



MEMORANDUM

AGENDA ITEM #8c)1

DATE: APRIL 6, 2009
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: LEGISLATIVE UPDATE

As directed at the March 2, 2009 Board meeting, staff has prepared the following summary of the changes proposed in Senate Bills 360 and 1306 and House Proposed Committee Bill EDCA 09-02.

The following chart details the progress of the Bills:

SB 360	SB 1306	HB EDCA 09-02
12/15/08 SENATE Filed	02/04/09 SENATE Filed	03/26/09 Heard by Economic Development and Community Affairs Policy Council, with 5 Favorable Amendments. YEAS 15; NAYS 0
01/15/09 SENATE Referred to Community Affairs; Governmental Oversight and Accountability; Transportation and Economic Development Appropriations; Rules	02/12/09 SENATE Referred to Community Affairs; Transportation; Finance and Tax; Policy & Steering Committee on Ways and Means	
02/06/09 SENATE References corrected to Community Affairs; Transportation; Policy & Steering Committee on Ways and Means; On Committee agenda-- Community Affairs, 02/17/09	03/03/09 SENATE Introduced, referred to Community Affairs; Transportation; Finance and Tax; Policy & Steering Committee on Ways and Means	
02/17/09 SENATE CS by Community Affairs; YEAS 10 NAYS 0; Pending reference review under Rule 4.7(2) - (Committee Substitute)	03/19/09 SENATE On Committee agenda-- Community Affairs, 03/24/09	
02/18/09 SENATE Now in Transportation; On Committee agenda-- Transportation, 02/19/09	03/24/09 SENATE CS by Community Affairs; YEAS 7 NAYS 3	
02/19/09 SENATE Favorable by Transportation; YEAS 8 NAYS 0		

02/20/09 SENATE Now in Policy & Steering Committee on Ways and Means		
03/03/09 SENATE Introduced, referred to Community Affairs; Transportation; Policy & Steering Committee on Ways and Means - SJ 00040; On Committee agenda-- Community Affairs, 02/17/09, 9; CS by Community Affairs; YEAS 10 NAYS 0 -SJ 00009; CS read 1st time on 03/03/09 -SJ 00129; Pending reference review under Rule 4.7(2) - (Committee Substitute); Now in Transportation -SJ 00009; On Committee agenda-- Transportation, 02/19/09; Favorable by Transportation; YEAS 8 NAYS 0 -SJ 00008; Now in Policy & Steering Committee on Ways and Means -SJ 00008		
03/05/09 SENATE On Committee agenda-- Policy & Steering Committee on Ways and Means, 03/10/09, --Not considered		
03/16/09 SENATE On Committee agenda-- Policy & Steering Committee on Ways and Means, 03/19/09		
03/19/09 SENATE CS/CS by- Policy & Steering Committee on Ways and Means; YEAS 14 NAYS 3 -SJ 00166, -SJ 00244; CS read 1st time on 03/19/09 -SJ 00218; Pending reference review -under Rule 4.7(2) - (Committee Substitute); Placed on Calendar, on 2 nd reading -SJ 00166		
03/24/09 SENATE Placed on Special Order Calendar; Read 2nd time -SJ 00242; Amendment(s) adopted (885062, 141460) -SJ 00242; Ordered engrossed -SJ 00243		

Also attached is a summary of Growth Management Legislation compiled by the Florida Chapter of the American Planning Association.

Please contact Carolyn Dekle (cdekle@sfrpc.com), Bob Cambric (bcambric@sfrpc.com), or Isabel Cosio Carballo (isabelc@sfrpc.com) if you have any questions or need additional information.

Recommendation

Information only.

Issue	SB 360 Changes	Proposed Committee Bill EDCA 09-02 Changes	SB 1306 Changes	Existing Statutory Requirement(s)
Dense Urban Areas Definition	Dense urban land area means: (a) A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000; (b) A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or (c) A county, including the municipalities located therein, which has a population of at least 1 million	Dense urban land area means: (a) A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000; (b) A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or (c) A county, including the municipalities located therein, which has a population of at least 1 million	Dense urban land area means: (a) A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000; (b) A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or (c) A county, including the municipalities located therein, which has a population of at least 1 million	New Definitions
Capital Improvements Element	Extends deadline to submit financially feasible Capital Improvements Element from 01 Dec 08 to 01 Dec. 11	Extends deadline to submit financially feasible Capital Improvements Element from 01 Dec 08 to 01 Dec. 11		Current deadline is December 1, 2008.
Transportation Concurrency	Creates Transportation Concurrency Exemption Areas within dense urban areas.	Creates Transportation Concurrency Exemption Areas within dense urban areas.	Creates Transportation Concurrency Exemption Areas within dense urban areas.	TCEA are allowed. TCEAs must be designated in the comp plan with strategies to support and fund mobility within the area. Also must have strategies addressing urban design, appropriate land use mixes, urban infill, redevelopment, or downtown

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				revitalization. DOT must be consulted regarding potential impacts to the Strategic Intermodal System facilities.
			Allows concurrency management areas to promote urban development.	Concurrency management areas allowed for urban infill and redevelopment.
	Creates a waiver from transportation concurrency on state's strategic intermodal system for certain OTTED job creation projects.	Creates a waiver from transportation concurrency on state's strategic intermodal system for certain OTTED job creation projects.	Creates a waiver from transportation concurrency on state's strategic intermodal system for certain OTTED job creation projects.	New
		Directs DCA and DOT to create a statewide mobility fee, with potential to be applied on a more limited geographic area. Initial Report due on 15 July 2009, Interim Report on 01 October 2009, Final Report on 01 December 2009.	Directs DCA and DOT to create a statewide mobility fee, with potential to be applied on a more limited geographic area. Initial Report due on 15 July 2009, Interim Report on 01 October 2009, Final Report on 01 December 2009.	Local governments may adopt impact fees.
			Creates a definition for backlog or backlogged transportation facility (a facility or facilities on which the adopted level-of service standard is exceeded by the existing trips plus background trips). Creates a definition for background trips (trips other than existing trips from any source other	New

