

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
8 request authority to take specified actions under
9 certain circumstances; requiring certain requests to
10 be submitted in a specified manner; requiring the
11 Secretary of State to approve or deny such requests
12 within a specified timeframe; requiring certain
13 requests to be deemed approved; requiring such
14 approvals and denials to be posted in a specified
15 manner; requiring such supervisors to use specified
16 methods to inform affected voters of election changes;
17 creating s. 101.735, F.S.; requiring the Division of
18 Elections to develop a statewide election emergency
19 contingency plan for a specified purpose; requiring
20 such plan to include certain procedures; requiring
21 supervisors of elections to develop a local election
22 emergency contingency plan in consultation with
23 certain officials; requiring the plan to be submitted
24 to the division for approval by a certain date;
25 requiring the division to make a certain determination

26 by a specified date; requiring the division to adopt
27 rules; creating s. 101.736, F.S.; defining the term
28 "tabletop exercise"; requiring the Secretary of State,
29 in coordination with supervisors of elections, to
30 develop an election emergency training program;
31 requiring the Secretary of State to convene a
32 workgroup for a certain purpose by a specified date of
33 every odd-numbered year; providing requirements for
34 the workgroup; requiring the results of the workgroup
35 to be used in a specified manner; creating s.
36 163.31795, F.S.; defining the terms "cumulative
37 substantial improvement period" and "local
38 government"; requiring local governments that are
39 participating in a specified insurance program to
40 adopt certain cumulative substantial improvement
41 periods; amending s. 163.31801, F.S.; prohibiting
42 certain entities from assessing impact fees for
43 specified replacement structures; providing an
44 exception; providing construction; amending s.
45 193.155, F.S.; providing that repair and maintenance
46 of specified property is not a change, an addition, or
47 an improvement under certain circumstances; revising
48 the square footage limitations for certain changes,
49 additions, and improvements to damaged property;
50 providing construction; amending s. 215.559, F.S.;

51 removing a reference to a certain report; revising
52 public hurricane shelter funding prioritization
53 requirements for the Division of Emergency Management;
54 amending s. 250.375, F.S.; authorizing certain
55 servicemembers to provide medical care in specified
56 circumstances; amending s. 252.35, F.S.; revising
57 requirements for the state comprehensive emergency
58 management plan; requiring such plan to include an
59 update on the status of certain emergency management
60 capabilities; requiring the division to collaborate
61 with the Department of Health; revising
62 responsibilities of the division; requiring the
63 division to develop a certain template; revising items
64 required to be included in a specified inventory;
65 removing a specified reporting requirement; amending
66 s. 252.355, F.S.; authorizing the Department of
67 Veterans' Affairs to provide certain information to
68 specified clients or their caregivers; requiring the
69 Florida Housing Finance Corporation to enter into
70 memoranda of understanding with specified agencies for
71 a certain purpose; providing that specified persons
72 may use special needs shelters in certain
73 circumstances; amending s. 252.359, F.S.; revising the
74 manner in which the division facilitates
75 transportation and distribution of essentials before

76 and after an emergency; requiring local law
77 enforcement to cooperate with the division to ensure
78 the availability of essentials; providing that certain
79 entities have specified responsibilities determining
80 roadways; amending s. 252.3611, F.S.; directing
81 specified entities to submit specified contracts and
82 reports to the Legislature under specified conditions;
83 requiring such contracts to be posted on a specified
84 secure contract system; requiring the division to
85 report annually to the Legislature specified
86 information on expenditures relating to emergencies;
87 providing requirements for such report; amending s.
88 252.365, F.S.; requiring agency heads to notify the
89 Governor and the division of the person designated as
90 the emergency coordination officer annually by a
91 specified date; amending s. 252.37, F.S.; requiring
92 the division to notify the Legislature of its intent
93 to accept or apply for federal funds under certain
94 circumstances; requiring the division to take steps to
95 maximize the availability and expedite the
96 distribution of financial assistance from the Federal
97 Government to state and local agencies; requiring that
98 such steps include the standardization and
99 streamlining of the application process for federal
100 financial assistance and the provision of assistance

101 to applicants for a specified purpose; requiring the
102 division to use certain federal funds to implement
103 such requirements; creating s. 252.3713, F.S.;
104 requiring the division to administer the Hazard
105 Mitigation Grant Program; authorizing the division to
106 retain a specified percentage of the funds for use
107 within this state; requiring the remaining percentage
108 to be distributed for use by certain recipients;
109 authorizing subrecipients to make a certain election
110 for a specified use; requiring the consideration of
111 certain projects; authorizing the division to
112 coordinate with specified entities under certain
113 circumstances; requiring the division to ensure that
114 certain requirements are met and certain projects are
115 funded; authorizing fiscally constrained counties to
116 request that the division administer the grant for
117 such a county; authorizing such counties to request
118 certain assistance from the division; requiring the
119 division to adopt rules; amending s. 252.373, F.S.;
120 conforming a cross-reference; amending s. 252.38,
121 F.S.; requiring political subdivisions to annually
122 provide specified notification to the division before
123 a specified date; creating s. 252.381, F.S.; requiring
124 counties and municipalities to post certain
125 information on their websites; requiring counties and

126 municipalities to develop a poststorm permitting plan;
127 providing requirements for such plan; requiring
128 counties and municipalities to publish on their
129 websites a specified storm recovery guide and updates
130 to such guide; prohibiting certain counties and
131 municipalities from increasing building permit or
132 inspection fees within a specified timeframe;
133 requiring certain counties and municipalities to use
134 their best efforts to open a permitting office for a
135 minimum number of hours per week; requiring entities
136 to allow individuals to receive certain letters
137 electronically on or before a specified date;
138 requiring specified individuals to complete certain
139 training every 2 years beginning on a specified date;
140 amending s. 252.385, F.S.; revising reporting
141 requirements for the division; revising requirements
142 for a specified list; requiring the Department of
143 Health and the Agency for Persons with Disabilities to
144 assist the division with certain determinations;
145 creating s. 252.421, F.S.; requiring the division to
146 coordinate with certain counties for a specified
147 purpose; creating s. 252.422, F.S.; defining the term
148 "impacted local government"; prohibiting impacted
149 local governments from proposing or adopting certain
150 moratoriums, amendments, or procedures for a specified

