



2023 Legislative Session Wrap-up

Levin Gaston

Recycle Florida Today Legislative Committee

Gaston Tree Debris Recycling



State Budget

- FY 2023-2024 Framework for Freedom Budget
 - Adopted budget \$116.5B (is a record) / HB 7063 Tax Package
 - About \$7B larger than the FY 23 budget
 - \$47.3B for health and human services programs
 - \$26.7B for the Florida Education Finance Program, the main funding source for public schools
 - \$4 billion to speed a series of highway projects
 - \$2 billion for the new school choice expansion program (HB 1)
 - \$850M for land acquisitions within the Florida Wildlife Corridor (Osceola to Ocala, Caloosahatchee to Big Cypress)
 - \$811M to expand affordable housing
 - \$625M for Everglades Restoration
 - \$382.5 million during the upcoming 2023-2024 fiscal year for Everglades restoration
 - \$210M for septic to sewer conversions
 - \$100M for purchasing conservation easements, which are a way to limit development on agricultural land while allowing ranchers and farmers to continue operating



State Budget

- FY 2023-2024 Framework for Freedom Budget
 - \$2.7B tax relief package
 - Permanently exempts the sale of the following from sale and use tax
 - Baby and toddler products
 - Diapers and incontinence products
 - Oral hygiene products
 - Firearm safety devices
 - Machinery and equipment used to produce renewable natural gas
 - Machinery and equipment used to store electrical energy of at least 5 megawatts
 - Sales of taxable services by small private investigative services



State Budget

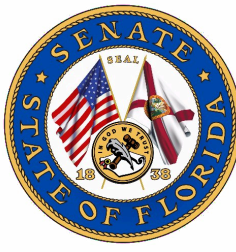
- FY 2023-2024 Framework for Freedom Budget
 - Sales tax holidays
 - A 14-day “Disaster Preparedness Supplies” sales tax holiday for specified disaster preparedness items, including supplies necessary for pet evacuation and common household consumable items
 - May 27, 2023 - June 9, 2023
 - Aug. 26, 2023 - Sept. 8, 2023
 - A 3-month “Freedom Summer” sales tax holiday for specified admissions, boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, residential pool supplies, children’s toys, and children’s athletic equipment
 - May 29, 2023 - September 4, 2023
 - A 1-year “ENERGY STAR Appliance” sales tax holiday for products affixed with an ENERGY STAR label
 - July 1, 2023 - June 30, 2024
 - A 28-day “back-to-school” sales tax holiday over two separate time periods for certain clothing, school supplies, learning aids and puzzles, and personal computers
 - July 24, 2023 - August 6, 2023
 - January 1, 2024, through January 14, 2024
 - A 1-week “Tool Time” sales tax holiday for tools and equipment commonly used by skill trade workers
 - September 2, 2023 - September 8, 2023

Bills



- 1,873 Bills and Proposed Committee Bills (PCBs) filed
- 2,674 Amendments filed
- 3,229 Votes taken
- 356 Bills passed





PASSED - Signed by the Governor

- **SB 32 Florida Statutes**
 - Signed by the Governor (3/24)
 - HB 7011 Florida Statutes (identical)
- **Bill Summary**
 - Very slightly edited the definition of “Municipal solid waste-to-energy facility”
 - Adds the word “also” to the definition



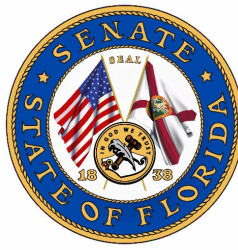
PASSED - Signed by the Governor

- **HB 7063 Taxation**
 - Signed by the Governor (5/25)
 - SB 322 / HB 529 Natural Gas Fuel Tax (identical)
 - CS/SB 7062 Taxation (similar)
- **Bill Summary**
 - Overall tax package bill
 - The natural gas fuel tax language was amended in
 - Delays the effective date on the levy on natural gas fuel taxes from 2024 to 2026



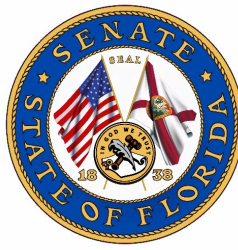
PASSED - Signed by the Governor

- **CS/CS/HB 1405 Biosolids**
 - Signed by the Governor (6/26)
 - CS/SB 880 Biosolids (similar)
- **Bill Summary**
 - Authorizes the FDEP to provide grants for projects that convert wastewater residuals to Class A and Class AA biosolids
- **Bill Activity**
 - HB 1st Committee Substitute - mirror the Senate language and take the grant out of the wastewater grant program and create a new biosolids grant program with requirements that better fit the goals of the bill
 - HB 2nd Committee Substitute - removes Section 2 of the bill to, as the sponsor said, “not let perfect get in the way of good” as several stakeholders couldn’t agree on any compromising language.