Issue	SB 360 Changes	Proposed Committee Bill EDCA 09-02 Changes	SB 1306 Changes	Existing Statutory Requirement(s)
			than the development project under review which are forecast by established traffic modeling standards to be coincident with the particular stage or phase of the development under review.)	
			Creates new standards for calculating proportional fair share mitigation. Also mandates proportional fair share mitigation be applied against all transportation impact fees and exactions. Developments that meet the standard may not be denied on the basis of failing to mitigate impacts.	New
			Developers of projects that 500 cumulative acres or more may satisfy all transportation concurrency requirements by contributing or paying proportionate share or proportionate fair share mitigation.	
			Mitigation costs for concurrency impacts shall be distributed to all affected jurisdictions by the local government having jurisdiction over project or development approval. Distribution shall be proportionate to the	

Issue	SB 360 Changes	Proposed Committee Bill EDCA 09-02 Changes	SB 1306 Changes	Existing Statutory Requirement(s)
			percentage of the total concurrency mitigation costs incurred by an affected jurisdiction	
			By 2012, a local government that has an identified transportation concurrency backlog shall adopt one or more transportation concurrency backlog areas as part of the local government's capital improvements element update to its submission of financial feasibility. Also creates a process for landowners with 500 or more cumulative acres to request creation of transportation concurrency backlog areas.	
			Creates regional centers for clean technology (RCCT) with minimum employment thresholds (10,000 jobs) and standards regarding use of renewable energy, building design and construction techniques, carbon emissions, and be at least 25,000 acres (with a min. 50% conservation and open space). Incentives and expedited permitting will apply.	

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DRI Process	Creates an exemption from the DRI process in dense urban areas, except for Areas of Critical State Concern, Wekiva Study Area, and within 2 miles of the Everglades Protection Area.	Creates an exemption from the DRI process in dense urban areas, except for Areas of Critical State Concern, Wekiva Study Area, and within 2 miles of the Everglades Protection Area.		DRI Thresholds (Chapter 28-24, Florida Admin. Code) determine whether a project must undergo review.
			Creates new standards for calculating transportation proportional share for DRIs. Also mandates DRI proportional share be applied against impact fees and exactions. Limits developer proportional share to mitigation of the impacts of the project under review.	
State Review of Comp Plans	Expands Alternative State Review to dense urban areas.	Any local government may apply to use Alternative State Review.		Alternative State Review Process Pilot Program in Broward and Pinellas Counties. Municipalities therein have an option to use Alternative Review.
			Allows a County's comp plan to designate new towns and said towns shall not be limited by the projected population of the county	New
	Decreases allowable comp plan text amendments to once per year, unless related to FLUM change.			Twice per year limitation, except for 29 exemptions in statute.

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		Dense urban areas are certified. Will submit a monitoring report to State every 2 years. Monitoring report must list number of plan amendments, number of amendments challenged, and disposition of challenges.		Certification Program presently allows up to 8 new local governments to enter. There are four participants: Miramar, Lakeland, Orlando, and Freeport.
		No finding of Not In-Compliance can be made regarding land use allocations based on a lack of demonstrated need.		Need is a fundamental component of DCA's analysis of FLUM.
School Concurrency	Eliminates penalty for not adopting School Concurrency.	Eliminates penalty for not adopting School Concurrency.		Local government cannot adopt amendments to its plan until School Concurrency requirements are met.
		Full-time student growth rate can exceed 10% when projected 10-year capital outlay is less than 2,000 students and capacity growth rate for all schools in the 10 th year will not exceed 100%.		New
		Allows construction of charter school as mitigation to address school concurrency.		New
Development Order/Permit Extension		All construction permits, development orders, building permits or other land use approvals that expire on or before 01 October 2011 are extended and renewed for 2		New

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		years beyond the existing expiration date.		
Prohibited Standards for Security		A local government cannot adopt or maintain an ordinance that establishes standards for security devices that require a business to expend funds to enhance services or functions provided by local government unless specifically provided in general law.		New
Intergovernmental Coordination	Requires the ICE to use the Regional Dispute Resolution Process (Section 186.509, Fla. Stat.). Also amends 186.509, Fla. Stat., to require mandatory mediation.	Requires the ICE to provide use the Regional Dispute Resolution Process (Section 186.509, Fla. Stat.). Also amends 186.509, Fla. Stat., to require mandatory mediation.		ICE use of RDRP is not mandatory. Also, mediation within the RDRP is voluntary.

programs for employees and prospective employees. Eliminates the requirement for annual updating of the Florida Transportation Plan. Deletes the requirement to develop a short-range component of the plan. Amends provisions relating to proposed turnpike projects, the Transportation Regional Incentive Program, and the Enhanced Bridge Program for Sustainable Transportation, etc. EFFECTIVE DATE: 07/01/2009.

