICAL SUBDIVISIONS.—

(a) Each political subdivision shall notify the division on or before May 1 each year of the person designated as the emergency contact for the political subdivision and his or her alternate and of any changes in persons so designated thereafter. For a county, the emergency contact must be the county emergency management director.

Section 19. Section 252.381, Florida Statutes, is created to read:

252.381 Information related to natural emergencies; poststorm county and municipal permitting; operations.—

(1) Each county and municipality must post on its publicly

876 accessible website:

877 (a) A frequently asked questions web page related to
878 natural emergency response, emergency preparedness, and public
879 relief for residents following an emergency. The web page must
880 answer questions concerning resident evacuations; safety tips;
881 generator, food and drinking water, and wastewater and
882 stormwater safety; damage assessment; debris cleanup; accessing
883 assistance through the Federal Emergency Management Agency and
884 this state; building recovery; natural emergency guidance;
885 applicable laws; and what to do before, during, and after an
886 emergency.

887 (b) A disaster supply list and a list of emergency
888 shelters.

889 (c) Links to information about flood zones.

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

892 (2) Each county and municipality shall develop a poststorm
893 permitting plan to expedite recovery and rebuilding by providing
894 for special building permit and inspection procedures after a
895 hurricane or tropical storm. The plan must, at a minimum:

896 (a) Ensure sufficient personnel are prepared and available
897 to expeditiously manage postdisaster building inspection,
898 permitting, and enforcement tasks. The plan must anticipate
899 conditions that would necessitate supplemental personnel for
900 such tasks and address methods for fulfilling such personnel

901 needs, including through mutual aid agreements as authorized in
902 s. 252.40, other arrangements, such as those with private sector
903 contractors, or supplemental state or federal funding. The plan
904 must include training requirements and protocols for
905 supplemental personnel to ensure compliance with local
906 floodplain management requirements that apply within the county
907 or municipality.

908 (b) Account for multiple or alternate locations where
909 building permit services may be offered in person to the public
910 following a hurricane or tropical storm during regular business
911 hours.

912 (c) Specify a protocol to expedite permitting procedures
913 and, if practicable, for the waiver or reduction of applicable
914 fees in accordance with and in addition to the procedures and
915 waivers provided for under s. 553.7922. The plan must identify
916 the types of permits that are frequently requested following a
917 hurricane or tropical storm and methods to expedite the
918 processing of such permits.

919 (d) Specify procedures and resources necessary to promote
920 expeditious debris removal following a hurricane or tropical
921 storm.

922 (3) (a) Each county and municipality shall publish on its
923 website a hurricane and tropical storm recovery permitting guide
924 for residential and commercial property owners. The guide must
925 describe:

926 1. The types of poststorm repairs that require a permit
927 and applicable fees.

928 2. The types of poststorm repairs that do not require a
929 permit.

930 3. The poststorm permit application process and specific
931 modifications the county or municipality commonly makes to
932 expedite the process, including the physical locations where
933 permitting services will be offered.

934 4. Local requirements for rebuilding specific to the
935 county or municipality, including elevation requirements
936 following substantial damage and substantial improvement
937 pursuant to the National Flood Insurance Program (NFIP) and any
938 local amendments to the building code.

939 (b) As soon as practicable following a hurricane or
940 tropical storm, a county or municipality within the area for
941 which a state of emergency pursuant to s. 252.36 for such
942 hurricane or tropical storm is declared shall publish updates on
943 its website to the information required under paragraph (a)
944 which are specific to such storm, including any permitting fee
945 waivers or reductions.

946 (4) For 180 days after a state of emergency is declared
947 pursuant to s. 252.36 for a hurricane or tropical storm, a
948 county or municipality within the area for which the state of
949 emergency is declared may not increase building permit or
950 inspection fees.

951 (5) Each county and municipality must provide an online
952 option for receiving, reviewing, and accessing substantial
953 damage and substantial improvement letters. The county or
954 municipality must allow homeowners to provide an e-mail address
955 where they can receive digital copies of such letters.

