

Leon County Legislative Update 2011 Final Session Report

Provided by:
Capitol Alliance Group

I. OVERVIEW:

The 2011 Florida Regular Legislative Session came to a close Saturday morning, May 7 2011 at 3:35 am after both the House and Senate decided to extend their allotted time to avoid a meltdown on critical legislation that was hung up between the chambers. Both the House and Senate had anticipated on finalizing their business around 11 p.m. Friday night once the budget was officially approved after a constitutionally mandated 72-hour "cooling off" period that began Tuesday. Major pieces of legislation, including several key budget conforming bills, the FDOT and Highways Safety legislative packages, state government reorganization, corporate tax cuts, gaming and State Supreme Court reorganization, and others were stalled in the waning hours of the last day due to a variety of political factors. The new Speaker, Dean Cannon, Senate President Mike Haridopolos found themselves at odds much later in the session than anticipated which led to the potential for major finger pointing between both Republican led chambers. The legislature finally adjourned completing a portion of these key issues, but many were still left hanging when session ended and failed to pass.

Much of the final days were focused on finalizing cuts to fill the \$3.75 billion deficit in the budget, balancing a lot of that cut on state employee's retirement, reorganizing and downsizing government, immigration and education reform and deregulation of professions, as well as Immigration.

The CAG lobbying team worked tirelessly to ensure that the citizens of Leon County's interests were protected during one of the most tumultuous legislative sessions in the past 15 years. Once again, Leon County staff provided tremendous guidance and support to the CAG team throughout the process resulting in success at limiting the overall adverse impact to the county, citizens who are state employees, our natural environment and expanding the economic development opportunities for the community. With redistricting at the forefront of the legislative agenda for 2012, the legislative committee meetings and the session itself will start earlier than usual next year and the CAG team will remain vigilant in monitoring issues as they arise to continue to protect the interests of Leon County.

The key issues for Leon County are summarized below.

II. STATE BUDGET:

The Florida Legislature sent to Scott a \$69.7 billion budget -- or about \$700 million less than this year's budget. Lawmakers argued mostly over what programs should be cut in health care and in the end it was hospitals that took some of the largest cuts. But the final budget -- **SB 2000** -- includes cuts all across state government as well as in areas such as schools and health care. The next step is to see whether or not Scott uses his line-item veto pen to make additional reductions in spending.

III. KEY LEGISLATIVE ISSUES

- **PROPERTY TAXES:** Gov. Rick Scott wanted lawmakers to cut school property taxes and have water management districts take a two-year tax "holiday" on part of the property taxes they charge to property owners. In the end, lawmakers did not go along with a cut in school property taxes. But they did pass a bill -- **SB 2142** -- that will require the state's five water management districts to cut back \$210 million worth of property taxes. Lawmakers also agreed to put on the ballot two constitutional amendments dealing with property taxes. If approved by voters, **HJR 381** would shield first-time homebuyers from property taxes and it would cap the annual change in assessed value for non-homestead property to five percent. Another constitutional amendment headed to the ballot -- **SJR 592** -- would expand a property tax break for injured veterans to those veterans who did not live in Florida when they entered military service.

Another bill -- **HB 281** -- would require property owners challenging property values before a value adjustment board to pay 75 percent of their owed taxes while the case is under appeal. The bill would also allow for interest charges if the board rules that the property owner owes additional taxes.

- **CORPORATE INCOME TAX:** Gov. Rick Scott wanted to phase out the state's corporate income tax over a seven-year period. But his initial proposal to cut the rate from 5.5 percent to 3 percent was considered politically and economically undoable by Republicans. Instead lawmakers agreed to a slimmed down tax cut in **HB 7185** that raises the exemption level for corporate income tax from \$5,000 net income to \$25,000 net income. That move, while costing roughly \$30 million, will exempt 15,000 businesses from having to pay the tax. A separate economic development and tax credit bill -- **HB 143** -- would also allow multi-state corporations to have some of their corporate tax liability shielded if they spend \$250 million or more on capital expenditures.
- **SALES TAX HOLIDAY:** Lawmakers agreed to revive the back-to-school sales tax holiday again this year although it will be for just one weekend in August. **HB 143** -- which was a comprehensive measure that includes tax breaks and tax credits -- says that shoppers do not have to pay the state's 6 percent sales tax on clothing worth \$75 or less and on school supplies \$15 or less. The tax holiday will run from Aug. 12 through Aug. 14.
- **STATE AND LOCAL SPENDING CAPS:** Haridopolos has pushed for years to get a constitutional amendment that would place a spending and revenue cap on state government. This year he got his way. If approved by voters **SJR 958** would limit future growth in state revenues to a formula based on population growth and inflation. If the state collected money in excess of the revenue cap it would have to be used first for the state's budget stabilization fund and then to reduce school property taxes. The measure does allow the Legislature to bypass the revenue cap with an extraordinary vote. But while a similar measure in Colorado included local governments, **SJR 958** would apply just to state spending.