12/3/2008 SENATE Filed

12/17/2008 SENATE Referred to Transportation; Community Affairs; Transportation and Economic Development Appropriations; Policy & Steering Committee on Ways and Means

SB 0334 Relating to State Housing Trust Fund

Wilson

State Housing Trust Fund [EPSC]; Revises provisions governing the distribution of a portion of the proceeds of the excise tax on documents to the State Housing Trust Fund. Provides for the annual appropriation of a portion of the taxes distributed to the State Housing Trust Fund for specified uses conforming to the purposes for which the fund was created. APPROPRIATION: Indeterminate. EFFECTIVE DATE: 07/01/2009.

12/10/2008 SENATE Filed

12/17/2008 SENATE Referred to Community Affairs; Finance and Tax; Transportation and Economic Development Appropriations; Policy & Steering Committee on Ways and Means

SB 0360 Relating to Growth Management

Bennett

Growth Management [EPSC]; Cites this act as the "Community Renewal Act." Extends dates relating to requirements for adopting amendments to the capital improvements element of a local comprehensive plan. Provides legislative findings relating to transportation concurrency exception areas. Revises provisions relating to the state review of comprehensive plans. Revises provisions relating to impact fees, etc. EFFECTIVE DATE: Upon becoming law.

3/10/2009 SENATE Not Considered by Policy & Steering Committee on Ways and Means

3/16/2009 SENATE On Committee agenda - Policy & Steering Committee on Ways and Means, 03/19/09, 2:15 pm, 412 K

3/19/2009 SENATE Favorable with CS by Policy & Steering Committee on Ways & Means; 14 Yeas, 3 Nays; Placed on Special Order Calendar for 03/24/09 - If Received; Committee Substitute (C2) Text Filed

SB 0362 Relating to Growth Management

Bennett

Growth Management [EPSC]; Expresses the legislative intent to revise laws relating to growth management. EFFECTIVE DATE: Upon becoming law.

12/15/2008 SENATE Filed

1/15/2009 SENATE Referred to Community Affairs; Environmental Preservation and Conservation; Transportation and Economic Development Appropriations; Rules

SB 0364 Relating to Department of Community Affairs

Bennett

Department of Community Affairs [EPSC]; Expresses the legislative intent to revise laws relating to the Department of Community Affairs. EFFECTIVE DATE: Upon becoming law.

12/15/2008 SENATE Filed

1/15/2009 SENATE Referred to Community Affairs; Governmental Oversight and Accountability; Transportation and Economic Development Appropriations; Rules

SB 0370 Relating to Growth Management

Bennett

Growth Management [EPSC]; Expresses the legislative intent to revise laws relating to growth management. EFFECTIVE DATE: Upon becoming law.

12/15/2008 SENATE Filed

1/15/2009 SENATE Referred to Community Affairs; Environmental Preservation and Conservation; Transportation and Economic Development Appropriations; Rules

SB 0374 Relating to Affordable Housing

Bennett

Affordable Housing [EPSC]; Expresses the legislative intent to revise laws relating to affordable housing. EFFECTIVE DATE: Upon becoming law.

12/15/2008 SENATE Filed

1/15/2009 SENATE Referred to Community Affairs; Commerce; Transportation and Economic Development Appropriations; Rules

SB 0378 Relating to Affordable Housing

Bennett

Affordable Housing [EPSC]; Expresses the legislative intent to revise laws relating to affordable housing. EFFECTIVE DATE: Upon becoming law.

12/15/2008 SENATE Filed

1/15/2009 SENATE Referred to Community Affairs; Commerce; Transportation and Economic Development Appropriations; Rules

SB 0424 Relating to Transportation

Gardiner

Transportation [CPSC]; Provides that the executive director of the Florida Transportation

Commission is in the Senior Management Service. Provides for counties to incur certain costs related to the relocation or removal of certain utility facilities under specified circumstances. Provides that certain port-related facilities may not be designated as developments of regional impact under certain circumstances, etc. EFFECTIVE DATE: 07/01/2009.

- 3/10/2009 SENATE Favorable with CS by Transportation Committee; 8 Yeas, 1 Nay
- 3/12/2009 SENATE Committee Substitute (C1) Text Filed; Reference to Rules removed; Reference to Finance and Tax added; Remaining references: Community Affairs, Finance and Tax, Transportation and Economic Development Appropriations; Now in Community Affairs
- 3/19/2009 SENATE On Committee agenda - Community Affairs Committee, 03/24/09, 1:45 pm, 412 K

HB 0441 Relating to Coastal Management

Reagan

Coastal Management: Includes specified port-related industrial or commercial project facilities within list of facilities that are not developments of regional impact. Effective Date: July 1, 2009

- 2/6/2009 HOUSE Referred to Military & Local Affairs Policy Committee; Roads, Bridges & Ports Policy Committee; Economic Development & Community Affairs Policy Council
- 3/9/2009 HOUSE On Committee agenda - Military & Local Affairs Policy Committee, 03/11/09, 8:30 am, 102 H
- 3/11/2009 HOUSE Favorable by Military & Local Affairs Policy Committee; 13 Yeas, 0 Nays; Now in Roads, Bridges & Ports Policy Committee

SB 0582 Relating to Florida Transportation Revenue Study Commission

Baker

Florida Transportation Revenue Study Commission [CPSC]; Provides legislative findings with respect to the need to preserve investments in transportation infrastructure and reduce congestion. Creates the Florida Transportation Revenue Study Commission for the purpose of studying the state's transportation needs and developing recommendations. Requires the Center for Urban Transportation Research at the University of South Florida to provide staff support to the commission, etc. APPROPRIATION: \$225,000. EFFECTIVE DATE: Upon becoming law.