151 timeframe; authorizing the enforcement of certain
152 amendments, plans, permits, and orders under certain
153 circumstances; authorizing any person to file suit to
154 enforce specified provisions; authorizing counties and
155 municipalities to request a specified determination by
156 a court; prohibiting counties and municipalities from
157 taking certain actions until the court has issued a
158 preliminary or final judgment; requiring plaintiffs to
159 provide certain notification before filing suit;
160 requiring impacted local governments to take certain
161 actions upon receipt of such notification or a suit
162 may be filed; providing for reasonable attorney fees
163 and costs; authorizing the use of a certain summary
164 procedure; requiring the court to advance the cause on
165 the calendar; creating s. 252.505, F.S.; requiring
166 certain contracts to include a specified provision;
167 defining the term "emergency recovery period";
168 amending s. 400.063, F.S.; conforming a cross-
169 reference; amending s. 403.7071, F.S.; providing that
170 local governments are authorized and encouraged to add
171 certain addendums to certain contracts and agreements;
172 requiring counties and municipalities to apply to the
173 Department of Environmental Protection for
174 authorization to designate at least one debris
175 management site; authorizing municipalities to apply

jointly with a county or adjacent municipality for
authorization of a debris management site if such
entities approve a memorandum of understanding;
providing requirements for such memorandum; creating
s. 489.1132, F.S.; providing definitions; requiring a
hurricane preparedness plan to be available for
inspection at certain worksites; requiring certain
equipment to be secured in a specified manner no later
than 24 hours before the impacts of a hurricane are
anticipated to begin; providing penalties; amending s.
553.902, F.S.; revising the definition of the term
"renovated building"; requiring the division to
consult with specified entities to develop certain
recommendations and provide a report to the
Legislature by a specified date; prohibiting certain
counties from proposing or adopting certain
moratoriums, amendments, or procedures for a specified
timeframe; declaring that such moratoriums,
amendments, or procedures are null and void; providing
for retroactive application; authorizing the
enforcement of certain amendments, plans, permits, and
orders under certain circumstances; authorizing
certain residents and business owners to bring a civil
action for declaratory and injunctive relief against a
county or municipality that violates specified

provisions; providing for reasonable attorney fees and costs under specified circumstances; providing for future expiration; providing a directive to the Division of Law Revision; providing an effective date.

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

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

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

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

(2) The tenant must be given:

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

(b) Notice of the date by which the tenant will be able to collect his or her belongings from the premises, which must

226 occur within a reasonable time.

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

229 101.733 Emergency suspension or delay of an election
230 ~~emergency; purpose; elections emergency contingency plan.-~~
231 Because of the existing and continuing possibility of an
232 emergency or common disaster occurring before or during a
233 regularly scheduled or special election, and in order to ensure
234 maximum citizen participation in the electoral process and
235 provide a safe and orderly procedure for persons seeking to
236 exercise their right to vote, generally to minimize to whatever
237 degree possible a person's exposure to danger during declared
238 states of emergency, and to protect the integrity of the
239 electoral process, it is hereby found and declared to be
240 necessary to designate a procedure for the emergency suspension
241 or delay and rescheduling of elections.

242 ~~(3) The Division of Elections of the Department of State~~
243 ~~shall adopt, by rule, an elections emergency contingency plan,~~
244 ~~which shall contain goals and policies that give specific~~
245 ~~direction to state and local elections officials when an~~
246 ~~election has been suspended or delayed due to an emergency. The~~
247 ~~contingency plan shall be statewide in scope and shall address,~~
248 ~~but not be limited to, the following concerns:~~

249 ~~(a) Providing a procedure for state and local elections~~
250 ~~officials to follow when an election has been suspended or~~

251 ~~delayed to ensure notice of the suspension or delay to the~~
252 ~~proper authorities, the electorate, the communications media,~~
253 ~~poll workers, and the custodians of polling places.~~

254 ~~(b) Providing a procedure for the orderly conduct of a~~
255 ~~rescheduled election, whether municipal, county, district, or~~
256 ~~statewide in scope; coordinating those efforts with the~~
257 ~~appropriate elections official, and the members of the governing~~
258 ~~body holding such election, if appropriate; and working with the~~
259 ~~appropriate emergency management officials in determining the~~
260 ~~safety of existing polling places or designating additional~~
261 ~~polling places.~~

262 ~~(c) Providing a procedure for the release and~~
263 ~~certification of election returns to the department for~~
264 ~~elections suspended or delayed and subsequently rescheduled~~
265 ~~under the provisions of ss. 101.731-101.74.~~

266 **Section 3. Section 101.7325, Florida Statutes, is created**
267 **to read:**

268 101.7325 Election emergency.—

269 (1) If the Governor declares a state of emergency for a
270 natural emergency, as defined in s. 252.34, fewer than 60 days
271 before an election, the supervisor of a county designated as
272 affected by such declaration may request approval from the
273 Secretary of State to take any of the following actions
274 necessary while the declaration continues to designate the area
275 as an affected area:

276 (a) Notwithstanding the designation deadline in s.
277 101.657(1)(b), change the location of designated early voting
278 sites. The request must identify the new address of each early
279 voting site and the hours during which early voting will occur
280 at each site.

281 (b) Notwithstanding the early voting site locations
282 authorized in s. 101.657(1), request early voting sites at
283 locations not specifically authorized by law. The request must
284 set forth sufficient facts to establish that a sufficient number
285 of early voting sites that were designated, or that may be
286 designated under paragraph (a), are unavailable due to the
287 emergency. For purposes of this paragraph, reasons that early
288 voting sites may be unavailable include, but are not limited to,
289 the site is no longer safe for occupancy, the site is located in
290 an area that is currently dangerous to travel to and from, or
291 the site does not have adequate utilities. An early voting site
292 designated under this paragraph must, to the maximum extent
293 practicable, be geographically located so as to provide all
294 voters in the area with an equal opportunity to cast a ballot.

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

297 (d) Notwithstanding ss. 101.657 and 101.71, allow election
298 day voting at early voting sites. The request must set forth
299 sufficient facts to establish that a sufficient number of early
300 voting sites that were designated, or that may be designated

under paragraph (a), are unavailable due to the emergency. For purposes of this paragraph, reasons that a polling place may be unavailable include, but are not limited to, the polling place is no longer safe for occupancy, the polling place is located in an area that is currently dangerous to travel to and from, or the polling place does not have adequate utilities. An early voting site designated as a polling place under this paragraph must, to the maximum extent practicable, be geographically located so as to provide all voters in the area with an equal opportunity to cast a ballot.