IV. KEY BUDGET ISSUES:

Florida's \$69.7 billion budget and implementing and conforming bills for the 2011-12 fiscal year beginning July 1 at a glance:

<u>Subject</u>	<u>Amount (\$)</u>
Education	\$21.2 billion

Health and Social Services	\$30 billion
Criminal Justice and Corrections	\$4.5 billion
Transportation	\$7.9 billion
Natural Resources and Environment	\$3 billion
General Government	\$4 billion
Courts	\$459 million
Reserves	\$2.28 billion

- **KINDERGARTEN-12TH GRADE EDUCATION:** State and required local funding in Florida's public schools will drop by \$1.3 billion. That's a \$542.03, or 8 percent, cut to \$6,267.97 for each student. Lawmakers say school districts can use other funding sources to reduce the spending cut to about 1 percent. Courses covered by class size limits will be reduced from 849 to 304. Schools would be required to meet the limits of 18 students in kindergarten through third-grade, 22 in fourth through eighth grades and 25 in high school only when head counts are taken in October. After that classes can exceed the limits by up to three students in kindergarten through third-grade and by five in the other grades.
- **HIGHER EDUCATION:** Tuition will go up by 8 percent at community and state colleges and public universities. Community and state college spending will increase by 1.8 percent. University spending will drop by 3.7 percent. Bright Futures scholarships will be cut by 20 percent.
- **PUBLIC EMPLOYEES:** Teachers, state employees and many local government workers will be required to contribute 3 percent of their pay to the Florida Retirement System, now fully funded by taxpayers. The contributions are expected to save state and local governments \$1.2 billion. Retirement ages will be increased for employees hired after July 1 from 62 to 65. For special risk employees such as police and firefighters hired after that date the retirement age will increase from 55 to 60. Cost of living raises for retirees will be eliminated for all service earned on or after July 1.
- **MEDICAID:** Hospital reimbursement rates will be reduced by 12 percent except for rural and children's hospitals, which will be cut 3 percent. Nursing homes will be cut 6.5 percent.
- **PREKINDERGARTEN:** Increases the number of students allowed for each teacher from 11 to 12 and from 18 to 20 for an instructor plus assistant.
- **PRISONS:** Prisons in an 18-county area of South Florida will be turned over to private contractors. That's expected to save the state at least 7 percent and result in laying off up to 1,751 state employees. Department of Corrections health services also will be privatized.
- **TRUST FUNDS:** A total of \$528 million will be transferred from trust funds into general state spending including \$150 million from the Transportation Trust Fund, which is supported by fuel taxes.
- **TAXES:** Property taxes levied by the five water management districts will be cut by \$210.5 million including \$126 million in the South Florida district. Corporate income taxes will drop by \$1,100 per company for a \$30 million total. Consumers will get a \$25.6 million, three-day sales tax holiday on clothing and other back-to-school items in August. Tax credits totaling \$9 million will be available to businesses for research and development, \$10 million for space projects and \$3 million for

contaminated site development. The state's film industry tax credit would be increased by \$12 million.

- **BIOMEDICAL RESEARCH:** Cuts funding from \$50 million to \$25 million.
- **DEEPWATER HORIZON OIL SPILL:** The development and implementation of an economic development plan for eight Panhandle counties — Bay, Escambia, Franklin, Gulf, Okaloosa, Santa Rosa, Walton and Wakulla — will get \$10 million in each of the next three budget years.
- **ENVIRONMENT:** Reduces the Everglades restoration fund from its current \$50 million to \$29 million. No funding for the Florida Forever land-buying program.

V. GENERAL BILL STATISTICS AND FACTS:

The 2011 Regular Session produced the least amount of passed legislation than in any other Session in the last decade. At last count, there were 2,432 bills filed this year by 160 members as well as committees with only 292 bills actually being enrolled. In the final days of this year's Session many high profile pieces of legislation were either killed by a chamber or simply were too "heavy" to take up with little time remaining.