- 3/12/2009 SENATE On Committee agenda - Community Affairs Committee, 03/17/09, 10:30 am, 412 K
- 3/17/2009 SENATE Favorable by Community Affairs Committee; 10 Yeas, 0 Nays; Now in Finance and Tax
- 3/19/2009 SENATE On Committee agenda - Finance and Tax Committee, 03/24/09, 4:00 pm, 301 S

HB 0593 Relating to Water Resources

Boyd

Water Resources: Revises definition of Florida-friendly landscape; deletes references to "xeriscape"; revises eligibility criteria for certain WMD incentive programs; requires certain local government ordinances & amendments to incorporate specified landscape irrigation & design standards & identify specified invasive exotic plant species; requires WMDs to consult with additional entities for activities relating to Florida-friendly landscaping practices; specifies programs for delivery of educational programs relating to such practices; provides that certain regulations prohibiting implementation of Florida-friendly landscape or conflicting with provisions governing permitting of consumptive uses of water are prohibited; revises application requirements for water well contractor licensure; requires applicants to provide specified documentation; requires water management districts to implement Florida-friendly landscaping practices on specified properties & develop specified programs for implementing such practices; requires water management districts to consider certain information in evaluating water use applications from public water suppliers; authorizes administrative fine to be imposed for each occurrence of unlicensed well water contracting. Effective Date: July 1, 2009

- 3/4/2009 HOUSE On Committee agenda - Agriculture & Natural Resources Policy Committee, 03/06/09, 8:00 am, 102 H
- 3/6/2009 HOUSE Favorable with CS by Agriculture & Natural Resources Policy Committee; 16 Yeas, 0 Nays
- 3/18/2009 HOUSE Committee Substitute (C1) Text Filed

SB 0630 Relating to Impact Fees/Moratorium on Imposition or Collection

Bennett

Impact Fees/Moratorium on Imposition or Collection [EPSC]; Provides for a 3-year moratorium on the imposition or collection of impact fees by a county or municipality. Provides for future expiration of the moratorium. EFFECTIVE DATE: 07/01/2009.

- 1/12/2009 SENATE Filed
- 1/23/2009 SENATE Referred to Community Affairs; Finance and Tax; Transportation and Economic Development Appropriations; Policy & Steering Committee on Ways and Means
- 2/11/2009 ---- Bill to Be Discussed During the Office of the EDR's Revenue Estimating Impact Conference; 02/13/09, 8:30 a.m., 117 K (No Votes Will Be Taken)

HB 0637 Relating to Affordable Housing for Seniors

Pafford

Affordable Housing for Seniors: Revises provisions relating to elements of local comprehensive plans to include element for affordable housing for seniors; provides for disposition of real property by local government for development of affordable housing. Effective Date: July 1, 2009

- 1/28/2009 HOUSE Filed
- 2/25/2009 HOUSE Referred to Military & Local Affairs Policy Committee; Economic Development & Community Affairs Policy Council; Transportation & Economic Development Appropriations

Committee; Full Appropriations Council on Education & Economic Development

- SB 0730 Relating to Department of Community Affairs** Bennett
 Department of Community Affairs [EPSC]; Expresses the legislative intent to abolish the Department of Community Affairs and provide for the reorganization of its services among other agencies. EFFECTIVE DATE: Upon becoming law.
 1/14/2009 SENATE Filed
 1/23/2009 SENATE Referred to Community Affairs; Governmental Oversight and Accountability; Transportation and Economic Development Appropriations; Rules
- HB 0819 Relating to Small County Transportation Development** Adkins
 Small County Transportation Development: Terminates DOT Small County Outreach Program; transfers funds to Rural County Road Improvement Program; provides for continuation of projects; directs certain funds in State Transportation Trust Fund be used for Rural County Road Improvement Program in lieu of Small County Outreach Program; renames Small County Road Assistance Program as Rural County Road Improvement Program; revises purpose of program; revises criteria for projects; revises definition of "small county"; creates Rural County Road Improvement Program Advisory Council to review & recommend proposed projects for funding.
 Effective Date: upon becoming a law
 3/4/2009 HOUSE Referred to Roads, Bridges, & Ports Policy; Economic Development & Community Affairs Policy Council; Transportation & Economic Development Appropriations; Full Appropriations Council on Education & Economic Development
 3/16/2009 HOUSE On Committee agenda - Roads, Bridges & Ports Policy Committee, 03/18/09, 9:00 am, 404 H
 3/18/2009 HOUSE Favorable with CS by Roads, Bridges & Ports Policy Committee; 19 Yeas, 0 Nays
- HB 0821 Relating to Community Development Districts** O'Toole
 Community Development Districts: Revises deed restriction enforcement rulemaking authority of boards of directors of community development districts; authorizes boards to enforce rule violations in circuit court. Effective Date: July 1, 2009
 2/10/2009 HOUSE Filed
 3/4/2009 HOUSE Referred to Military & Local Affairs Policy; Civil Justice & Courts Policy; Economic Development & Community Affairs Policy Council
- SB 0852 Relating to Economic Development Projects/Expedited Permitting** Fasano
 Economic Development Projects/Expedited Permitting [EPSC]; Cites this act as the "Mike McHugh Act." Requires the Department of Environmental Protection and water management districts to adopt programs to expedite the processing of permits for certain economic development projects. Provides an exception. Requires municipalities and counties to identify certain businesses by commission resolution. Requires a preapplication review. Provides a timeframe for permit application approval or denial. EFFECTIVE DATE: 07/01/2009.
 3/12/2009 SENATE On Committee agenda - Environmental Preservation and Conservation Committee, 03/17/09, 10:30 am, 401 S
 3/17/2009 SENATE Temporarily postponed by Environmental Preservation and Conservation Committee
 3/19/2009 SENATE On Committee agenda - Environmental Preservation and Conservation Committee, 03/24/09, 1:45 pm, 401 S
- SB 0856 Relating to Coastal Management** Bennett
 Coastal Management [EPSC]; Includes certain port-related industrial or commercial project facilities within the list of facilities that are not developments of regional impact under certain circumstances. EFFECTIVE DATE: 07/01/2009.
 2/26/2009 SENATE On Committee agenda - Community Affairs Committee, 03/03/09, 2:00 pm, 412 K
 3/3/2009 SENATE Favorable by Community Affairs; 9 Yeas, 0 Nays
 3/4/2009 SENATE Now in Commerce
- SB 0912 Relating to Affordable Housing for Seniors** Deutch
 Affordable Housing for Seniors [EPSC]; Revises provisions relating to the elements of local comprehensive plans to include an element for affordable housing for seniors. Provides for the disposition of real property by a local government for the development of affordable housing.
 EFFECTIVE DATE: 07/01/2009.
 1/22/2009 SENATE Filed
 1/30/2009 SENATE Referred to Community Affairs; Transportation and Economic Development Appropriations
- SB 0932 Relating to Transportation** Transportation Committee
 Transportation [CPSC]; Requires the DOT to conduct a study of transportation alternatives for the Interstate 95 corridor. Provides for the salary and benefits of the executive director of the Florida Transportation Commission to be set in accordance with the Senior Management Service.