(e) Notwithstanding the designation deadline in s. 101.69(2)(b), designate additional secure ballot intake stations. The request must identify the location of the additional secure ballot intake stations.

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

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

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

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

(g) If the supervisor determines that a poll worker shortage exists, appoint poll workers who have not met the

326 training requirements in s. 102.014. However, such poll workers
327 must have received the required training within the previous 2
328 years.

329 (h) Notwithstanding s. 102.012(2), appoint inspectors and
330 clerks who are registered qualified electors of this state but
331 who are not registered qualified electors of the applicable
332 county.

333 (2) Each supervisor of an affected area who submits a
334 request pursuant to subsection (1) must submit all such requests
335 at once. The Secretary of State must approve or deny the
336 requests in writing within 36 hours after receipt. If the
337 Secretary of State fails to approve or deny a request within the
338 36-hour period, the request is deemed approved. The Secretary of
339 State must publish each approval and denial on the department's
340 website.

341 (3) The supervisor shall use print and broadcast media,
342 social media, Internet websites, polling place signage, and any
343 other method necessary to inform affected voters of any changes
344 to elections made under this section.

345 **Section 4. Section 101.735, Florida Statutes, is created**
346 **to read:**

347 101.735 Election emergency contingency plans.—

348 (1) The division shall adopt by rule a statewide election
349 emergency contingency plan to provide specific direction in the
350 event an emergency occurs preceding or during an election. The

contingency plan shall include, at minimum, procedures to:

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

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

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

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

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

(2) Each supervisor shall develop, in consultation with

376 local emergency management officials, a local election emergency
377 contingency plan. The contingency plan must be submitted to the
378 division for approval by May 1 of every odd-numbered year. The
379 division must determine whether the local election emergency
380 contingency plan is sufficient no later than May 30. The
381 division shall adopt rules to implement this subsection,
382 including the creation of standard criteria for determining the
383 sufficiency of local election emergency contingency plans.

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

386 101.736 Election emergency training; best practices.—

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

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

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

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

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

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

407 (a) Incorporate practices applicable to all counties into
408 the statewide election emergency contingency plan under s.
409 101.735(1).

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

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

415 163.31795 Participation in the National Flood Insurance
416 Program.—

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

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

422 (b) "Local government" has the same meaning as in s.
423 163.2514.

424 (2) A local government that is participating in the
425 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 and does not increase the impact on public facilities beyond that of the original structure. However, if the replacement structure increases the demand on public facilities due to a significant increase in size, intensity, or capacity of use, a local government, school district, or special district may assess an impact fee in an amount proportional to the difference in the demand between the replacement structure and the original structure. Any such fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the reconstruction or replacement of a previously existing 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 or window replacement, may not be considered to be a change, an addition, or an improvement under this subsection.

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

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

b. The total square footage of the homestead property as

476 changed or improved does not exceed 2,000 ~~1,500~~ square feet.

477
478 When a homestead property is elevated above the base flood
479 elevation within a special flood hazard area, the square footage
480 underneath the homestead property that is used only for parking,
481 storage, or access is not included when determining the total
482 square footage of the homestead property as changed or improved
483 under this subparagraph.

484 2. The homestead property's assessed value must be
485 increased by the just value of that portion of the changed or
486 improved homestead property which is in excess of 130 ~~110~~
487 percent of the square footage of the homestead property before
488 the damage or destruction or of that portion exceeding 2,000
489 ~~1,500~~ square feet.

490 3. Homestead property damaged or destroyed by misfortune
491 or calamity which, after being changed or improved, has a square
492 footage of less than 100 percent of the homestead property's
493 total square footage before the damage or destruction shall be
494 assessed pursuant to subsection (5).

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

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

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

250.375 Medical officer authorization.—A servicemember trained to provide medical care who is serving under the direction of the Florida National Guard State Surgeon and is assigned to a military duty position and authorized by the

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Florida National Guard to provide medical care within the scope of the servicemember's professional licensure by virtue of such duty position may provide such medical care to military personnel and civilians within this state ~~physician who holds an active license to practice medicine in any state, a United States territory, or the District of Columbia,~~ while serving as a medical officer with or in support of the Florida National Guard, pursuant to federal or state orders, ~~may practice medicine on military personnel or civilians during an emergency or declared disaster or during federal military training.~~

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

252.35 Emergency management powers; Division of Emergency Management.—

(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

551 continuous, integrated comprehensive emergency management
552 program. The plan must contain provisions to ensure that the
553 state is prepared for emergencies and minor, major, and
554 catastrophic disasters, and the division shall work closely with
555 local governments and agencies and organizations with emergency
556 management responsibilities in preparing and maintaining the
557 plan. The state comprehensive emergency management plan must be
558 operations oriented and:

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

569 2. Include a shelter component that includes specific
570 regional and interregional planning provisions and promotes
571 coordination of shelter activities between the public, private,
572 and nonprofit sectors. This component must, at a minimum:
573 contain strategies to ensure the availability of adequate public
574 shelter space in each county ~~region of the state~~; establish
575 strategies for refuge-of-last-resort programs; provide

576 strategies to assist local emergency management efforts to
577 ensure that adequate staffing plans exist for all shelters,
578 including medical and security personnel; provide for a
579 postdisaster communications system for public shelters;
580 establish model shelter guidelines for operations, registration,
581 inventory, power generation capability, information management,
582 and staffing; and set forth policy guidance for sheltering
583 people with special needs.

584 3. Include a postdisaster response and recovery component
585 that includes specific regional and interregional planning
586 provisions and promotes intergovernmental coordination of
587 postdisaster response and recovery activities. This component
588 must provide for postdisaster response and recovery strategies
589 according to whether a disaster is minor, major, or
590 catastrophic. The postdisaster response and recovery component
591 must, at a minimum: establish the structure of the state's
592 postdisaster response and recovery organization; establish
593 procedures for activating the state's plan; set forth policies
594 used to guide postdisaster response and recovery activities;
595 describe the chain of command during the postdisaster response
596 and recovery period; describe initial and continuous
597 postdisaster response and recovery actions; identify the roles
598 and responsibilities of each involved agency and organization;
599 provide for a comprehensive communications plan; establish
600 procedures for coordinating and monitoring statewide mutual aid

601 agreements reimbursable under federal public disaster assistance
602 programs; provide for rapid impact assessment teams; ensure the
603 availability of an effective statewide urban search and rescue
604 program coordinated with the fire services; ensure the existence
605 of a comprehensive statewide medical care and relief plan
606 administered by the Department of Health; and establish systems
607 for coordinating volunteers and accepting and distributing
608 donated funds and goods.