Senate President Mike Haridopolos, R-Merritt Island, pushed a contentious immigration reform measure through his chamber only to watch it die after the House refused to take it up during the last week of the session.

A statewide grand jury recommended a series of sweeping changes to the state's ethics laws in order to battle corruption. Haridopolos himself said he wanted to push his own changes, but the bill floundered and was never even voted by the full Senate.

It appeared that lawmakers might pass a pari-mutuel bill that would have allowed dog tracks to drop live greyhound racing while allowing them to keep open cardrooms. But the measure died after the Senate adopted changes unacceptable to the House sponsor.

Legislators also spent hours debating a proposal to prohibit public employers from deducting union dues from public employee paychecks. The legislation cleared the House, but it drew fierce opposition from unions representing state workers, firefighters and police officers. **Gov. Rick Scott** wanted the bill and personally lobbied for it but several Republicans in the Senate broke ranks and refused to support the bill.

Other measures that didn't pass:

- * Nursing home lawsuit limits including a measure to cap non-economic damages.
- * House Speaker Dean Cannon's plan to increase the size of the Florida Supreme Court and split it into two divisions.
- * A tax exemption for online travel companies that book hotel rooms. The online companies wanted the law changed to make it clear they did not have to pay taxes on the full amount charged to customers.

* Claims bill including \$12 million for Eric Brody, a man who was severely injured by a Broward County sheriff's deputy and \$810,000 for William Dillon, who was wrongfully imprisoned for 27 years.

* A bill to mandate that Citizens Property Insurance raise its rates by 25 percent a year

* A measure that would have cleared the state's Judicial Nominating Commissions and given Gov. Rick Scott to make all new appointments.

VI. LEON COUNTY LEGISLATIVE PRIORITIES

A. LEGISLATION THAT PASSED

1. HB 0879 - Relating to Targeted Economic Development by Rep. Eisnagle

CAG was able to amend this bill to authorize a 50% reduction in the local match contribution for Qualified Target Industries program for Leon County and other surrounding counties to help offset the economic impact of job losses from state government cutbacks. This issue was requested late in the session by the EDC and Leon County staff.

➤ Effects of HB 879

Targeted Economic Development Programs

Current law provides six criteria for the Governor's Office of Tourism, Trade, and Economic Development and Enterprise Florida to review when establishing the list of target industries for the Qualified Target Industry Tax Refund Program.

In 2009, the Legislature created Energy Economic Zone Pilot Program to develop a model area that incorporates energy-efficient land-use patterns, encourages the generation of renewable electricity, and promotes green manufacturing. At the request of the Legislature, the Department of Community Affairs provided recommendations as to the types of incentives that may be offered in the designated zones. Last year, the Department selected two areas, the City of Miami Beach and Sarasota County, to participate in the 2-year pilot project.

CS/CS/HB 879 revises the qualified target industry list by providing that special consideration be given to industries that strengthen the state's position as a global trade and logistics hub. This addition will codify into law global logistics as a qualified target industry and may have the effect of encouraging private sector economic activity in that particular industry.

The bill fully implements the Energy Economic Zone Pilot Program and provides that all incentives and benefits currently included in the enterprise zone program are available to the two designated energy economic zones. The bill also provides that a local governing authority may exempt certain developments in an energy economic zone from regulations relating to a development of regional impact

Capitol Alliance Group worked with House and Senate staff to include the following language (Sec. 288.106, Florida Statutes) in the bill:

(f) Effective July 1, 2011, notwithstanding paragraph (2)(k), the office may reduce the local financial support requirements of this section by one-half for a qualified target industry business located in Bay, Escambia, Franklin, Gadsden, Gulf, Jefferson, Leon, Okaloosa, Santa Rosa, Wakulla, or Walton County, if the office determines that such reduction of the local financial support requirements is in the best interest of the state and facilitates economic development, growth, or new employment opportunities in such county. This paragraph expires June 30, 2014.

2. TABOR –SB 958 - PASSED

➤ Effects of SB 958

This joint resolution proposes an amendment to the Florida Constitution that replaces the current state revenue limitation with a new limitation. The major changes are:

- the use of personal income in the growth factor is replaced with a growth factor based on population and inflation;
- the base year is updated to Fiscal Year 2013-14;
- the definition of “state revenues” subject to the limitation is expanded to include fines and revenues used to pay debt service for bonds issued by the state after July 1, 2012; and
- the definition of “state revenues” subject to the limitation is revised to explicitly exclude receipts of Citizens Property Insurance Corporation, public universities and colleges.

