

**MOVING FLORIDA
FORWARD**



2024 ANNUAL CONFERENCE & EXHIBITION



June 25 - 28, 2024
Signia Hilton Bonnet Creek
Orange County

PRESENTED BY:


FACSHA Legislative Session Wrap-Up



**FLORIDA
ASSOCIATION OF
COUNTIES**



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Public Policy

The 2024 regular Legislative Session included:

- **1902 Bills and PCBs filed**
- **325 Bills passed both chambers**
- **17.1% of total bills passed this session**

- **450+ Bills in FAC Bill Tracker**
- **Nearly 100 Preemptions/Mandates**



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HB 1007 – Nicotine Dispensing Devices

(Rep. Overdorf) **PASS**

Provides for statewide regulation of the wholesale and retail sale of nicotine dispensing devices (NDDs).

This includes:

- **Requires manufacturers of NDD's to register annually with the Department of Business and Professional Regulation (DBPR) for any products sold in Florida, as well as provide evidence that they have Food and Drug Administration (FDA) approval to market their products**
- **Manufacturers of NDDs must register annually with the Department of Business and Professional Regulation (DBPR) and provide evidence of FDA approval to market their products in Florida.**

HB 1007 – Nicotine Dispensing Devices

(Rep. Overdorf) cont.

- **DBPR will create a directory of registered NDDs.**
- **Wholesalers of NDD products must obtain a permit from DBPR.**
- **Manufacturers must maintain records for up to 3 years on product sales.**
- **Prohibits the sale of unregistered, unapproved, or FDA-ordered removed NDD products in Florida.**
- **Establishes new criminal violations and penalties for non-compliance.**
- **Allows for suspension and revocation of permits.**
- **This bill becomes effective October 1, 2024**

HB 7063 – Anti-Human Trafficking

(Rep. Overdorf) **PASS**

FAC supported this legislation in the 2024 FAC Legislative Action Plan.

The bill extends the authorization for the direct-support organization for the Statewide Council on Human Trafficking until October 1, 2029, with a provision for legislative review. It modifies reporting procedures and awareness signs for human trafficking, replacing the requirement for the National Human Trafficking Hotline number with the Florida Human Trafficking Hotline number.

Additional Provisions:

- **Mandates update and posting of human trafficking awareness signs by January 1, 2025**
- **Nongovernmental entities must provide affidavit confirming absence of coercion for labor or services when contracting with governmental entities**
- **Overall Fiscal Impact expected to be insignificant**
- **Effective date: July 1, 2024**



SB 1380 – Special Transportation Services for Persons with Disabilities

(Sen. Hutson) **PASS**

Effective date: July 1, 2024.

- This bill revises the membership and duties of the Commission for Transportation Disadvantaged, removes certain requirements for commission members, and mandates training for paratransit drivers.

- Requires transportation providers to offer technology-based booking and tracking services, specifies complaint resolution procedures, and removes a deadline for establishing a model system for investigating adverse incidents.
- Additionally, it mandates reports from the Center for Urban Transportation Research and the I-STREET Living Lab on improving paratransit services for persons with disabilities.

HB 1425 – Juvenile Justice

(Rep. Yarkosky) **PASS**

- **Authorizes certain Department of Juvenile Justice employees and contracted providers to possess and administer opioid antagonists, granting them immunity from liability for administration.**
- **Replaces “gender-specific” with “sex-specific” and defines “sex,” adjusting programming and services for youth.**
- **Redesignates the nonsecure residential restrictiveness level as the “moderate-risk residential level,” revises components of the maximum-risk residential level and defines “moderate-risk” and “maximum-risk” facilities.**
- **Excludes juvenile assessment centers from facilities permitted to receive certain children transitioning from secure detention to supervised release detention care.**



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HB 1425 – Juvenile Justice

(Rep. Yarkosky) cont.