609 4. Include additional provisions addressing aspects of
610 preparedness, response, recovery, and mitigation as determined
611 necessary by the division.

612 5. Address the need for coordinated and expeditious
613 deployment of state resources, including the Florida National
614 Guard. In the case of an imminent major disaster, procedures
615 should address predeployment of the Florida National Guard, and,
616 in the case of an imminent catastrophic disaster, procedures
617 should address predeployment of the Florida National Guard and
618 the United States Armed Forces.

619 6. Establish a system of communications and warning to
620 ensure that the state's population and emergency management
621 agencies are warned of developing emergency situations,
622 including public health emergencies, and can communicate
623 emergency response decisions.

624 7. Establish guidelines and schedules for annual exercises
625 that evaluate the ability of the state and its political

subdivisions to respond to minor, major, and catastrophic disasters and support local emergency management agencies. Such exercises shall be coordinated with local governments and, to the extent possible, the Federal Government.

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

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

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

The complete state comprehensive emergency management plan must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor on February 1 of 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. Subsection (4) of section 252.355, Florida Statutes, is renumbered as subsection (5), paragraph (b) of subsection (2) is amended, and a new subsection (4) is added to that section, to read:

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

(2) In order to ensure that all persons with special needs

676 may register, the division shall develop and maintain a special
677 needs shelter registration program. During a public health
678 emergency in which physical distancing is necessary, as
679 determined by the State Health Officer, the division must
680 maintain information on special needs shelter options that
681 mitigate the threat of the spread of infectious diseases.

682 (b) To assist in identifying persons with special needs,
683 home health agencies, hospices, nurse registries, home medical
684 equipment providers, the Department of Veterans' Affairs, the
685 Department of Children and Families, the Department of Health,
686 the Agency for Health Care Administration, the Department of
687 Education, the Agency for Persons with Disabilities, the
688 Department of Elderly Affairs, and memory disorder clinics
689 shall, and any physician licensed under chapter 458 or chapter
690 459 and any pharmacy licensed under chapter 465 may, annually
691 provide registration information to all of their special needs
692 clients or their caregivers. The Florida Housing Finance
693 Corporation shall enter into memoranda of understanding with the
694 Department of Elderly Affairs and with the Agency for Persons
695 with Disabilities to ensure special needs registration
696 information is provided to residents of low-income senior
697 independent living properties and independent living properties
698 for persons with intellectual or developmental disabilities
699 funded by the Florida Housing Finance Corporation, respectively.
700 The division shall develop a brochure that provides information

701 regarding special needs shelter registration procedures. The
702 brochure must be easily accessible on the division's website.
703 All appropriate agencies and community-based service providers,
704 including aging and disability resource centers, memory disorder
705 clinics, home health care providers, hospices, nurse registries,
706 and home medical equipment providers, shall, and any physician
707 licensed under chapter 458 or chapter 459 may, assist emergency
708 management agencies by annually registering persons with special
709 needs for special needs shelters, collecting registration
710 information for persons with special needs as part of the
711 program intake process, and establishing programs to educate
712 clients about the registration process and disaster preparedness
713 safety procedures. A client of a state-funded or federally
714 funded service program who has a physical, mental, or cognitive
715 impairment or sensory disability and who needs assistance in
716 evacuating, or when in a shelter, must register as a person with
717 special needs. The registration program shall give persons with
718 special needs the option of preauthorizing emergency response
719 personnel to enter their homes during search and rescue
720 operations if necessary to ensure their safety and welfare
721 following disasters.

722 (4) The caregiver of a person with special needs who is
723 eligible for admission to a special needs shelter, and all
724 persons for whom he or she is the caregiver, shall be allowed to
725 shelter together in the special needs shelter. If a person with

726 special needs is responsible for the care of persons without
727 special needs, those persons shall be allowed to use the special
728 needs shelter with the person with special needs.

729 **Section 13. Subsections (3) through (6) of section**
730 **252.359, Florida Statutes, are amended to read:**

731 252.359 Ensuring availability of emergency supplies.—

732 (3) The division, as a function of emergency preparation,
733 response, and recovery, may facilitate ~~shall develop a system to~~
734 ~~certify each person who facilitates~~ the transport or
735 distribution of essentials in commerce. The division ~~may not~~
736 ~~certify a person other than a person who routinely transports or~~
737 ~~distributes essentials. In developing the system, the division:~~

738 ~~(a) may provide for a preemergency or postemergency~~
739 transportation of essentials ~~declaration certification.~~

740 ~~(b) Shall allow the certification of an employer, if~~
741 ~~requested by the employer, to constitute a certification of the~~
742 ~~employer's employees.~~

743 ~~(c) Shall create an easily recognizable indicium of~~
744 ~~certification to assist local officials' efforts in determining~~
745 ~~which persons have been certified under this subsection.~~

746 ~~(d) Shall limit the duration of each certificate to no~~
747 ~~more than 1 year. Each certificate may be renewed so long as the~~
748 ~~eriteria for certification are met.~~

749 (4) A person authorized to transport essentials ~~or~~
750 ~~employer certified~~ under subsection (3) is not required to

751 obtain any additional certification or fulfill any additional
752 requirement to transport or distribute essentials.

753 (5) Notwithstanding any curfew, restriction, road block,
754 quarantine, or other limitation on access to an area, a person
755 authorized ~~or employer certified~~ under subsection (3) to deliver
756 essentials may enter or remain in the restricted ~~curfew~~ area for
757 the limited purpose of facilitating the transport or
758 distribution of essentials and may provide service that exceeds
759 otherwise applicable hours of service maximums to the extent
760 authorized by a duly executed declaration of a state of
761 emergency. Local law enforcement shall cooperate with the
762 division to ensure the availability of essentials under this
763 section.

764 (6) This section does not prohibit a law enforcement
765 officer from specifying the permissible route of ingress or
766 egress for a person authorized ~~certified~~ under subsection (3).
767 Notwithstanding this section, all state roadways are determined
768 by the Florida Highway Patrol in coordination with the
769 Department of Transportation.

