



Post-Session Legislative Update

Tuesday, May 9, 2023 @ 11 a.m.



Welcome



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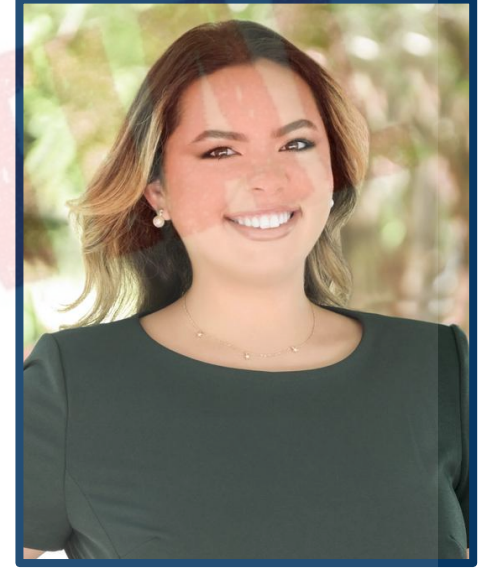
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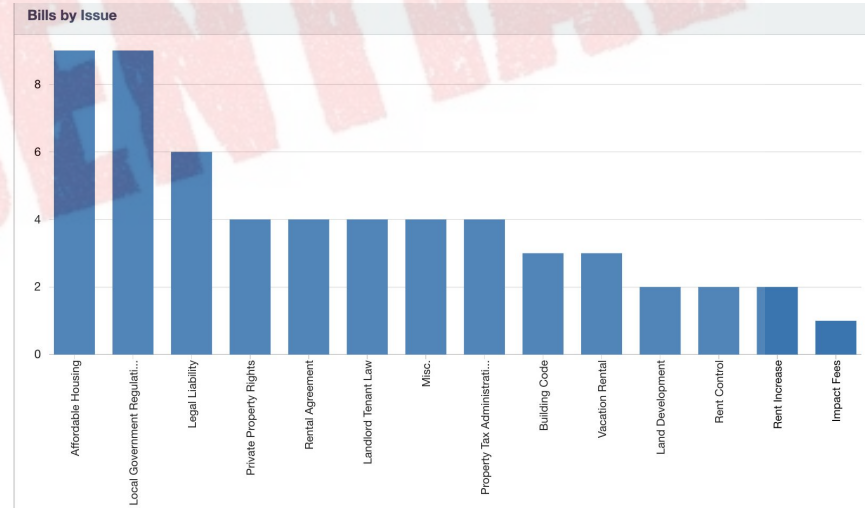
Agenda

- I. Welcome, Introductions, & Housekeeping**
- II. Recapping the 2023 Legislative Session**
 - A. Session Highlights
 - B. Status of FAA's 2023 Legislative Priorities
 - C. Other industry-related legislation that made it across the finish line
- III. Reminders**
 - A. Webinar on HB 837 (Tort Reform)
 - B. Registration for PAC the House is open
- IV. Q&A**



FAA's 2023 Legislative Tracking Dashboard

Visit the FAA website, (faahq.org), Advocacy tab -> 2023 Legislative Tracking Dashboard. *It is important to note that you must be logged into member profile to access the dashboard.*



2023 Session at a Glance

The 2023 Florida Legislative Session officially concluded on Friday, May 5 with the passage of the **\$117 billion state budget**.

- Duration: 60 days.
- Number of bills filed: 1,873
- Number of bills passed: 332
 - All FAA legislative priorities made it across the finish line and await final approval by the governor.
 - In total, the FAA government affairs team tracked **88 bills**.
- Number of votes taken: 3,229



Status of FAA's 2023 Legislative Priorities

Property Tax Discounts & Apartment Scarcity, SB 102 / HB 627

- **SB 102** provides a record-breaking, **\$811 million** for affordable and workforce housing, and includes a variety of other tools for local governments to leverage to address the need for more housing supply, such as:
 - Property tax discounts for affordable and workforce housing.
 - Prevents local governments from requiring affordable housing developments to obtain a zoning/land use change for use, density and height.
 - Preemption on rent control.
- **SB 102** was signed by Governor DeSantis and will take effect July 1, 2023.



Status of FAA's 2023 Legislative Priorities

Insurance and Premises Liability, SB 236 / HB 837

- **SB 236 (Hutson) / HB 837 (Gregory)** includes a variety of key reforms to Florida's legal system, including, but not limited to:
 - Establishes a safe harbor in negligent security cases that involve a criminal act by a third party at multifamily properties that comply with certain security standards.
 - Specifies that in premises liability cases that involve a criminal act committed by a third party, when assessing damages the jury must consider the faults of all persons who contributed to the injury.
- FAA strongly supported the passage of this legislation because it will serve to address rising insurance costs.
- **Governor Ron DeSantis signed HB 837 (Gregory) into law on March 24.**