- **Requires school boards to facilitate high school graduation credits for students in juvenile justice detention, prevention, or day treatment programs and to develop individualized education and transition plans for these students.**
- **Establishes review and approval responsibilities for the Florida Scholars Academy’s academic calendar, allowing a reduction in the minimum number of instruction days for teacher planning.**
- **Revises provisions relating to juvenile justice circuit advisory boards, stating their composition, duties, and the requirement for each circuit to have one.**
- **Effective date: July 1, 2024**



HB 1065 – Substance Abuse Treatment

(Rep. Caruso) **PASS**

The bill amends regulations for certified recovery residences and administrators, enhancing standards of care and prohibiting denial of access based on medication. It preempts local regulation of recovery residences in multifamily zoning districts and clarifies requirements for removing administrators. The bill also increases the maximum number of residents an administrator may manage and extends the timeframe for retaining an administrator after removal. DCF is authorized to issue one license for all service components operated by a provider. The bill has an effective date from July 1, 2024.

SB 7002- Deregulation of Public Schools

(Sen. Calatyud) **PASS**

The bill establishes deregulation measures for public school district finance, budgeting, facilities, and oversight, aimed at increasing flexibility and reducing regulatory burdens on district school boards.

As part of this deregulation, the bill revises the current requirement in s. 252.38, F.S., that school boards provide necessary personnel to staff facilities used as emergency shelter to the provision of necessary personnel to access the facilities or provide other duties related to the facilities as may be required pursuant to the county emergency management plan and program.

HB 7021- Mental Health and Substance Abuse (cont).

(Rep. Maney) **PASS** - HB 7021 amends both the Baker Act and the Marchman Act

The bill amends the Baker Act in that it:

- **Combines processes for court orders to streamline the process for obtaining involuntary services; expands courts' authority to commit a person to involuntary services; and authorizes courts to order a person to a combination of involuntary outpatient services and involuntary inpatient placement, based on the needs of the individual.**
- **Grants law enforcement officer's discretion on initiating involuntary examinations .**
- **Requires the 72-hour examination period to begin when a patient arrives at the facility.**
- **Extends the maximum period a person may be ordered to involuntary outpatient services from 90 days to 6 months.**
- **Authorizes remote appearances for the state attorney and witnesses for hearing proceedings.**
- **Removes the 30-bed cap for crisis stabilization units.**

HB 7021- Mental Health and Substance Abuse (cont.)

(Rep. Maney) **PASS** - HB 7021 amends both the Baker Act and the Marchman Act

The bill amends the Marchman Act in that it:

- Combines the two-petition process—for assessment and stabilization, and for treatment—into one process.
- Requires the court to inform a respondent of the right to request an independent assessment.
- Reduces the court's timeframe to schedule a hearing from 15 days to 10 days.
- Allows the person who filed a petition for an initial treatment order to petition to extend such treatment if the petition includes supporting documentation from the service provider.
- Allows service providers to exceed licensed bed capacity on a limited basis under certain circumstances.
- Authorizes a witness to appear remotely for hearing proceedings.

HB 7021- Mental Health and Substance Abuse (cont.)

(Rep. Maney) **PASS** - HB 7021 amends both the Baker Act and the Marchman Act

The bill amends both acts in that it:

- **Creates a more comprehensive and personalized discharge planning process.**
- **Requires the Louis de la Parte Florida Mental Health Institute to prepare and publish certain reports on its website.**
 - **A state level analysis of involuntary examinations**
 - **A description of demographic characteristics of individuals and the geographic locations of**
 - **involuntary examinations;**
 - **Counts of the number of involuntary examinations at each receiving facility; and**
 - **Reporting and analysis of trends for involuntary examinations within the state.**

The bill appropriates \$50,000,000 in recurring funds to DCF to implement its provisions, and has no fiscal impact on local government.



SB 718- Exposure to First Responders to Fentanyl Analogs

[Sen. Collins] **PASS**

- **First responders encompass emergency medical technicians, paramedics, firefighters, correctional officers, correctional probation officers, and law enforcement officers acting officially.**
- **It classifies as a second-degree felony if an individual, aged 18 or older, recklessly exposes a first responder to dangerous fentanyl or fentanyl analogs during unlawful possession, resulting in overdose or serious bodily harm.**
- **Dangerous fentanyl or fentanyl analogs pertain to controlled substances listed in s. 893.135(1)(C)4.a.(I)-(VII), F.S.**
- **Amendment to S. 893.21, F.S., grants immunity from arrest and prosecution to individuals who, in good faith, seek medical assistance due to themselves or others experiencing alcohol or drug-related overdose.**