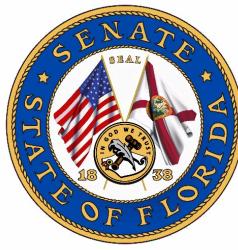
PASSED - Signed by the Governor

- **CS/CS/SB 250 Natural Emergencies**
 - Signed by the Governor (6/28)
 - CS/HB 7057 Natural Emergencies (identical)
- **Bill Summary**
 - Senate Select Committee on Resiliency worked diligently to identify legislative steps to help state and local governments prepare for and respond to storms in the future.
 - Requires the Division of Emergency Management to post a model contract for debris removal on its website
 - Reduces the time a vessel owner is given to reclaim or make their vessel non-derelict
- **Bill Activity**
 - SB 1st Committee Substitute - was detailed and had an amendment to the amendment
 - SB 2nd Committee Substitute - was detailed and outlined an appropriation



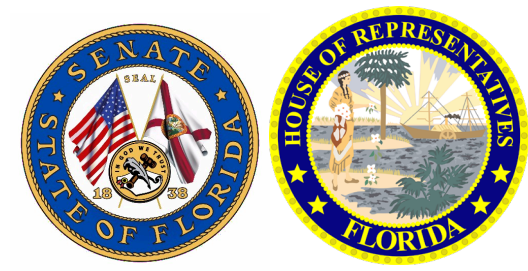
PASSED - Signed by the Governor

- **CS/CS/SB 170 Local Ordinances**
 - Signed by the Governor (6/29)
 - HB 1515 Local Ordinances (similar)
- **Bill Summary**
 - Business impact statement needed before enacting and ordinance.
 - Existing ordinances are not affected unless they are amended after Oct 1 and only pertain to newly adopted language.
 - Requires a county to suspend enforcement of an ordinance that is the subject of a certain legal action if certain conditions are met
 - Authorizes courts to assess and award reasonable attorney fees and costs and damages in certain civil actions filed against local governments
 - Provides certain procedures for continued meetings on proposed ordinances
- **Bill Activity**
 - Priority for Senate President Passidomo
 - Was amended in its two referenced committees, then amended again on the Senate and House floors.
 - If you have to change a solid waste ordinance, this may impact you



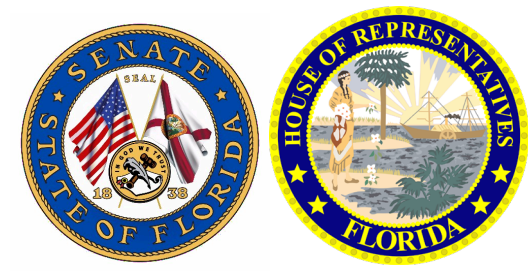
PASSED - Vetoed by the Governor

- **CS/CS/SB 284 Energy**
 - Vetoed by the Governor (6/26). No explanation given.
 - CS/CS/HB 1025 Government Vehicles (similar)
- **Bill Summary**
 - Vehicles being processed for purchase or leasing agreements must be selected based on the lowest lifetime ownership costs, including costs for fuel, operations and maintenance.
- **Bill Activity**
 - SB 1st Committee Substitute - adds a sales tax exemption for electronic vehicle conversion on components and labor, which will match up with the House bill
 - Was removed from the Appropriations Committee on Agriculture, Environment, and General Government Committee and Corrected to the Finance and Tax
 - SB 2nd Committee Substitute - removes the provision that allows for tax exemption for conversion as this will be taken up in the Tax package. The amendment of the amendment includes natural gas in addition to ethanol and biodiesel, including compressed natural gas.