State Revenue Limitation

Section 19 of Article VII of the State Constitution is created and limits state revenues in any fiscal year as follows:

- For the 2014-2015 fiscal year, to an amount equal to the state revenues collected during the 2013-2014 fiscal year multiplied by the sum of the adjustment for growth plus four one hundredths.
- For the 2015-2016 fiscal year, to an amount equal to the state revenues collected during the 2014-2015 fiscal year multiplied by the sum of the adjustment for growth plus three one hundredths.
- For the 2016-2017 fiscal year, to an amount equal to the state revenues collected during the 2015-2016 fiscal year multiplied by the sum of the adjustment for growth plus two one hundredths.
- For the 2017-2018 fiscal year, to an amount equal to the state revenues collected during the 2016-2017 fiscal year multiplied by the sum of the adjustment for growth plus one one hundredth.
- For the 2018-2019 fiscal year and thereafter, state revenues are limited to an amount equal to the state revenue limitation for the previous fiscal year multiplied by the adjustment for growth.

The “adjustment for growth” is defined as an amount equal to the average for the previous five years of the product of the inflation factor and the population factor. The “inflation factor” is defined as an amount equal to one plus the percent change in the calendar year annual average Consumer Price Index for All Urban Consumers, U.S city average, as published by the United States Department of Labor. Finally, the “population factor” is defined as an amount equal to one plus the percent change in the population of the state as of April 1 compared to April 1 of the prior year.

The adjustment for growth must be determined by March 1 preceding the applicable fiscal year using the latest available information, and once determined, may not be changed based on revisions to such information.

Like the current limitation, the proposed limitation does not apply to all revenues received by the state. The limitation applies only to revenues generally considered to be within the Legislature's control and used to fund state expenditures. "State revenues" are defined to mean taxes, fees, licenses, fines, and charges for services imposed by the legislature on individuals, businesses or agencies outside state government. "State revenues" does not include:

- Revenues necessary to meet bond requirements set forth in documents authorizing the issuance of bonds by the state for bonds issues prior to July 1, 2012;
- Revenues that provide matching funds for the federal Medicaid program (with the exception of revenues used to support the Public Medical Assistance Trust Fund and revenues used to fund optional expansions made after July 1, 1994);
- Proceeds from the state lottery returned as prizes;
- Receipts of the Florida Hurricane Catastrophe Trust Fund and Citizens Property Insurance Corporation;
- Receipts of public universities and colleges;
- Balances carried forward from prior fiscal years;
- Taxes, licenses, fees, fines and charges for services imposed by local, regional or school district governing bodies; or
- Taxes, licenses, fees, fines and charges for services authorized by an amendment or revision to the constitution after May 6, 2011.

Revenues in Excess of the Limit

State revenues collected for any fiscal year in excess of the revenue limitation are transferred to the Budget Stabilization Fund until the fund reaches its maximum balance as provided in Article III, Section 19(g) of the Florida Constitution⁷. Thereafter, excess revenues must be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to taxpayers as provided by general law.

Authority of the Legislature to Increase the Revenue Limitation

The Legislature has two options to increase the state revenue limitation:

- 1) The Legislature, by a two-thirds vote of the membership of each house, may increase the revenue limitation for any fiscal year. Unless otherwise provided by the bill increasing the revenue limitation, the increased revenue limitation shall be used to determine the revenue limitation for future fiscal years.
- 2) The Legislature, by a three-fifths vote of the membership of each house, may increase the allowable state revenue for any one fiscal year. Increases to the revenue limitation by a three fifths vote must be disregarded when determining the revenue limitation in subsequent fiscal years.

A bill increasing the revenue limitation must contain no other subject and set forth the dollar amount by which the state revenue limitation is increased. The vote may not be taken less than 72 hours after the third reading in either house of the legislature of the bill in the form that it will be presented to the Governor before taking a vote.

Authority of the Voters to Increase the Revenue Limitation

The Legislature may place before the voters a measure to increase the state revenue limitation by a concurrent resolution approved by a two-thirds vote of the membership of each house. The measure must set forth the dollar amount by which the state revenue limitation will be increased and must be approved by a vote of at least 60 percent of the electors voting on the measure in a general election. Unless otherwise provided by the ballot language presented to the voters, the increased revenue limitation must be used to determine the revenue limitation for future fiscal years.