Provides that certain port-related facilities may not be designated as developments of regional impact under certain circumstances, etc. EFFECTIVE DATE: Upon becoming law.
 2/5/2009 SENATE Referred to Transportation; Community Affairs; Education Pre-K - 12; Governmental Oversight and Accountability; Finance and Tax; Transportation and Economic Development Appropriations; Policy & Steering Committee on Ways and Means
 2/9/2009 SENATE On Committee agenda - Transportation, 02/19/09, 3:30 pm, 37 S
 2/19/2009 SENATE Temporarily postponed by Transportation

HB 0941 Relating to Transportation Ray
 ransportation: Provides legislative findings with respect to need to preserve investments in transportation infrastructure & reduce congestion; creates Florida Transportation Revenue Study Commission for purpose of studying state's transportation needs & developing recommendations; requires Center for Urban Transportation Research at USF to provide staff support to commission; provides funding for commission through federal funds for metropolitan transportation planning. Effective Date: upon becoming a law
 2/17/2009 HOUSE Filed
 3/5/2009 HOUSE Referred to Roads, Bridges & Ports Policy Committee; Economic Development & Community Affairs Policy Council; Transportation & Economic Development Appropriations Committee; Full Appropriations Council on Education & Economic Development

HB 1019 Relating to Growth Management McKeel
 Growth Management: Redefines "financial feasibility" for purposes of school facilities not meeting concurrency requirements in given year; revises public & transportation facilities concurrency requirements; provides for transportation concurrency exception areas; authorizes local governments to adopt lower level-of-service standard for transportation; revises provisions relating to calculation of proportionate-share contribution; provides for applicability & calculation of proportionate fair-share mitigation; provides incentives for landowners or developers who contribute or pay proportionate fair-share mitigation; revises provisions relating to creation of transportation concurrency backlog authorities; requires local government to adopt transportation concurrency backlog areas as part of local comprehensive plan capital improvements element; revises preapplication procedures for developments of regional impact; requires that levels of service in transportation methodology be same as used to evaluate concurrency & proportionate-share contributions; provides for transportation mobility fee; requires DCA & DOT to coordinate mobility fees studies to develop methodology for mobility fee system; requires Secretaries of Community Affairs & Transportation to submit joint interim reports to Legislature; requires DCA to develop & submit to Legislature proposed amendments to ch. 9J-5, F.A.C., for incorporating mobility fee methodology...Effective Date: July 1, 2009
 2/19/2009 HOUSE Filed
 3/5/2009 HOUSE Referred to Military & Local Affairs Policy Committee; Roads, Bridges & Ports Policy Committee; Economic Development & Community Affairs Policy Council; Full Appropriations Council on Education & Economic Development

HB 1021 Relating to Department of Transportation Aubuchon
 Department of Transportation: Requires study of alternatives to Interstate 95 corridor; provides for salary & benefits of executive director of Florida Transportation Commission, counties to incur costs related to utility facilities, claims relating to maintenance contracts, department to pay proposal costs, public pay telephones & advertising thereon, toll collection systems, business partnership pilot program, Old Cutler Road; revises provisions for comprehensive plans, transportation concurrency backlog authorities, contractor responsibilities, State Arbitration Board, toll revenues, toll rates, bonds, aid & contributions by governmental entities for projects, project or project phase not in adopted work program, adopted work program, Florida Transportation Plan, Small County Road Assistance Program, financial disclosure for authorities, outdoor advertising, & logo sign program; establishes goal for department to procure design-build contracts; abolishes Tampa Bay Commuter Transit Authority. Effective Date: upon becoming a law
 3/13/2009 HOUSE On Council agenda - Economic Development & Community Affairs Policy Council, 03/17/09, 2:15 pm, 404 H
 3/17/2009 HOUSE Favorable by Economic Development & Community Affairs Policy Council; 13 Yeas, 0 Nays
 3/18/2009 HOUSE Now in Finance & Tax Council