956 (6) As soon as reasonably possible, each county and
957 municipality that has experienced a direct impact from a natural
958 emergency must use its best efforts to open a permitting office
959 at which residents can access government services for at least
960 40 hours per week.

961 (7) Beginning October 1, 2025, emergency management
962 personnel of a county or municipality, and individuals who
963 perform key roles in postdisaster response for a county or
964 municipality, must complete the training provided pursuant to s.
965 252.35 every 2 years.

966 **Section 20. Subsections (2) and (3) of section 252.385,**
967 **Florida Statutes, are amended to read:**

968 252.385 Public shelter space; public records exemption.—

969 (2)~~(a)~~ The division shall administer a program to survey
970 existing schools, universities, community colleges, and other
971 state-owned, municipally owned, and county-owned public
972 buildings and any private facility that the owner, in writing,
973 agrees to provide for use as a public hurricane evacuation
974 shelter to identify those that are appropriately designed and
975 located to serve as such shelters. The owners of the facilities

976 must be given the opportunity to participate in the surveys. The
977 state university boards of trustees, district school boards,
978 community college boards of trustees, and the Department of
979 Education are responsible for coordinating and implementing the
980 survey of public schools, universities, and community colleges
981 with the division or the local emergency management agency.

982 ~~(b) By January 31 of each even-numbered year, the division~~
983 ~~shall prepare and submit a statewide emergency shelter plan to~~
984 ~~the Governor and Cabinet for approval, subject to the~~
985 ~~requirements for approval in s. 1013.37(2). The emergency~~
986 ~~shelter plan must project, for each of the next 5 years, the~~
987 ~~hurricane shelter needs of the state, including periods of time~~
988 ~~during which a concurrent public health emergency may~~
989 ~~necessitate more space for each individual to accommodate~~
990 ~~physical distancing. In addition to information on the general~~
991 ~~shelter needs throughout this state, the plan must identify the~~
992 ~~general location and square footage of special needs shelters,~~
993 ~~by regional planning council region. The plan must also include~~
994 ~~information on the availability of shelters that accept pets.~~
995 ~~The Department of Health shall assist the division in~~
996 ~~determining the estimated need for special needs shelter space~~
997 ~~and the adequacy of facilities to meet the needs of persons with~~
998 ~~special needs based on information from the registries of~~
999 ~~persons with special needs and other information.~~

1000 (3) (a) The division shall annually provide by October 15

1001 to the Governor, the President of the Senate, and the Speaker of
1002 the House of Representatives a report that includes, ~~and the~~
1003 ~~Governor~~ a list of facilities recommended to be retrofitted
1004 using state funds. State funds should be maximized and targeted
1005 to projects in counties ~~regional planning council regions~~ with
1006 hurricane evacuation shelter deficits. Additionally, the
1007 division shall prioritize on the list of recommended facilities
1008 other state-owned, municipal-owned, and county-owned public
1009 buildings, other than schools, for retrofitting using state
1010 funds. The owner or lessee of a public hurricane evacuation
1011 shelter that is included on the list of facilities recommended
1012 for retrofitting is not required to perform any recommended
1013 improvements.

1014 (b) The report required in paragraph (a) must include a
1015 statewide emergency shelter plan that must project, for each of
1016 the next 5 years, the hurricane shelter needs of the state. In
1017 addition to information on the general shelter needs throughout
1018 this state, the plan must identify, by county, the general
1019 location and square footage of special needs shelters. The plan
1020 must also include information on the availability of shelters
1021 that accept pets. The Department of Health and the Agency for
1022 Persons with Disabilities shall assist the division in
1023 determining the estimated need for special needs shelter space,
1024 the estimated need for general shelter space to accommodate
1025 persons with developmental disabilities, including, but not

1026 limited to, autism, and the adequacy of facilities to meet the
1027 needs of persons with special needs based on information from
1028 the registries of persons with special needs and other
1029 information.