770 **Section 14. Subsection (2) of section 252.3611, Florida**
771 **Statutes, is amended, and subsection (5) is added to that**
772 **section, to read:**

773 252.3611 Transparency; audits.—

774 (2) If ~~When~~ the duration of a declaration of a state of an
775 emergency issued by the Governor exceeds 90 days:

776 (a)1. The Executive Office of the Governor or the
777 appropriate agency, within 72 hours after ~~of~~ executing a
778 contract executed with moneys authorized for expenditure to
779 support the response to the declared state of emergency, must
780 ~~the Executive Office of the Governor or the appropriate agency~~
781 ~~shall~~ submit a copy of such contract to the Legislature. For
782 contracts executed during the first 90 days of the declared
783 state of emergency, the Executive Office of the Governor or the
784 appropriate agency shall submit a copy to the Legislature within
785 the first 120 days of the declared state of emergency.

786 2. All contracts executed to support the response to a
787 declared state of emergency, including contracts executed before
788 a declared state of emergency to secure resources or services in
789 advance or anticipation of an emergency, must be posted on the
790 secure contract tracking system required under s. 215.985(14).

791 (b) The Executive Office of the Governor or the
792 appropriate agency shall submit monthly reports to the
793 Legislature of all state expenditures, revenues received, and
794 funds transferred by an agency during the previous month to
795 support the declared state of emergency.

796 (5) Annually, by January 15, the division shall report to
797 the President of the Senate, the Speaker of the House of
798 Representatives, and the chairs of the appropriations committee
799 of each house of the Legislature on expenditures related to
800 emergencies incurred over the year from November 1 of the

801 previous year. The report must include:

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

804 (b) Details of expenditures, separated by emergency event
805 and agency, for preparing for, responding to, or recovering from
806 the event. The report must specify detailed expenditures for the
807 entire report time period; specify total expenditures for the
808 event; and indicate amounts that are being or are anticipated to
809 be reimbursed by the Federal Emergency Management Agency or
810 other federal entity, amounts ineligible for reimbursement, and
811 any amounts deobligated by the Federal Emergency Management
812 Agency or other federal entity for reimbursement. The division
813 shall review expenditures by state agencies to ensure that
814 efforts, purchases, contracts, or expenditures are not
815 duplicated.

816 (c) An accounting of all inventory and assets purchased,
817 separated by emergency event and agency, for preparing for,
818 responding to, or recovering from the event, including motor
819 vehicles, boats, computers, and other equipment, and the current
820 status of such assets, including divestment, sale, or donation
821 by the state. The report must include a detailed accounting for
822 the entire report time period and specify a total for the event.

823 **Section 15. Subsection (4) of section 252.365, Florida**
824 **Statutes, is amended to read:**

825 252.365 Emergency coordination officers; disaster-

826 preparedness plans.—

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

832 **Section 16. Paragraphs (c) and (d) of subsection (5) of**
833 **section 252.37, Florida Statutes, are redesignated as paragraphs**
834 **(d) and (e), respectively, a new paragraph (c) is added to that**
835 **subsection, and subsection (7) is added to that section, to**
836 **read:**

837 252.37 Financing.—

838 (5) Unless otherwise specified in the General
839 Appropriations Act:

840 (c) If the division intends to accept or apply for federal
841 funds for a division-administered program that is new, that will
842 be implemented in a manner that is innovative or significantly
843 different from the manner in which the program is typically
844 administered, or that will require a state match for which the
845 division will be required to seek new budget authority, the
846 division must notify the Legislature of its intent to accept or
847 apply for the federal funds. The notice must detail the federal
848 program under which the funds will be accepted or applied for,
849 the intended purpose and use of the funds, and the amount of
850 funds, including the estimated state match.

(7) The division shall take steps to maximize the availability and expedite the distribution of financial assistance from the Federal Government to state and local agencies. Such steps must include the standardization and streamlining of the application process for financial assistance through the federal Public Assistance Program and provision of assistance to applicants in order to mitigate the risk of noncompliance with federal program requirements. The division shall use federal funds allocated as management costs or other funds as appropriated to implement this subsection.

Section 17. Section 252.3713, Florida Statutes, is created to read:

252.3713 Hazard Mitigation Grant Program.—

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

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

876 division to be used for projects benefiting the region in which
877 the subrecipient is located.

878 (3) The division and subrecipients shall consider projects
879 that fulfill the following purposes when adopting mitigation
880 strategies and plans and applying for funds under the grant
881 program:

882 (a) Reducing shelter space deficits through retrofitting
883 of existing shelters and hardening of public buildings that are
884 not schools. Reducing deficits in shelter space intended to
885 accommodate individuals with special needs must be prioritized
886 before addressing deficits in other types of shelter space.
887 Additionally, general population shelters which are retrofitted
888 must also account for federal accessibility standards and state
889 accessibility standards in part I of chapter 553.

890 (b) Mitigating impacts to public infrastructure, including
891 roads, bridges, and stormwater, water, and sewer systems, to
892 enhance resistance to natural hazards and prevent and reduce
893 losses.

894 (c) Mitigating impacts to school facilities which will
895 reduce future disaster losses and make the facilities more
896 resistant to natural hazards.

897 (d) Retrofitting of regional and local emergency
898 management or operations centers.

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

900 (4) The division may coordinate with other state agencies

901 and political subdivisions to develop and implement innovative
902 approaches to funding mitigation projects using grants under the
903 Hazard Mitigation Grant Program, including, but not limited to,
904 combining funding received from multiple federal and state
905 programs. The division, in cooperation with other state agencies
906 that administer federal grant programs, shall ensure that:

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

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

912 (5) A fiscally constrained county may request that the
913 division administer the grant for such county. A fiscally
914 constrained county may request additional assistance from the
915 division in preparing applications for grants and developing a
916 structure for implementing, monitoring the execution of, and
917 closing out projects.

918 (6) The division shall adopt rules to implement this
919 section.