SB 1040 Relating to Affordable Housing Bennett
 Affordable Housing [WPSC]; Provides limitations on the Florida Housing Finance Corporation's access to the state allocation pool. Provides for the assessment of property receiving the low-income housing tax credit. Provides additional criteria for determining whether certain affordable housing property owned by certain exempt organizations is entitled to an exemption from ad valorem taxation. Revises appointments to a local affordable housing advisory committee, etc. EFFECTIVE DATE: 07/01/2009.
 3/17/2009 SENATE Favorable with CS by Community Affairs Committee; 10 Yeas, 0 Nays

3/18/2009 SENATE Committee Substitute (C1) Text Filed; Bill to Be Discussed During the Office of the EDR's Revenue Estimating Impact Conference; 03/20/09, 10:00 a.m., 117 K (No Votes Will Be Taken)
 3/19/2009 SENATE Now in Judiciary

SB 1042 Relating to Affordable Housing Bennett
 Affordable Housing [WPSC]; Provides for the assessment of property receiving the low-income housing tax credit. Provides for the assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by a community land trust and used to provide affordable housing. Specifies the criteria to be used in arriving at just valuation of a structural improvement, condominium parcel, or cooperative parcel, etc. EFFECTIVE DATE: 07/01/2009.
 1/29/2009 SENATE Filed
 2/5/2009 SENATE Referred to Community Affairs; Finance and Tax; General Government Appropriations; Policy & Steering Committee on Ways and Means
 3/18/2009 ---- Bill to Be Discussed During the Office of the EDR's Revenue Estimating Impact Conference; 03/20/09, 10:00 a.m., 117 K (No Votes Will Be Taken)

SB 1212 Relating to Public Transit Constantine
 Public Transit [CPSC]; Provides definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the Department of Transportation. Revises the time period within which the department must revise the rail system plan and requires a report. Authorizes the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company, etc. EFFECTIVE DATE: Upon becoming law.
 3/11/2009 SENATE Favorable with CS by Judiciary Committee; 6 Yeas, 3 Nays
 3/13/2009 SENATE Committee Substitute (C1) Text Filed
 3/17/2009 SENATE Now in Transportation and Economic Development Appropriations

SB 1306 Relating to Growth Management Bennett
 Growth Management [EPSC]; Redefines the term "financial feasibility" to provide for school facilities that do not meet concurrency requirements in a particular year. Revises provisions relating to the concurrency requirements for public facilities and transportation facilities. Revises provisions relating to the creation of transportation concurrency backlog authorities. Revises provisions relating to the preapplication procedures for developments of regional impact, etc. EFFECTIVE DATE: 07/01/2009.
 2/4/2009 SENATE Filed
 2/12/2009 SENATE Referred to Community Affairs; Transportation; Finance and Tax; Policy & Steering Committee on Ways and Means
 3/19/2009 SENATE On Committee agenda - Community Affairs Committee, 03/24/09, 1:45 pm, 412 K

HB 1315 Relating to Construction of Electric Transmission Lines Brisé
 Construction of Electric Transmission Lines: Removes exceptions to requirements for electric utility to obtain certification prior to construction of transmission line; requires electric utility to notify affected municipalities of proposed transmission line sites & routes; requires disclosure of methods used to determine routes & efforts to minimize impact on municipality; authorizes municipality to request hearing by PSC to determine disputes with electric utility; authorizes municipality to bring action challenging transmission line siting; authorizes local governmental entity that requests electric transmission lines be placed underground to share underground installation costs with any surrounding governmental entity that benefits from installation. Effective Date: upon becoming a law
 3/10/2009 HOUSE Referred to Energy & Utilities Policy Committee; Military & Local Affairs Policy Committee; General Government Policy Council; Policy Council
 3/13/2009 HOUSE On Committee agenda - Energy & Utilities Policy Committee, 03/17/09, 8:00 am, 17 H
 3/17/2009 HOUSE Temporarily postponed by Energy & Utilities Policy Committee

SB 1336 Relating to Discretionary Surtax on Documents Fasano
 Discretionary Surtax on Documents; Deletes provisions relating to funding housing assistance for low-income and moderate-income families. Authorizes counties to levy a discretionary surtax on documents for the purpose of financing school and transportation facilities. Increases the types of documents to which the surtax applies to include documents relating to single-family residences. Requires counties that levy the discretionary surtax to reduce certain impact fees, etc. EFFECTIVE DATE: 07/01/2009.
 2/5/2009 SENATE Filed
 2/10/2009 SENATE Withdrawn prior to introduction

SB 1344 Relating to My Safe Florida Home Program Bennett
 My Safe Florida Home Program [CPSC]; Authorizes condominium unit owners to apply for program grants to retrofit their properties to make them less vulnerable to hurricane damage. Provides

funding and additional legislative intent. EFFECTIVE DATE: 07/01/2009.