Revenue Limit Adjustment by the Legislature

The Legislature must provide by general law for adjustments to the state revenue limitation to reflect the fiscal impact of transfers of responsibility for the funding of government functions between the state and other levels of government occurring after May 6, 2011 or the fiscal impact of a new federal mandate

Based on the most current revenue projections and estimates of near term growth in population and inflation, the proposed revenue limitation is expected to exceed the amount of state revenues subject to the limitation at least until fiscal year 2019-2020, as shown on the following chart. These projections will change based on new estimates of revenues, population, and the consumer price index

Population and CPI Inflation Growth Factor (5 yr Avg.) +4%, +3%,+2%,+1%							
		4%	3%	2%	1%		
Base Year 2013-14	13-14	14-15	15-16	16-17	17-18	18-19	19-20
Estimate of State Revenues	30,399	31,619	32,766	34,067	35,348	36,655	38,145
Adjustment for growth		1.0617	1.0589	1.0522	1.0443	1.0363	1.0365
Revenue Limit	30,399	32,276	34,178	35,962	37,556	38,918	40,340
Revenues (over) or under the limit		657	1,413	1,895	2,208	2,263	2,194

3. Tax Reform (SB 658/ HB 381) – PASSED

➤ Effects of HB 381

Non-Homestead Assessment Limitation

This joint resolution proposes to amend paragraph 1 of subsections (g) and (h) in s. 4, Art. VII of the State Constitution, to reduce the annual assessment limitation on certain non-homestead property from 10 percent to three percent.

Prohibition of Increases in Assessed Value Where Market Value Has Declined

The joint resolution proposes an amendment to s. 4, Art. VII, State Constitution, to allow the Legislature by general law to prohibit increases in the assessed value of a homestead property and certain nonhomestead property, in any year where the market value of the property decreases.

If approved by the voters with the 2012 presidential preference primary, the above two provisions will take effect on January 1, 2012. If approved by the voters with the 2012 general election, the provisions will take effect on January 1, 2013.

Additional Homestead Exemption for "First-Time" Homesteaders

The joint resolution also proposes to create subsection (f) in s. 6, Art. VII of the State Constitution. This amendment allows individuals who are entitled to a homestead exemption under s. 6(a), Art. VII of the State Constitution, and have not received a homestead exemption in the previous three years, to receive an additional homestead exemption equal to 50 percent of the median just value for homestead property in the county where the property at issue is located in the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption applies to all property taxes other than school district taxes. The exemption is reduced each succeeding year by the greater of 20 percent of the initial exemption or the or the difference between just value and assessed value of the property as determined under Florida's "Save Our Homes" provisions.

If approved by the voters with the 2012 presidential preference primary, these provisions take effect on January 1, 2012, and are available for properties purchased on or after January 1, 2011. If approved by the voters with the 2012 general election, the provisions take effect on January 1, 2013, and are available for properties purchased on or after January 1, 2012.

Repeal Provisions

The joint resolution proposes to remove language in s. 27, Art. XII of the State Constitution, which would have repealed subsections (f) and (g) of s. 4, Art. VII of the State Constitution, effective January 1, 2019.

4. Florida Retirement System FRS – SB 2100 – PASSED

The bill requires state and county employees to contribute 3 percent of their income into the Florida Retirement System. The bill eliminates the COLA for all employees for five years but protects the DROP program. For new employees the plan raises the retirement age to 60 for special risk employees and 65 for all other employees. **Impact to Counties:** Positive savings to counties of \$615 million. While this bill will impact county employees, counties will benefit from the savings generated by these changes. The governor's proposed budget had the state taking county savings, but FAC was able to protect these savings during the budget conference and ensure they are passed on to our counties.

B. LEGISLATION THAT FAILED

CAG spent a considerable amount of time working to defeat legislation that would have adversely affected Leon County and its residents. CAG worked closely with Florida Association of Counties and other stakeholders on key legislative efforts, such as Pretrial detention, Online Travel Companies and Septic Tank inspection repeal that kept them from becoming law. These issues and others may resurface in the 2012 legislative session, so we will continue to monitor their activity in the coming months.