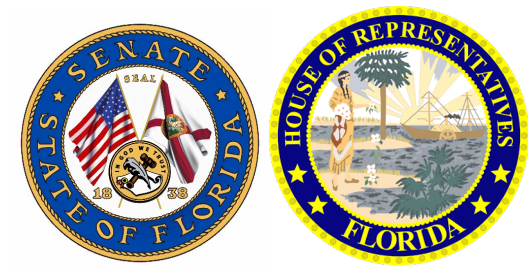
FAILED - But Moved

- **SB 798 / CS/HB 975 Solid Waste Management** (similar)
- **Bill Summary**
 - Prohibits municipalities and counties from prohibiting or unreasonably restraining private entities from providing recycling or solid waste management services to certain properties
 - Authorizes municipalities and counties to require such private entities to obtain permits, licenses, or nonexclusive franchise equivalents that meet certain requirements
 - Provides requirements for contracts or franchises in place as of a specified date, etc.
- **Bill Activity**
 - SB - was not heard in committee.
 - HB - passed its first committee with a committee substitute that exempted municipalities that self hauled and allowed franchise fees to carry forth through the existing contract. Then died in its second committee (Civil Justice Subcommittee).



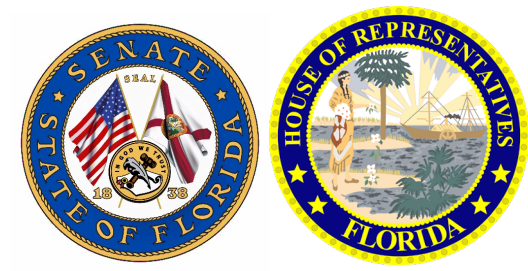
FAILED - But Moved

- **SB 506 / HB 1427 Comprehensive Waste Reduction and Recycling Plan** (identical)
- **Bill Summary**
 - Requires the FDEP to develop a comprehensive waste reduction and recycling plan for the state which could also provide for a return of recycling grants
 - The FDEP is to convene a technical assistance group for a specific purpose
 - The group's composition was not outlined in the initial bill
- **Bill Activity**
 - SB - moved quickly through its first two committees. Then died in its third committee (Fiscal Policy).
 - HB - was not heard in committee.



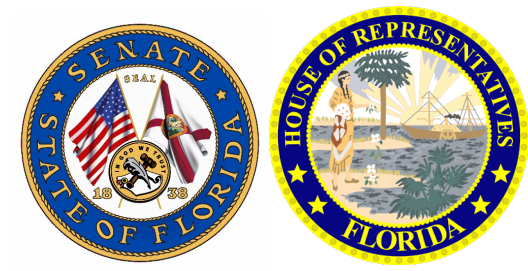
FAILED - But Moved

- **CS/SB 1030 / HB 691 Recycling of Covered Electronic Devices** (identical) / **SB 1032 Fees** (linked)
- **Bill Summary**
 - Establishes statewide Covered Electronic Device Recovery Program within DEP
 - "Covered electronic device" means a computer, portable computer, computer monitor, or television, whether it has a cathode ray tube or flat panel based on any technology, with a screen size greater than 4 inches measured diagonally.
 - Requires counties to submit specified plan for disposal of covered electronic devices by specified date
 - Requires owners or operators of certain facilities to begin disposing of such facilities' covered electronic devices in permitted reclamation facility beginning on specified date
- **Bill Activity**
 - HB - passed its first committee. Then died in its second (Agriculture & Natural Resources Appropriations Subcommittee).
 - SB 1030 - passed its first committee with a committee substitute that provided more specificity on which devices are included. Then was temporarily postponed in its second committee (Appropriations Committee on Agriculture, Environment, and General Government), where it died.
 - SB 1032 - authorized the FDEP to charge a fee for reclamation facility permits. Was not heard in committee.