Status of FAA's 2023 Legislative Priorities

Fire Radio System Communication Requirements, SB 1614 / HB 1575

- **SB 1614 (Rodriguez) / HB 1575 (Brackett) would:**
 - Require inspections of this equipment to occur not more than once every three (3) years for high rise buildings.
 - Prevent local jurisdictions from withholding Certificates of Occupancy, and provide buildings with 180 days to cure any signal strength issues after a temporary certificate of occupancy has been issued.
 - Provide buildings required to retrofit two-way radio communications enhancement system with at least 1 year to complete the retrofit.
 - Will nullify existing and prevent future ordinances that seek to enforce more stringent requirements.
- **Status of this legislation:** The House passed **HB 1575 *unanimously*** (vote: 115-0) on April 26, and the Senate substituted **HB 1575** with its version of the bill and passed it ***unanimously*** (vote: 38-0) on April 28. **This legislation now awaits final approval by the governor.**



Status of FAA's 2023 Legislative Priorities

Florida Landlord Tenant Act Protections, SB 1586 / HB 1417

- **SB 1586 (Trumbull) / HB 1417 (Esposito)** would amend Chapter 83, Florida's Landlord Tenant Act, to preempt the regulation of the landlord/tenant relationship to the state to ensure a consistent framework of landlord/tenant law across Florida.
 - This includes but is not limited to the resident screening process, security deposits, and lease agreements.
- **Status of this legislation:** The House passed **HB 1417** by a **81-33 vote** on April 26, and the Senate substituted **HB 1417** for its version of the bill and passed the bill by a **29-8 vote** on April 28. **This legislation now awaits final approval by the governor.**



Other legislation headed to the Governor's desk

Fees in Lieu of Security Deposits, SB 494 / HB 133

- **SB 494 (DiCeglie) / HB 133 (Mooney, Jr.)** would establish statutory requirements related to security deposit (SD) alternatives, and authorize, but not require, the use of SD alternatives.
 - Require landlords who offer this option to provide the tenant with written notice that includes specific information, such as if insurance is purchased using the fee, the tenant is not relieved of any obligation to pay fees or costs associated with damage to the unit.
 - Require landlords to allow tenants to terminate the fee option at any time if they are able to pay the security deposit in full.
 - Permit landlords to offer tenants with the option to pay a security deposit in monthly installments if participating in the fee program.
- **Status of this legislation:** The House passed HB 133 by a 89-22 vote on April 20, and the Senate substituted its version of the bill with HB 133 and passed it by a 31-7 vote on April 28. **HB 133 now awaits final approval from the governor.**



Other legislation headed to the Governor's desk

Local Ordinances, SB 170 / HB 1515

- **SB 170 (Trumbull) / HB 1515 (Brackett)** would require local governments to issue a business impact statement prior to passing a local ordinance and it must be posted on the local government's website.
 - Require local governments to suspend enforcement of an ordinance if a legal challenge is filed alleging the ordinance is preempted by state law, arbitrary, or unreasonable.
 - Provides up to \$50,000 in attorney fees to a prevailing party who successfully challenges a local ordinance.
- **Status of this legislation:** The Senate passed SB 170 by a 29-11 vote on March 8 and the House substituted SB 170 for its version of the bill and passed it by an 82-33 vote on May 3. **This legislation now awaits final approval by the governor.**



Other legislation headed to the Governor's desk

Disposal of Property, SB 678 / HB 763

- **SB 678 (Powell) / HB 763 (Edmunds)** would amend 337.25(4)(b) of F.S. to allow the Florida Department of Transportation (FDOT) to convey property to a governmental entity without consideration if the property is to be used for affordable housing.
 - If signed by the governor, this legislation would take effect July 1, 2023.
- **Status of this legislation:** The Senate passed SB 678 *unanimously* (38-0) on April 11, and the House substituted SB 678 for its version of the bill and passed the bill *unanimously* (119-0) on May 2. **This legislation now awaits final approval from the governor.**



Other housing legislation

- **SB 716 (Stewart) / HB 1291 (Antone), Flood Zone Disclosures for Dwelling Units:** Would require landlords to disclose flood zone status to tenants before a lease is signed and if the property's flood zone status changes during the lease.
- **SB 1698 (Jones) / HB 1261 (Gantt), Rent and Security Deposits of Communities for Adults Aged 55 or Older:** Prohibits landlords from increasing rent by more than 12 percent of the initial rental fee over a 5-year period for senior community (55+).
- **SB 1658 (Torres, Jr.) / HB 1407 (Eskamani), Housing:** Creates Department of Housing and Tenant Rights along with a tenant bill of rights, and includes revisions to residential tenancies requirements for rental agreements, security deposits, notices, evictions, rights to purchase, rent control, impact fees, & documentary stamp taxes.

None of these bills were considered by their respective committees.



Webinar on HB 837, Tort Reform

FAA will host an informational webinar later this month (*date and time to be determined*) on HB 837 (Gregory).

As soon as a date and time have been solidified, FAA members will receive an email with additional information and how to register.



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Questions?

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