1030 **Section 21. Section 252.421, Florida Statutes, is created**
1031 **to read:**

1032 252.421 Management of roadway debris related to natural
1033 emergencies.—The division shall coordinate with fiscally
1034 constrained counties, as described in s. 218.67(1), included in
1035 a declared state of emergency for a natural emergency and the
1036 Department of Transportation to provide such counties with state
1037 resources to remove debris from roadways, including roadways
1038 that are publicly accessible but not maintained by the county.

1039 **Section 22. Section 252.422, Florida Statutes, is created**
1040 **to read:**

1041 252.422 Restrictions on county or municipal regulations
1042 after a hurricane.—

1043 (1) As used in this section, the term "impacted local
1044 government" means a county or municipality located entirely or
1045 partially within 100 miles of the track of a storm declared to
1046 be a hurricane by the National Hurricane Center. The term only
1047 includes such local governments within 100 miles of the track
1048 while the storm was categorized as a hurricane.

1049 (2) For 2 years after a hurricane makes landfall, an
1050 impacted local government may not propose or adopt:

1051 (a) A moratorium on construction, reconstruction, or
1052 redevelopment of any property.

1053 (b) A more restrictive or burdensome amendment to its
1054 comprehensive plan or land development regulations.

1055 (c) A more restrictive or burdensome procedure concerning
1056 review, approval, or issuance of a site plan, development
1057 permit, or development order, to the extent that those terms are
1058 defined in s. 163.3164.

1059 (3) Notwithstanding paragraph (a), a comprehensive plan
1060 amendment, land development regulation amendment, site plan,
1061 development permit, or development order approved or adopted by
1062 an impacted local government before or after the effective date
1063 of this act may be enforced if:

1064 (a) The associated application is initiated by a private
1065 party other than the impacted local government.

1066 (b) The property that is the subject of the application is
1067 owned by the initiating private party.

1068 (4) (a) Any person may file suit against any impacted local
1069 government for declaratory and injunctive relief to enforce this
1070 section.

1071 (b) A county or municipality may request a determination
1072 by a court of competent jurisdiction as to whether such action
1073 violates this section. Upon such a request, the county or
1074 municipality may not enforce the action until the court has
1075 issued a preliminary or final judgment determining whether the

1076 action violates this section.

1077 (c) Before a plaintiff may file suit, the plaintiff shall
1078 notify the impacted local government by setting forth the facts
1079 upon which the complaint or petition is based and the reasons
1080 the impacted local government's action violates this section.
1081 Upon receipt of the notice, the impacted local government shall
1082 have 14 days to withdraw or revoke the action at issue or
1083 otherwise declare it void. If the impacted local government does
1084 not withdraw or revoke the action at issue within the time
1085 prescribed, the plaintiff may file suit. The plaintiff shall be
1086 entitled to entry of a preliminary injunction to prevent the
1087 impacted local government from implementing the challenged
1088 action during pendency of the litigation. In any action
1089 instituted pursuant to this paragraph, the prevailing plaintiff
1090 shall be entitled to reasonable attorney fees and costs.

1091 (d) In any case brought under this section, any party is
1092 entitled to the summary procedure provided in s. 51.011, and the
1093 court shall advance the cause on the calendar.

1094 **Section 23. Section 252.505, Florida Statutes, is created**
1095 **to read:**

1096 252.505 Breach of contract during emergency recovery
1097 periods for natural emergencies.—Each state or local government
1098 contract for goods or services related to emergency response for
1099 a natural emergency entered into, renewed, or amended on or
1100 after July 1, 2025, must include a provision that requires a

1101 vendor or service provider that breaches such contract during an
1102 emergency recovery period to pay actual and consequential
1103 damages and a \$5,000 penalty. As used in this section, the term
1104 "emergency recovery period" means a 1-year period that begins on
1105 the date that the Governor initially declared a state of
1106 emergency for a natural emergency.