920 **Section 18. Paragraph (a) of subsection (2) of section**
921 **252.373, Florida Statutes, is amended to read:**

922 252.373 Allocation of funds; rules.—

923 (2) The division shall allocate funds from the Emergency
924 Management, Preparedness, and Assistance Trust Fund to local
925 emergency management agencies and programs pursuant to criteria

specified in rule. Such rules shall include, but are not limited to:

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

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

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

Section 19. Paragraphs (a) and (b) of subsection (3) of section 252.38, Florida Statutes, are redesignated as paragraphs (b) and (c), respectively, a new paragraph (a) is added to that subsection, and paragraph (a) of subsection (1) is amended, to read:

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

(1) COUNTIES.—

(a) In order to provide effective and orderly governmental control and coordination of emergency operations in emergencies within the scope of ss. 252.31–252.90, each county within this

951 state shall be within the jurisdiction of, and served by, the
952 division. Except as otherwise provided in ss. 252.31-252.90,
953 each local emergency management agency shall have jurisdiction
954 over and serve an entire county. Unless part of an
955 interjurisdictional emergency management agreement entered into
956 pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by the
957 Governor by executive order or rule, each county must establish
958 and maintain such an emergency management agency and shall
959 develop a county emergency management plan and program that is
960 coordinated and consistent with the state comprehensive
961 emergency management plan and program. Counties that are part of
962 an interjurisdictional emergency management agreement entered
963 into pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by
964 the Governor by executive order or rule shall cooperatively
965 develop an emergency management plan and program that is
966 coordinated and consistent with the state comprehensive
967 emergency management plan and program.

968 (3) EMERGENCY MANAGEMENT POWERS; POLITICAL SUBDIVISIONS.—

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

975 **Section 20. 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
accessible website:

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

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

(c) Links to information about flood zones.

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

(e) Information specific to persons with disabilities,
including, but not limited to, guidelines for special needs
shelter registration; an explanation of how to register for
special needs shelters and where to obtain assistance with that
process; guidelines as to the level of care that is or is not

1001 provided at a special needs shelter as well as situations when
1002 either a general population shelter or hospital should be
1003 considered; and any other postdisaster assistance or resources
1004 available to affected persons with disabilities impacted by a
1005 disaster.

1006 (2) Each county and municipality shall develop a poststorm
1007 permitting plan to expedite recovery and rebuilding by providing
1008 for special building permit and inspection procedures after a
1009 hurricane or tropical storm. The plan must, at a minimum:

1010 (a) Ensure sufficient personnel are prepared and available
1011 to expeditiously manage postdisaster building inspection,
1012 permitting, and enforcement tasks. The plan must anticipate
1013 conditions that would necessitate supplemental personnel for
1014 such tasks and address methods for fulfilling such personnel
1015 needs, including through mutual aid agreements as authorized in
1016 s. 252.40, other arrangements, such as those with private sector
1017 contractors, or supplemental state or federal funding. The plan
1018 must include training requirements and protocols for
1019 supplemental personnel to ensure compliance with local
1020 floodplain management requirements that apply within the county
1021 or municipality.

1022 (b) Account for multiple or alternate locations where
1023 building permit services may be offered in person to the public
1024 following a hurricane or tropical storm during regular business
1025 hours.

1026 (c) Specify a protocol to expedite permitting procedures
1027 and, if practicable, for the waiver or reduction of applicable
1028 fees in accordance with and in addition to the procedures and
1029 waivers provided for under s. 553.7922. The plan must identify
1030 the types of permits that are frequently requested following a
1031 hurricane or tropical storm and methods to expedite the
1032 processing of such permits.

1033 (d) Specify procedures and resources necessary to promote
1034 expeditious debris removal following a hurricane or tropical
1035 storm.

1036 (3) (a) Each county and municipality shall publish on its
1037 website a hurricane and tropical storm recovery permitting guide
1038 for residential and commercial property owners. The guide must
1039 describe:

1040 1. The types of poststorm repairs that require a permit
1041 and applicable fees.

1042 2. The types of poststorm repairs that do not require a
1043 permit.

1044 3. The poststorm permit application process and specific
1045 modifications the county or municipality commonly makes to
1046 expedite the process, including the physical locations where
1047 permitting services will be offered.

1048 4. Local requirements for rebuilding specific to the
1049 county or municipality, including elevation requirements
1050 following substantial damage and substantial improvement

1051 pursuant to the National Flood Insurance Program (NFIP) and any
1052 local amendments to the building code.

1053 (b) As soon as practicable following a hurricane or
1054 tropical storm, a county or municipality within the area for
1055 which a state of emergency pursuant to s. 252.36 for such
1056 hurricane or tropical storm is declared shall publish updates on
1057 its website to the information required under paragraph (a)
1058 which are specific to such storm, including any permitting fee
1059 waivers or reductions.

1060 (4) For 180 days after a state of emergency is declared
1061 pursuant to s. 252.36 for a hurricane or tropical storm, a
1062 county or municipality within the area for which the state of
1063 emergency is declared may not increase building permit or
1064 inspection fees.

1065 (5) On or before May 1, 2026, each county and municipality
1066 must provide an online option for receiving, reviewing, and
1067 accessing substantial damage and substantial improvement
1068 letters. The county or municipality must allow homeowners to
1069 provide an e-mail address where they can receive digital copies
1070 of such letters.

1071 (6) As soon as reasonably practicable following the
1072 landfall and passage of a hurricane or tropical storm, each
1073 county and municipality that has experienced a direct impact
1074 from a natural emergency must use its best efforts to open a
1075 permitting office at which residents can access government

1076 services for at least 40 hours per week.

1077 (7) Beginning October 1, 2025, emergency management
1078 personnel of a county or municipality, and individuals who are
1079 designated to perform key roles in postdisaster response for a
1080 county or municipality, must complete the training provided by
1081 the division pursuant to s. 252.35 every 2 years.

1082 **Section 21. Subsections (2) and (3) of section 252.385,**
1083 **Florida Statutes, are amended to read:**

1084 252.385 Public shelter space; public records exemption.—

1085 (2)~~(a)~~ The division shall administer a program to survey
1086 existing schools, universities, community colleges, and other
1087 state-owned, municipally owned, and county-owned public
1088 buildings and any private facility that the owner, in writing,
1089 agrees to provide for use as a public hurricane evacuation
1090 shelter to identify those that are appropriately designed and
1091 located to serve as such shelters. The owners of the facilities
1092 must be given the opportunity to participate in the surveys. The
1093 state university boards of trustees, district school boards,
1094 community college boards of trustees, and the Department of
1095 Education are responsible for coordinating and implementing the
1096 survey of public schools, universities, and community colleges
1097 with the division or the local emergency management agency.