2/5/2009 SENATE Filed

2/19/2009 SENATE Referred to Banking and Insurance; Regulated Industries; General Government Appropriations; Policy & Steering Committee on Ways and Means

HB 1349 Relating to Environmental Protection

Patronis

Environmental Protection: Establishes date for specified information to be included in land management plans for conservation lands; revises timeframe for acquisition of specified county lands; revises provisions relating to Acquisition and Restoration Council; establishes dates for submission of certain reports & lists to Land Management Uniform Accounting Council; revises provisions for use of Florida Forever Trust Fund proceeds; clarifies title provisions for certain sovereignty lands; revises certain petition provisions for specified submerged lands; revises provisions for pollution control enforcement, procedures, & remedies; provides additional penalties for specified violations relating to drinking water contamination, wastewater permits, dredge or fill activities, stormwater management systems, mangrove trimming or alteration, solid waste, air emission, storage tank systems, & petroleum contamination & waste cleanup; revises provisions for administrative proceedings & penalties relating to pollution control violations; revises administrative penalty provisions for specified violators; provides exception from entitlement to specified marketable record title. Effective Date: July 1, 2009

3/10/2009 HOUSE Referred to Agriculture & Natural Resources Policy Committee; General Government Policy Council; Natural Resources Appropriations Committee; Full Appropriations Council on General Government & Health Care

3/17/2009 HOUSE On Committee agenda - Agriculture & Natural Resources Policy Committee, 03/19/09, 1:00 pm, 102 H

3/19/2009 HOUSE Favorable with CS by Agriculture & Natural Resources Policy Committee; 13 Yeas, 4 Nays

HB 1361 Relating to Property Rights

Eisnaugle

Property Rights: Shortens notice period for certain actions; provides for state land planning agency to receive notice of claims; revises procedures for determining governmental entity's final decision identifying allowable uses for property; provides that enactment of law or adoption of regulation does not constitute applying law or regulation; provides factor that may be considered in determining whether inordinate burden has been imposed on real property; provides for waiver of sovereign immunity for liability; provides for prospective application. Effective Date: July 1, 2009

3/2/2009 HOUSE Filed

3/10/2009 HOUSE Referred to Military & Local Affairs Policy Committee; Civil Justice & Courts Policy Committee; Economic Development & Community Affairs Policy Council; Finance & Tax Council

SB 1450 Relating to Brownfields

Constantine

Brownfields [EPSC]; Deletes an obsolete date with respect to the establishment of rules governing the brownfield rehabilitation program. EFFECTIVE DATE: 07/01/2009.

2/10/2009 SENATE Filed

2/19/2009 SENATE Referred to Environmental Preservation and Conservation; Community Affairs; General Government Appropriations; Rules

HB 1451 Relating to Transportation Facilities

Ray

Transportation Facilities: Revises definitions; revises powers & duties of DOT; removes duty to assign jurisdictional responsibility & to designate facilities as part of State Highway System; removes provision prohibiting DOT from establishing maximum number of miles of urban principal arterial roads within district or county. Effective Date: July 1, 2009

3/9/2009 HOUSE Referred to Roads, Bridges & Ports Policy Committee; Military & Local Affairs Policy Committee; Economic Development & Community Affairs Policy Council; Transportation & Economic Development Appropriations Committee

3/16/2009 HOUSE On Committee agenda - Roads, Bridges & Ports Policy Committee, 03/18/09, 9:00 am, 404 H

3/18/2009 HOUSE Favorable with CS by Roads, Bridges & Ports Policy Committee; 17 Yeas, 0 Nays

SB 1454 Relating to Wekiva River Protection Area

Constantine

Wekiva River Protection Area [EPSC]; Deletes an obsolete date relating to the review of local comprehensive plans by counties within the protection area. EFFECTIVE DATE: 07/01/2009.

2/10/2009 SENATE Filed

2/19/2009 SENATE Referred to Environmental Preservation and Conservation; Community Affairs; General Government Appropriations; Rules

HB 1477 Relating to Legally Required Advertisements and Public Notices by Governmental Entities

Zapata

Legally Required Advertisements and Public Notices by Governmental Entities: Authorizes various governmental entities to publish or advertise legally required public notices & advertisements on publicly accessible website; defines "publicly accessible website"; provides conditions for utilization

of publicly accessible website for such purposes; provides for optional receipt of legally required public notices & advertisements via first class mail; provides requirements for legally required advertisements & public notices published on publicly accessible website; provides that specified notice, advertisement, or publication on publicly accessible website constitutes legal notice; provides that advertisements directed by law or order or decree of court to be made in county in which no newspaper is published may be made by publication on publicly accessible website; provides clarifying & conforming language; reenacts various provisions of law to incorporate amendments to various statutes in act in references thereto. Effective Date: Not Specified

3/3/2009 HOUSE Filed

3/10/2009 HOUSE Referred to Governmental Affairs Policy Committee; Economic Development & Community Affairs Policy Council; Criminal & Civil Justice Policy Council; Finance & Tax Council