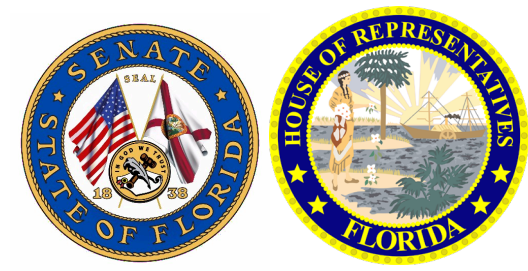
FAILED - But Moved

- **SB 1472 / CS/HB 1361 Organic Materials Products** (compare)
- **Bill Summary**
 - This takes an activity regulated as solid waste and places it under Right To Farm Act
 - Would define yard waste collection and processing as Ag and preempt local governments from regulating it
- **Bill Activity**
 - SB - passed its first committee. Then died in its second committee (Agriculture).
 - HB - passed its first committee with a committee substitute that removed some duplication. Had its original reference removed (Local Administration, Federal Affairs & Special Districts Subcommittee) and referred to another (State Affairs Committee). Passed its second and third committees. Then died on the Second Reading Calendar.



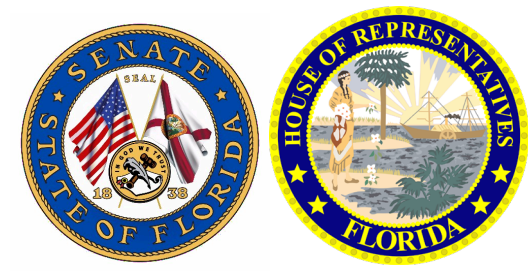
FAILED - But Moved

- **HB 675 / CS/SB 1254 Specialty License Plates** (similar) / **CS/CS/SB 1252 Department of Highway Safety and Motor Vehicles**
- **Bill Summary**
 - Directs DHSMV to develop Recycle Florida license plate (& Florida Association of Realtors plate)
 - Annual use of fees to be distributed to Recycle Florida Today Foundation
- **Bill Activity**
 - HB - was not heard in committee.
 - SB 1254 - passed its first committee with a committee substitute that added the name change of the “Give Kids the World” plate to “Universal Orlando Resort”. Then died in its second committee (Appropriations Committee on Transportation, Tourism, and Economic Development).
 - SB 1252 - specialty license plates were amended in. Then died on the Calendar.



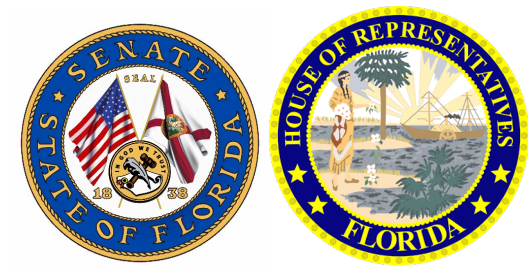
FAILED - But Moved

- **CS/SB 108 Trees and Vegetation Within the Rights-of-way of Certain Roads and Rail Corridors / HB 55 Trees and Other Vegetation within Rights-of-way** (similar)
- **Bill Summary**
 - Authorizes DOT to suspend prohibition against removal or cutting of trees or other vegetation in certain rights-of-way in response to state of emergency declared by Governor
 - Requires DOT to adopt guidelines relating to removal or cutting of trees or other vegetation for purpose of clearing debris generated during declared state of emergency
- **Bill Activity**
 - HB - was not heard in committee.
 - SB - The bill is supported by FDOT. Passed its first committee with a committee substitute that was to avoid unintended consequences to the FDOT's rulemaking by restoring its authority to adopt rules to implement the entire section of law being amended rather than just one paragraph. It also clarified the FDOT's responsibility with respect to guidelines for removal of debris from an emergency that is subject to an emergency declaration by providing that such guidelines are informational. Passed its second and third committees. Then died in Messages.



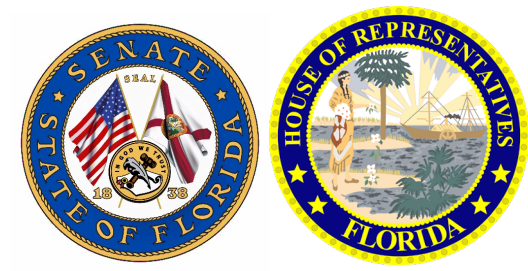
FAILED - But Moved

- **CS/CS/SB 1162 / CS/HB 821 Renewable Energy Cost Recovery** (similar)
- **Bill Summary**
 - A public utility may recover, through the appropriate cost-recovery mechanism administered by the Public Service Commission, prudently incurred costs for renewable natural gas and hydrogen fuel infrastructure projects
- **Bill Activity**
 - SB - passed its first committee with an extensive strike all committee substitute. Passed its second committee with a committee substitute that removed a typo. Passed its third committee. Then died in Messages.
 - HB - passed its first committee with a strike all committee substitute. Had its original reference removed (State Administration & Technology Appropriations Subcommittee) and referred directly to its third committee (Commerce Committee) where it died.