1098 ~~(b) By January 31 of each even-numbered year, the division~~
1099 ~~shall prepare and submit a statewide emergency shelter plan to~~
1100 ~~the Governor and Cabinet for approval, subject to the~~

~~requirements for approval in s. 1013.37(2). The emergency shelter plan must project, for each of the next 5 years, the hurricane shelter needs of the state, including periods of time during which a concurrent public health emergency may necessitate more space for each individual to accommodate physical distancing. In addition to information on the general shelter needs throughout this state, the plan must identify the general location and square footage of special needs shelters, by regional planning council region. The plan must also include information on the availability of shelters that accept pets. The Department of Health shall assist the division in determining the estimated need for special needs shelter space and the adequacy of facilities to meet the needs of persons with special needs based on information from the registries of persons with special needs and other information.~~

(3) (a) The division shall annually provide by October 15 to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that includes, ~~and the Governor~~ a list of facilities recommended to be retrofitted using state funds. State funds should be maximized and targeted to projects in counties ~~regional planning council regions~~ with hurricane evacuation shelter deficits. Additionally, the division shall prioritize on the list of recommended facilities other state-owned, municipal-owned, and county-owned public buildings, other than schools, for retrofitting using state

1126 funds. The owner or lessee of a public hurricane evacuation
1127 shelter that is included on the list of facilities recommended
1128 for retrofitting is not required to perform any recommended
1129 improvements.

1130 (b) The report required in paragraph (a) must include a
1131 statewide emergency shelter plan that must project, for each of
1132 the next 5 years, the hurricane shelter needs of the state. In
1133 addition to information on the general shelter needs throughout
1134 this state, the plan must identify, by county, the general
1135 location and square footage of special needs shelters. The plan
1136 must also include information on the availability of shelters
1137 that accept pets. The Department of Health and the Agency for
1138 Persons with Disabilities shall assist the division in
1139 determining the estimated need for special needs shelter space,
1140 the estimated need for general shelter space to accommodate
1141 persons with developmental disabilities, including, but not
1142 limited to, autism, and the adequacy of facilities to meet the
1143 needs of persons with special needs based on information from
1144 the registries of persons with special needs and other
1145 information.

1146 **Section 22. Section 252.421, Florida Statutes, is created**
1147 **to read:**

1148 252.421 Management of roadway debris related to natural
1149 emergencies.—The division shall coordinate with fiscally
1150 constrained counties, as described in s. 218.67(1), included in

1151 a declared state of emergency for a category 3 or higher
1152 hurricane and the Department of Transportation to provide such
1153 counties with state resources to remove debris from roadways,
1154 including roadways that are publicly accessible but not
1155 maintained by the county.

1156 **Section 23. Section 252.422, Florida Statutes, is created**
1157 **to read:**

1158 252.422 Restrictions on county or municipal regulations
1159 after a hurricane.—

1160 (1) As used in this section, the term "impacted local
1161 government" means a county listed in a federal disaster
1162 declaration located entirely or partially within 100 miles of
1163 the track of a storm declared to be a hurricane by the National
1164 Hurricane Center while the storm was categorized as a hurricane
1165 or a municipality located within such a county.

1166 (2) For 1 year after a hurricane makes landfall, an
1167 impacted local government may not propose or adopt:

1168 (a) A moratorium on construction, reconstruction, or
1169 redevelopment of any property.

1170 (b) A more restrictive or burdensome amendment to its
1171 comprehensive plan or land development regulations.

1172 (c) A more restrictive or burdensome procedure concerning
1173 review, approval, or issuance of a site plan, development
1174 permit, or development order, to the extent that those terms are
1175 defined in s. 163.3164.

1176 (3) Notwithstanding subsection (2), a comprehensive plan
1177 amendment, land development regulation amendment, site plan,
1178 development permit, or development order approved or adopted by
1179 an impacted local government before or after the effective date
1180 of this act may be enforced if:

1181 (a) The associated application is initiated by a private
1182 party other than the impacted local government and the property
1183 that is the subject of the application is owned by the
1184 initiating private party;

1185 (b) The proposed comprehensive plan amendment was
1186 submitted to reviewing agencies pursuant to s. 163.3184 before
1187 landfall; or

1188 (c) The proposed comprehensive plan amendment or land
1189 development regulation is approved by the state land planning
1190 agency pursuant to s. 380.05.

1191 (4) (a) Any person may file suit against any impacted local
1192 government for declaratory and injunctive relief to enforce this
1193 section.

1194 (b) A county or municipality may request a determination
1195 by a court of competent jurisdiction as to whether such action
1196 violates this section. Upon such a request, the county or
1197 municipality may not enforce the action until the court has
1198 issued a preliminary or final judgment determining whether the
1199 action violates this section.

1200 (c) Before a plaintiff may file suit, the plaintiff shall

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

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

Section 24. Section 252.505, Florida Statutes, is created to read:

252.505 Breach of contract during emergency recovery periods for natural emergencies.—Each state or local government contract for goods or services related to emergency response for a natural emergency entered into, renewed, or amended on or after July 1, 2025, must include a provision that requires a vendor or service provider that breaches such contract during an emergency recovery period to pay actual and consequential

damages and a \$5,000 penalty. As used in this section, the term "emergency recovery period" means a 1-year period that begins on the date that the Governor initially declared a state of emergency for a natural emergency.

Section 25. Subsection (1) of section 400.063, Florida Statutes, is amended to read:

400.063 Resident protection.—

(1) The Health Care Trust Fund shall be used for the purpose of collecting and disbursing funds generated from the license fees and administrative fines as provided for in ss. 393.0673(5), 400.062(3), 400.121(2), and 400.23(8). Such funds shall be for the sole purpose of paying for the appropriate alternate placement, care, and treatment of residents who are removed from a facility licensed under this part or a facility specified in s. 393.0678(1) in which the agency determines that existing conditions or practices constitute an immediate danger to the health, safety, or security of the residents. If the agency determines that it is in the best interest of the health, safety, or security of the residents to provide for an orderly removal of the residents from the facility, the agency may utilize such funds to maintain and care for the residents in the facility pending removal and alternative placement. The 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 26. 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, debris, or waste. 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 sites, as allowed by the department.

1276 (b) A municipality may jointly apply for authorization of
1277 a debris management site with a county or at least one adjacent
1278 municipality, if the parties develop and approve a memorandum of
1279 understanding. Such memorandum must clearly outline the capacity
1280 of the debris management site and location of the site relative
1281 to each party. The memorandum of understanding must be approved
1282 annually as part of the preauthorization process described in
1283 paragraph (a).