- SB 2026 Relating to State and Local Government Permitting** Altman
 State and Local Government Permitting [EPSC]; Provides an extension for the expiration date of certain construction and operating permits and development orders. Extends the period for completing required mitigation associated with such permits or orders. Prohibits additional permitting standards or criteria from being adopted or enforced during a specified period. Provides for retroactive application. EFFECTIVE DATE: Upon becoming law.
 2/24/2009 SENATE Filed
 3/5/2009 SENATE Referred to Community Affairs; Environmental Preservation and Conservation; Commerce; Transportation and Economic Development Appropriations
- SB 2104 Relating to Environmental Protection** Constantine
 Environmental Protection [EPSC]; Establishes a date by which land management plans for conservation lands must contain certain outcomes, goals, and elements. Deletes a 40-day timeframe for a board of county commissioners to decide whether to acquire county land being sold by the Board of Trustees of the Internal Improvement Trust Fund. Excludes certain air pollution violations from certain departmental actions, etc. EFFECTIVE DATE: 07/01/2009.
 3/12/2009 SENATE On Committee agenda - Environmental Preservation and Conservation Committee, 03/17/09, 10:30 am, 401 S
 3/17/2009 SENATE Favorable with CS by Environmental Preservation and Conservation Committee; 6 Yeas, 0 Nays
 3/19/2009 SENATE Committee Substitute (C1) Text Filed; Now in Community Affairs
- SB 2148 Relating to Growth Management** Bennett
 Growth Management [EPSC]; Prohibits the members of the local governing body from serving on the local planning agency. Revises standards for the future land use plan in a local comprehensive plan. Requires certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding. Provides that certain projects or high-performance transit systems be considered as committed facilities, etc. EFFECTIVE DATE: 07/01/2009.
 2/25/2009 SENATE Filed
 3/5/2009 SENATE Referred to Community Affairs; Transportation; Education Pre-K - 12; Policy & Steering Committee on Ways and Means
 3/19/2009 SENATE On Committee agenda - Community Affairs Committee, 03/24/09, 1:45 pm, 412 K
- SB 2388 Relating to Surplus Lands Available for Affordable Housing** Gaetz
 Surplus Lands Available for Affordable Housing [EPSC]; Provides that a county or municipality failing to complete and update the inventory of all real property held by the county or municipality which is appropriate for affordable housing is ineligible to receive any state funding for affordable housing. Requires each district school board to certify to the Commissioner of Education its completion of a list of surplus real property, etc. EFFECTIVE DATE: 07/01/2009.
 2/27/2009 SENATE Filed
 3/10/2009 SENATE Referred to Community Affairs; Education Pre-K - 12; General Government Appropriations; Policy & Steering Committee on Ways and Means
- SB 2424 Relating to Water Supply** Justice
 Water Supply [EPSC]; Creates provisions relating to water supply policy, planning, production, and funding. Provides for the powers and duties of water management district governing boards. Requires the DEP to develop the Florida water supply plan. Requires WMDs to fund and implement water resource development. Encourages municipalities, counties, and special districts to create regional water supply authorities, etc. EFFECTIVE DATE: 07/01/2009.
 2/27/2009 SENATE Filed
 3/12/2009 SENATE Referred to Environmental Preservation and Conservation; Community Affairs; Governmental Oversight and Accountability; Finance and Tax; General Government Appropriations
- SB 2530 Relating to Water Resources** Baker
 Water Resources [EPSC]; Provides legislative findings regarding the use of Florida-friendly

landscape. Revises eligibility criteria for certain water management district incentive programs. Requires certain local government ordinances and amendments to incorporate specified landscape irrigation and design standards and identify specified invasive exotic plant species. Revises application requirements for water well contractor licensure, etc. EFFECTIVE DATE: 07/01/2009.

2/27/2009 SENATE Filed

3/12/2009 SENATE Referred to Community Affairs; Environmental Preservation and Conservation; Governmental Oversight and Accountability; General Government Appropriations

SB 2572 Relating to Rural Agricultural Industrial Centers

Dean

Rural Agricultural Industrial Centers [EPSC]; Authorizes landowners within a rural agricultural industrial center to apply for an amendment to the local government comprehensive plan for certain purposes. Requires that the local government amend its comprehensive plan within a specified period after receiving such application. Provides that such amendments are presumed consistent with the Florida Administrative Code, etc. EFFECTIVE DATE: 07/01/2009.

3/2/2009 SENATE Filed

3/12/2009 SENATE Referred to Agriculture; Community Affairs; Commerce; Transportation and Economic Development Appropriations

3/19/2009 SENATE On Committee agenda - Agriculture Committee, 03/24/09, 1:45 pm, 37 S

HB 7009 Relating to Public Transit

Economic Development & Community Affairs Policy Council

Public Transit: Provides definitions relating to commuter rail service, rail corridors, & railroad operation for purposes of rail program within DOT; revises time period within which department must update rail system plan; requires status report to Legislature to accompany plan; provides additional duties for DOT relating to regional rail system plan; authorizes department to assume certain liability on rail corridor; authorizes department to indemnify & hold harmless freight rail operator when department acquires rail corridor from freight rail operator; provides for allocation of risk; authorizes DOT to purchase & provide insurance in relation to rail corridors; authorizes marketing & promotional expenses; extends provisions to other governmental entities providing commuter rail service on public right-of-way. Effective Date: July 1, 2009

3/4/2009 HOUSE Filed

HB 7049 Relating to Community Affairs

Military & Local Affairs Policy Committee

Community Affairs: Creates Office of Emergency Management within EOG; creates additional divisions of DOS; revises requirements for adopting amendments to capital improvements element of local comprehensive plans & for public school facilities element implementing school concurrency program; revises concurrency requirements; authorizes local governments to establish transportation concurrency exemption areas; revises transportation concurrency requirements for developments of regional impact, proportionate-share contribution & mitigation requirements, school concurrency requirements, & adoption of impact fees; requires charter schools to be considered as mitigation option; prohibits establishment of specified local security standards; authorizes local governments to use streamlined review process for comprehensive plan amendments or amendment packages; provides for alternative state review processes for local comprehensive plan amendments; provides for exemptions from state review of comprehensive plans; provides for replacing transportation concurrency system with mobility fee system; requires DOT to establish approved transportation methodology for assessing traffic impacts of developments; provides for extending certain permits, orders, or applications; transfers DCA to DOS & EOG. Effective Date: July 1, 2009

3/16/2009 HOUSE Filed (formerly PCB MLA1)

3/17/2009 HOUSE Referred to Economic Development & Community Affairs Policy Council

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