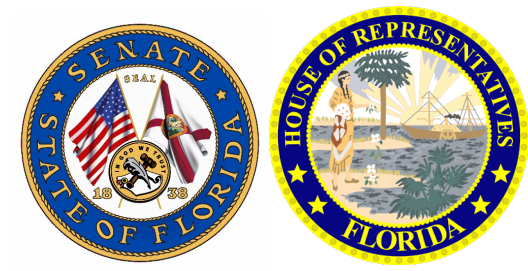
FAILED - But Moved

- **SB 178 / HB 195 Upgrades to Education Facilities as Emergency Shelters** (identical)
- **Bill Summary**
 - Any upgrades to an education facility which are designed to improve the capabilities of the facility to provide enhanced hurricane protection areas in accordance with the Florida Building Code may not be included in calculating the total cost per student station for the purpose of meeting the limits imposed
- **Bill Activity**
 - SB - passed its first committee. Was not heard in its second committee (Appropriations Committee on Education).
 - HB - reported favorable in all three committees. Died on the Second Reading Calendar.



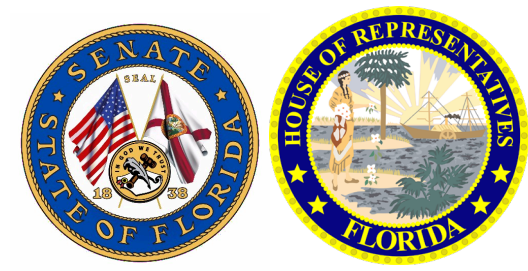
FAILED - But Moved

- **SB 604 / CS/HB 401 Sovereign Immunity** (compare)
- **Bill Summary**
 - Revises statutory limits on liability for tort claims against state & its agencies & subdivisions
 - House revises the requirements to \$2.5M per person; \$5M per incident
 - Senate revises the requirements to \$400,000 per person; \$600,000 per incident
- **Bill Activity**
 - SB - was not heard in committee.
 - HB - passed its first committee with a strike all committee substitute that increases the cap for sovereign immunity (\$2.5M per person; \$5M per incident); shortened the time for the government to adjust the claim from 6 months to 3 months; and addressed the statute of limitations for claims of sex crimes against minors to be in alignment with the statute of limitations for those claims if they were committed by a private entity. Was temporarily postponed in its second committee (Appropriations Committee) where it died.



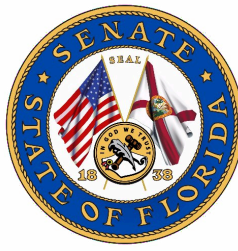
FAILED - But Moved

- **SB 350 / CS/CS/HB 235 Alternative Mobility Funding Systems** (compare)
- **Bill Summary**
 - Provides a definition for mobility fees and mobility plans
 - Prohibits a transportation impact fee or fee that is not a mobility-based fee from being imposed within the area that is within a mobility plan
 - Authorizes local governments to adopt alternative mobility planning and fee systems and includes specific criteria to be used by a local government in adopting a mobility plan and fee for transporting mitigation improvements and requiring these fees to be expended over a specific time
 - Allows these fees to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the FDEP.
- **Bill Activity**
 - HB - passed its first and second committees with detailed committee substitutes. Then died in its third committee (Commerce Committee).
 - SB - was not heard in committee.



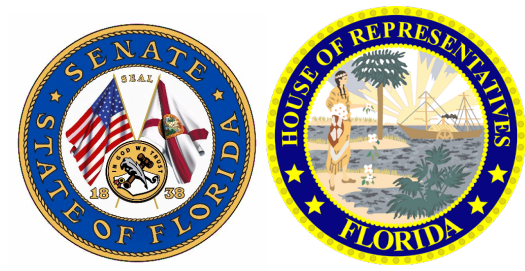
FAILED - But Moved - Organics

- **SB 674 / HB 399 Food Recovery** (identical)
 - Directs DACS to implement pilot program to provide incentives to Florida agricultural companies to sell fresh food products to food recovery entities
 - Authorizes food recovery entities to negotiate purchase price & reimburse agricultural companies for certain costs
- **SB 1336 / HB 739 Disposal of Food Waste Materials** (identical)
 - Directs DEP to conduct study on disposal of food waste materials & submit report to Legislature
- **SB 292 / HB 307 Healthy Food Financing Initiative Program** (identical)
 - Revises requirements for the administration of and participation in the Healthy Food Financing Initiative program
 - Provides program eligibility requirements for nonprofit organizations