1. Internet Cafes (HB 217) – DIED IN APPROPRIATIONS

CS/HB 217 attempted to create the Simulated Gambling Prohibition and Community Protection Act, which:

- Prohibits the use of simulated gambling devices in connection with a game promotion, sweepstakes, drawing, raffle or any game of chance.
- Defines a simulated gambling device as a device used by an entrant to a game of chance that displays visual or aural information which takes the form of actual or simulated gambling or gaming play.
- Would not apply to activities lawfully conducted pursuant to the Seminole Indian Compact or s. 849.161, F.S., relating to arcade amusement centers and truck stops.

The bill would have expanded the prohibition on slot machines or devices.

The bill also looked to amend statutes relating to the operation of game promotions and charitable drawings to:

- Prohibit the use of simulated gambling devices.
- Prohibit the use of any machine or device to conduct a drawing or game promotion that is owned or controlled by the organization or its affiliate and operated by game participants.
- Explicitly provide that charitable organizations cannot operate game promotions.
- Provide penalties.
- Limit the rulemaking authority of DACS to explicitly prohibit the authorization of the operation or possession of slot machines or devices or other devices prohibited by law and to prohibit the authorization of game promotions conducted through the use of machines or devices.
- Provide that compliance with DACS rules is not a defense to a charge of possession of a slot machine or device or any other device prohibited by law.

2. Pretrial Release Programs (SB 372) – DIED IN CRIMINAL JUSTICE

Senate Bill 372 looked to create an undesignated new section of Florida Statutes that would implement statutory eligibility criteria for defendants admitted to the county pretrial release programs.

The bill tried to set forth a state policy that only indigent defendants who qualify for the appointment of the public defender are eligible for participation in pretrial release programs.

The policy that private entities be used to assist defendants in pretrial release, to the greatest possible extent, is also set forth in the bill.

The bill expressed the intent of the Legislature that the bill not be interpreted to restrict courts from placing reasonable conditions on a defendant who is being released from custody by the court.

The state requires locally-created pretrial release programs to adhere to the indigency eligibility requirement of the bill and preempts all conflicting local ordinances, practices, or (court) orders. The court must find a defendant indigent, in writing, pursuant to the procedures set forth in Florida Rule of Criminal Procedure 3.111, and order that the defendant is eligible to participate in a pretrial release program.

The bill proposed to prohibit interference by a pretrial release program when a defendant seeks to post a surety bond set forth in a predetermined bond schedule. This is generally an option at the jail prior to First Appearance, in limited cases. Some pretrial release programs have personnel at local jails during the night performing intake and interviews of people who are arrested.

The bill attempted to clarify that the court is not prohibited from releasing a defendant from custody with or without any reasonable conditions of release.

The bill declared that a county may reimburse a licensed surety agent for the costs of a bail bond that secures the appearance of the defendant at all court proceedings - if the court establishes a bond amount for an indigent defendant - in lieu of using a "governmental program" to ensure the defendant's appearance

3. Online Travel Company Taxation (SB 376 and HB 493) – DIED

This bill looked to clarify that online travel companies are only required to pay the bed tax on the wholesale price of a hotel room rather than the full retail price that is charged to the consumer. Leon County, along with other counties and tax collectors. Have filed a lawsuit against Expedia that is currently pending. HB 493 died in Community Affairs and SB 493 was withdrawn from further consideration.

4. Lobbyist Gift ban (SB 1322) – DIED IN RULES

Senate Bill 1322 would have allowed members and employees of the Legislature to accept an expenditure valued at less than \$100 from lobbyists and principals; expenditures over \$100 would have only been accepted with prior written permission of the President of the Senate or Speaker of the House of Representatives, whichever is appropriate. An expenditure valued up to \$25 dollars is not required to be reported. A member or employee would have to disclose, however, any expenditure received from a lobbyist or principal which is valued over \$25. Members and employees would still be prohibited from soliciting or accepting an honorarium. The practice of "gift-splitting" under the "old gifts law" is prohibited; valuation principles from the "old gifts law" and the ability to pay down an expenditure within 90 days, however, are incorporated.

5. Local Business Tax (HB 4195) – DIED IN FINANCE AND TAX

This bill would have repealed the ability for a local government to impose a local business tax. The local business tax authorized under Chapter 205, F.S., represents the taxes charged and the method by which a local government authority grants the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction. Counties and municipalities may levy a business tax, and the tax

proceeds are considered general revenue for the local government. This tax does not refer to any regulatory fees or licenses paid to any board, commission, or officer for permits, registration, examination, or inspection.