1107 **Section 24. Subsection (1) of section 400.063, Florida**
1108 **Statutes, is amended to read:**

1109 400.063 Resident protection.—

1110 (1) The Health Care Trust Fund shall be used for the
1111 purpose of collecting and disbursing funds generated from the
1112 license fees and administrative fines as provided for in ss.
1113 393.0673(5), 400.062(3), 400.121(2), and 400.23(8). Such funds
1114 shall be for the sole purpose of paying for the appropriate
1115 alternate placement, care, and treatment of residents who are
1116 removed from a facility licensed under this part or a facility
1117 specified in s. 393.0678(1) in which the agency determines that
1118 existing conditions or practices constitute an immediate danger
1119 to the health, safety, or security of the residents. If the
1120 agency determines that it is in the best interest of the health,
1121 safety, or security of the residents to provide for an orderly
1122 removal of the residents from the facility, the agency may
1123 utilize such funds to maintain and care for the residents in the
1124 facility pending removal and alternative placement. The
1125 maintenance and care of the residents shall be under the

direction and control of a receiver appointed pursuant to s. 393.0678(1) or s. 400.126(1). However, funds may be expended in an emergency upon a filing of a petition for a receiver, upon the declaration of a state of local emergency pursuant to s. 252.38(3)(b)5. ~~s. 252.38(3)(a)5.~~, or upon a duly authorized local order of evacuation of a facility by emergency personnel to protect the health and safety of the residents.

Section 25. Subsection (7) of section 403.7071, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

403.7071 Management of storm-generated debris.—Solid waste generated as a result of a storm event that is the subject of an emergency order issued by the department may be managed as follows:

(7) Unless otherwise specified in a contract or franchise agreement between a local government and a private solid waste or debris management service provider, a private solid waste or debris management service provider is not required to collect storm-generated yard trash. Local governments are authorized and encouraged to add an addendum to existing contracts or franchise agreements for collection of storm-generated debris.

(8) (a) Each county and municipality shall apply to the department for authorization of at least one debris management site as described in subsection (2) and shall annually seek preauthorization for any previously approved debris management

1151 sites, as allowed by the department.

1152 (b) A municipality may jointly apply for authorization of
1153 a debris management site with a county or at least one adjacent
1154 municipality, if the parties develop and approve a memorandum of
1155 understanding. Such memorandum must clearly outline the capacity
1156 of the debris management site and location of the site relative
1157 to each party. The memorandum of understanding must be approved
1158 annually as part of the preauthorization process described in
1159 paragraph (a).

1160 **Section 26. Section 489.1132, Florida Statutes, is created**
1161 **to read:**

1162 489.1132 Regulation of hoisting equipment used in
1163 construction, demolition, or excavation work during a
1164 hurricane.—

1165 (1) As used in this section, the term:

1166 (a) "Hoisting equipment" means power-operated cranes,
1167 derricks, and hoists used in construction, demolition, or
1168 excavation work that are regulated by the Occupational Safety
1169 and Health Administration under 29 C.F.R. 66 parts 1910.66 and
1170 1926.66.

1171 (b) "Mobile crane" means a type of hoisting equipment
1172 incorporating a cable-suspended latticed boom or hydraulic
1173 telescoping boom designed to be moved between operating
1174 locations by transport over a roadway. The term does not include
1175 a mobile crane with a boom length of less than 25 feet or a

1176 maximum rated load capacity of less than 15,000 pounds.

1177 (c) "Tower crane" means a type of hoisting equipment using
1178 a vertical mast or tower to support a working boom in an
1179 elevated position if the working boom can rotate to move loads
1180 laterally either by rotating at the top of the mast or tower or
1181 by the rotation of the mast or tower itself, whether the mast or
1182 tower base is fixed in one location or ballasted and moveable
1183 between locations.