1284 **Section 27. Section 489.1132, Florida Statutes, is created**
1285 **to read:**

1286 489.1132 Regulation of hoisting equipment used in
1287 construction, demolition, or excavation work during a
1288 hurricane.—

1289 (1) As used in this section, the term:

1290 (a) "Hoisting equipment" means power-operated cranes,
1291 derricks, and hoists used in construction, demolition, or
1292 excavation work that are regulated by the Occupational Safety
1293 and Health Administration.

1294 (b) "Mobile crane" means a type of hoisting equipment
1295 incorporating a cable-suspended latticed boom or hydraulic
1296 telescoping boom designed to be moved between operating
1297 locations by transport over a roadway. The term does not include
1298 a mobile crane with a boom length of less than 25 feet or a
1299 maximum rated load capacity of less than 15,000 pounds.

1300 (c) "Tower crane" means a type of hoisting equipment using

1301 a vertical mast or tower to support a working boom in an
1302 elevated position if the working boom can rotate to move loads
1303 laterally either by rotating at the top of the mast or tower or
1304 by the rotation of the mast or tower itself, whether the mast or
1305 tower base is fixed in one location or ballasted and moveable
1306 between locations.

1307 (2) (a) When a tower crane or mobile crane is located on a
1308 worksite, a hurricane preparedness plan for the crane must be
1309 available for inspection at the worksite.

1310 (b) In preparation for a hurricane, hoisting equipment
1311 must be secured in the following manner no later than 24 hours
1312 before the impacts of the hurricane are anticipated to begin:

1313 1. All hoisting equipment must be secured in compliance
1314 with manufacturer recommendations relating to hurricane and
1315 high-wind events, including any recommendations relating to the
1316 placement, use, and removal of advertising banners and rigging.

1317 2. Tower crane turntables must be lubricated before the
1318 event.

1319 3. Fixed booms on mobile cranes must be laid down whenever
1320 feasible.

1321 4. Booms on hydraulic cranes must be retracted and stored.

1322 5. The counterweights of any hoists must be locked below
1323 the top tie-in.

1324 6. Tower cranes must be set in the weathervane position.

1325 7. All rigging must be removed from hoist blocks.

1326 8. All power at the base of tower cranes must be
1327 disconnected.

1328 (3) A person licensed under this part who intentionally
1329 violates this section is subject to discipline under ss. 455.227
1330 and 489.129.

1331 **Section 28. Subsection (6) of section 553.902, Florida**
1332 **Statutes, is amended to read:**

1333 553.902 Definitions.—As used in this part, the term:

1334 (6) "Renovated building" means a residential or
1335 nonresidential building undergoing alteration that varies or
1336 changes insulation, HVAC systems, water heating systems, or
1337 exterior envelope conditions, if the estimated cost of
1338 renovation exceeds 30 percent of the assessed value of the
1339 structure. However, if the alteration is a result of a natural
1340 disaster that is the subject of a declaration of a state of
1341 emergency by the Governor, the estimated cost of renovation must
1342 exceed 75 percent of the fair market value of the building
1343 before the natural disaster.

1344 **Section 29.** The Division of Emergency Management shall
1345 consult with local governments, the Department of Business and
1346 Professional Regulation, the Department of Environmental
1347 Protection, and any other appropriate agencies to develop
1348 recommendations for statutory changes necessary to streamline
1349 the permitting process for repairing and rebuilding structures
1350 damaged during natural emergencies. By July 1, 2026, the

1351 division shall provide a report containing such recommendations
1352 to the President of the Senate and the Speaker of the House of
1353 Representatives.

1354 **Section 30.** (1) Each county listed in the Federal
1355 Disaster Declaration for Hurricane Debby (DR-4806), Hurricane
1356 Helene (DR-4828), or Hurricane Milton (DR-4834), and each
1357 municipality within one of those counties, may not propose or
1358 adopt any moratorium on construction, reconstruction, or
1359 redevelopment of any property damaged by such hurricanes;
1360 propose or adopt more restrictive or burdensome amendments to
1361 its comprehensive plan or land development regulations; or
1362 propose or adopt more restrictive or burdensome procedures
1363 concerning review, approval, or issuance of a site plan,
1364 development permit, or development order, to the extent that
1365 those terms are defined by s. 163.3164, Florida Statutes, before
1366 October 1, 2027, and any such moratorium or restrictive or
1367 burdensome comprehensive plan amendment, land development
1368 regulation, or procedure shall be null and void ab initio. This
1369 subsection applies retroactively to August 1, 2024.

1370 (2) Notwithstanding subsection (1), any comprehensive plan
1371 amendment, land development regulation amendment, site plan,
1372 development permit, or development order approved or adopted by
1373 a county or municipality before or after the effective date of
1374 this act may be enforced if:

1375 (a) The associated application is initiated by a private

1376 party other than the county or municipality.

1377 (b) The property that is the subject of the application is
1378 owned by the initiating private party.

1379 (3) (a) A resident of or the owner of a business in a
1380 county or municipality may bring a civil action for declaratory
1381 and injunctive relief against the county or municipality for a
1382 violation of this section. Pending adjudication of the action
1383 and upon filing of a complaint showing a violation of this
1384 section, the resident or business owner is entitled to a
1385 preliminary injunction against the county or municipality
1386 preventing implementation of the moratorium or the comprehensive
1387 plan amendment, land development regulation, or procedure. If
1388 such civil action is successful, the resident or business owner
1389 is entitled to reasonable attorney fees and costs.

1390 (b) Attorney fees and costs and damages may not be awarded
1391 pursuant to this subsection if:

1392 1. The resident or business owner provides the governing
1393 body of the county or municipality written notice that a
1394 proposed or enacted moratorium, comprehensive plan amendment,
1395 land development regulation, or procedure is in violation of
1396 this section; and

1397 2. The governing body of the county or municipality
1398 withdraws the proposed moratorium, comprehensive plan amendment,
1399 land development regulation, or procedure within 14 days; or, in
1400 the case of an adopted moratorium, comprehensive plan amendment,

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1401 land development regulation, or procedure, the governing body of
1402 a county or municipality notices an intent to repeal within 14
1403 days after receipt of the notice and repeals the moratorium,
1404 comprehensive plan amendment, land development regulation, or
1405 procedure within 14 days thereafter.

1406 (4) This section expires June 30, 2028.

1407 **Section 31.** The Division of Law Revision is directed to
1408 replace the phrase "the effective date of this act" wherever it
1409 occurs in this act with the date this act becomes a law.

1410 **Section 32.** This act shall take effect upon becoming a
1411 law.