SB 808 – Treatment by a Medical Specialist

(Sen. DeCeglie) **PASS**

- **The bill permits firefighters, law enforcement officers, correctional officers, and correctional probation officers to select their medical specialists for the treatment of compensable presumptive conditions.**
- **Individuals must provide written notice of their chosen specialist to the workers' compensation carrier, and treatment authorization must be granted within five days.**
- **Reimbursement for specialist treatment is capped at 200 percent of the Medicare rate, and the chosen specialist must be certified in the relevant medical specialty.**
- **Effective date: October 1, 2024.**

SB 328 Affordable Housing (Calatayud) PASSED/SIGNED

- **As it pertains to the act's preemption of certain local zoning and land use regulations to expedite the development of affordable housing, the bill further modifies the 2023 Live Local Act.**
- **Prohibits local governments from restricting the intensity of a proposed development below 150 percent of the highest currently allowed Floor Area Ratio under the local government's land development regulations.**
- **Provides the ability of a local government to restrict the height of a development when the development is adjacent on two or more to a single-family residential use with 25 or more units to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property, or three stories, whichever is higher.**

SB 328 Affordable Housing (Calatayud) PASSED/SIGNED

- **Does not allow for administrative approval when the proposed development is within $\frac{1}{4}$ mile of a military installation**
- **Clarifies that a local government's "currently allowed" density, height, and floor area ratio does not include any bonuses, variances, or other special exceptions provided in their regulations.**
- **Requires developments authorized under the act to be treated as a conforming use even after expiration of the development's affordability period and after the expiration of the applicable statutes.**
- **Modifies parking reduction requirements for qualifying developments located near certain transportation facilities.**
- **Provides that the zoning and height preemptions do not apply to certain developments in proximity of an airport**



SB 474 – Public Records/Suicide Victims

(Sen. Grall) **PASS**

- The bill establishes confidentiality and exemption from public access for photographs, videos, audio recordings, and autopsy reports related to a person's suicide, safeguarding privacy.
- Exceptions allow access for certain parties like surviving spouses, parents, or adult children, with defined procedures including court involvement and penalties for unauthorized disclosure.

- Retroactively applies exemptions to existing materials and mandates a two-thirds vote for final passage.
- These exemptions are temporary and set to expire in 2029 unless renewed by the Legislature.
- Effective date: Upon becoming a law.



HB 1241 – Probation and Community Control violations

(Rep. Snyder) **PASS**

HB 1241 amends s. 948.06, F.S., to revise provisions related to probation and the alternative sanctioning program (ASP). Specifically, the bill:

- Requires a court to modify, rather than revoke probation, if a probationer meets specified criteria and has fewer than two previous violations of probation resolved by the court and limits the jail sentence a court may impose for a violation to 90 days for a first violation and 120 days for a second violation; and

- Requires a court to hold a hearing on a violation of probation within 30 days after a probationer's arrest or to release the probationer without bail unless the court determines that the hearing was not held in the applicable time frame due to circumstances attributable to the probationer.
- The bill amends s. 921.0024, F.S., to prohibit a community sanction violation that was resolved through the ASP from being used when determining an offender's sentence for a violation of probation if probation is revoked.

HB 1365 – Unauthorized Public Camping and Public Sleeping

(Rep. Garrison) **PASS**

- **The bill prohibits public camping or sleeping on public property, including buildings and rights-of-way, unless designated by the county or municipality.**
- **Counties can approve designated camping areas for up to one year, subject to department certification, based on criteria like insufficient shelter beds and minimal impact on property value and safety.**
- **Designated areas must meet sanitation, security, and behavioral health service standards and be posted on the entity's website.**
- **Failure to comply may result in property closure upon inspection by the Department of Children and Families (DCF) Secretary.**

HB 1365 – Unauthorized Public Camping and Public Sleeping (cont.)

(Rep. Garrison) **PASS**

- **Fiscally constrained counties are exempt from certain standards.**
- **Civil actions can be brought against counties or municipalities for violations, with recovery of incurred expenses.**
- **Injunctions require notice to the county or municipality and a five-day cure period before filing.**
- **Exceptions apply during declared states of emergency.**
- **The bill aims to balance community welfare with homeless population needs.**
- **Effective date: October 1, 2024, with the injunction provision effective January 1,**