1184 (2) (a) When a tower crane or mobile crane is located on a
1185 worksite, a hurricane preparedness plan for the crane must be
1186 available for inspection at the worksite.

1187 (b) In preparation for a hurricane, hoisting equipment
1188 must be secured in the following manner no later than 24 hours
1189 before the impacts of the hurricane are anticipated to begin:

1190 1. All hoisting equipment must be secured in compliance
1191 with manufacturer recommendations relating to hurricane and
1192 high-wind events, including any recommendations relating to the
1193 placement, use, and removal of advertising banners and rigging.

1194 2. Tower crane turntables must be lubricated before the
1195 event.

1196 3. Fixed booms on mobile cranes must be laid down whenever
1197 feasible.

1198 4. Booms on hydraulic cranes must be retracted and stored.

1199 5. The counterweights of any hoists must be locked below
1200 the top tie-in.

1201 6. Tower cranes must be set in the weathervane position.

1202 7. All rigging must be removed from hoist blocks.

1203 8. All power at the base of tower cranes must be
1204 disconnected.

1205 (3) A person licensed under this part who intentionally
1206 violates this section is subject to discipline under ss. 455.227
1207 and 489.129.

1208 **Section 27.** The Division of Emergency Management shall
1209 consult with local governments, the Department of Business and
1210 Professional Regulation, the Department of Environmental
1211 Protection, and any other appropriate agencies to develop
1212 recommendations for statutory changes necessary to streamline
1213 the permitting process for repairing and rebuilding structures
1214 damaged during natural emergencies. By July 1, 2026, the
1215 division shall provide a report containing such recommendations
1216 to the President of the Senate and the Speaker of the House of
1217 Representatives.

1218 **Section 28.** (1) Each county listed in the Federal
1219 Disaster Declaration for Hurricane Debby (DR-4806), Hurricane
1220 Helene (DR-4828), or Hurricane Milton (DR-4834), and each
1221 municipality within one of those counties, may not propose or
1222 adopt any moratorium on construction, reconstruction, or
1223 redevelopment of any property damaged by such hurricanes;
1224 propose or adopt more restrictive or burdensome amendments to
1225 its comprehensive plan or land development regulations; or

propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027, and any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio. This subsection applies retroactively to August 1, 2024.

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

(a) The associated application is initiated by a private party other than the county or municipality.

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

(3)(a) A resident of or the owner of a business in a county or municipality may bring a civil action for declaratory and injunctive relief against the county or municipality for a violation of this section. Pending adjudication of the action and upon filing of a complaint showing a violation of this section, the resident or business owner is entitled to a preliminary injunction against the county or municipality preventing implementation of the moratorium or the comprehensive

1251 plan amendment, land development regulation, or procedure. If
1252 such civil action is successful, the resident or business owner
1253 is entitled to reasonable attorney fees and costs.

1254 (b) Attorney fees and costs and damages may not be awarded
1255 pursuant to this subsection if:

1256 1. The resident or business owner provides the governing
1257 body of the county or municipality written notice that a
1258 proposed or enacted moratorium, comprehensive plan amendment,
1259 land development regulation, or procedure is in violation of
1260 this section; and

1261 2. The governing body of the county or municipality
1262 withdraws the proposed moratorium, comprehensive plan amendment,
1263 land development regulation, or procedure within 14 days; or, in
1264 the case of an adopted moratorium, comprehensive plan amendment,
1265 land development regulation, or procedure, the governing body of
1266 a county or municipality notices an intent to repeal within 14
1267 days after receipt of the notice and repeals the moratorium,
1268 comprehensive plan amendment, land development regulation, or
1269 procedure within 14 days thereafter.

1270 (4) This section expires June 30, 2028.

1271 **Section 29.** The Division of Law Revision is directed to
1272 replace the phrase "the effective date of this act" wherever it
1273 occurs in this act with the date this act becomes a law.

1274 **Section 30.** This act shall take effect upon becoming a
1275 law.