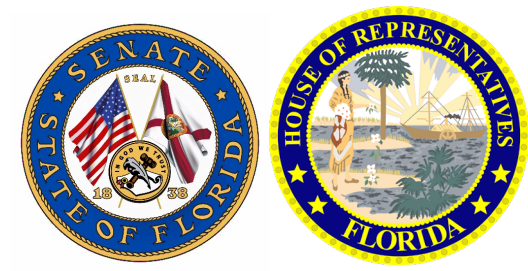
FAILED - Did Not Move

- **SB 498 Preemption of Recyclable and Polystyrene Materials** (no companion bill)
- **Bill Summary**
 - Removes the preemption of local laws regarding the regulation of auxiliary containers, wrappings, or disposable plastic bags



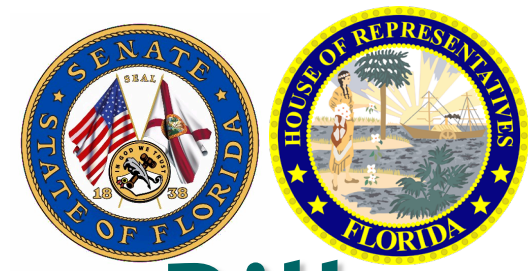
FAILED - Did Not Move

- **SB 336 / HB 363 Regulation of Single Use Plastics** (identical)
- **Bill Summary**
 - Requires the Department of Environmental Protection to submit updated retail bag reports with conclusions and recommendations to the Legislature by specified dates
 - Defines the term “coastal community”
 - Authorizes coastal communities to establish pilot programs to regulate single-use plastic products, etc.



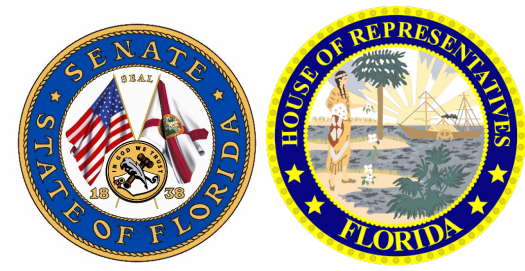
FAILED - Did Not Move

- SB 882 Local Government Infrastructure Surtax / HB 885 Authorized Use of Discretionary Sales Surtaxes (identical)
- Bill Summary
 - Provides that proceeds of the surtax may be used to maintain infrastructure
 - Provides that surtax proceeds and any interest may be used for the operational expenses of infrastructure
 - Revises the definition of the term “infrastructure”, etc.
 - These were similar to SB 350 / CS/CS/HB 235 Alternative Mobility Funding Systems, which moved but failed



FAILED - Did Not Move - Energy Bills

- **SB 970 / HB 957 State Renewable Energy Goals** (identical)
 - Requiring that all electricity used in the state be generated by renewable energy by a specified date
 - Requiring statewide net zero carbon emissions by a specified date
- **SB 680 / HB 293 Energy Transition Task Force** (similar)
 - Creating the task force adjunct to the Department of Agriculture and Consumer Services
 - Committee is to provide recommendations for fostering a fair and equitable transition of the state's energy infrastructure to renewable energy technologies throughout the state, including within minority, underserved, rural, and low-income communities



Specifics on Bills

- Florida House
 - MyFloridaHouse.gov; “Bill” at top of page / “Tracking” tab
- Florida Senate
 - FlSenate.gov; “Go to Bill” at top of page / “Tracker” tab

GET IN THE FAST LANE

**2023 SWANA FL Summer Conference
and Hinkley Center Research Forum**

July 23-25
Hilton Daytona Beach
Oceanfront Resort



2023 Legislative Session Wrap-up ~Questions~

Levin Gaston

Recycle Florida Today Legislative Committee

Gaston Tree Debris Recycling