Prior to 1972, the state imposed an occupational license tax and shared the revenues with the counties. Counties had no authority to levy an occupational license tax until October 1, 1972, when Chapter 72-306, Laws of Florida, repealed the state tax and authorized counties to impose an occupational tax at the state rate then in effect.

C. ADDITIONAL LOCAL GOVERNMENT LEGISLATION THAT PASSED:

1. HB 0019 - Relating to Compensation of County Officials by Rep. Mayfield

Compensation of County Officials: Authorizes each county commissioner, circuit court clerk, county comptroller, sheriff, supervisor of elections, property appraiser, & tax collector to reduce his or her salary on voluntary basis. Effective Date: July 1, 2011

➤ Effects of HB 19

Determining the compensation of Florida's county constitutional officers by state law was sanctioned by the State Constitution of 1885 and has been maintained in the State Constitution since the 1968 constitutional revision. The Legislature, however, did not authorize a salary compensation formula until 1973. Prior to that time, the authorization for changes in compensation for county constitutional officers required frequent legislative action.

Persons Covered by Compensation Requirements

The Legislature enacted chapter 145, F.S., to govern compensation of county officials. The intent for the legislative action was expressed as the need for a uniform salary law to replace the previous local law method of paying elected county officials, which was "haphazard, preferential, inequitable, and probably unconstitutional." Additionally, the Legislature specifically prohibited local special laws or general laws of local application pertaining to the compensation of members of boards of county commissioners, clerks of the circuit court, sheriffs, superintendents of schools, supervisors of elections, property appraisers, tax collectors, and district school board members.

The law assumed that like offices would have similar duties and responsibilities and, therefore, based salary schedules, in large part, on differences in the population size of the respective county being served. The current salary compensation formula specifies that the latest official population estimates for each county serve as a major component of the salary computation. In addition to the population estimates, the salary compensation formula contains five other components:

- Base salary and group rate components for the separate officers specified in various parts of the statute.
- Initial factor component is currently set in law as a constant numerical value.
- Annual factor and cumulative annual factor, used in the salary formula calculations, which are certified by the Department of Management Services.

Exceptions to Compensation Requirements

The compensation requirements apply to all designated officers in all counties of the state, except those officials:

- Whose salaries are not subject to being set by the Legislature because of the provisions of a county home rule charter; or
- In a county with a consolidated form of government as provided in chapter 67-1320, L.O.F.

No member of a governing body of a chartered county or a county with a consolidated form of government is to be considered the equivalent of a county commissioner for determining the compensation of the member under his or her respective county charter.

The law, however, provides that, regardless of charter county status, the property appraiser, clerk of the circuit court, superintendent of schools, sheriff, supervisor of elections, and tax collector who, if qualified, must receive a special qualification salary in addition to their salaries, are covered by chapter 145, F.S. The requirement for special qualification salary would appear to exclude a comptroller since there is no provision for such in chapter 145, F.S.

Ability to Reduce Salary Rate

Current law does not permit a county commissioner, clerk of the circuit court, county comptroller, property appraiser, tax collector, sheriff, or supervisor of elections covered under chapter 145, F.S., to reduce his or her salary or salary rate.

In 2008, the general counsel for the St. Lucie County Sheriff's Department, on behalf of the sheriff, sought an Attorney General's opinion to determine if the sheriff could voluntarily reduce his salary below that established in chapter 145, F.S. The Attorney General ruling stated:

The Legislature has prescribed the salary for the sheriff as a county officer and the sheriff does not have the authority to alter such compensation. Nothing, however, precludes a sheriff from donating his or her salary, or a portion thereof, to the county once the sheriff has received the statutorily prescribed salary pursuant to section 145.071, Florida Statutes. Accordingly, I am of the opinion that a sheriff may not voluntarily reduce his salary below that established by Chapter 145, Florida Statutes.

2009 and 2010 Amendments Affecting School Board Member Compensation

In 2009, s. 1001.395, F.S., was amended to provide that, notwithstanding that section and s. 145.19, F.S., school board members may reduce their salary rate on a voluntary basis. For the 2010-2011 fiscal year, the section was further amended to provide that, notwithstanding that section and s. 145.19, F.S., the salary of each school board member shall be the amount calculated according to s. 1001.395(1), F.S., or the district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.

2. HB 0281 - Relating to Value Adjustment Boards by Rep. Logan

Value Adjustment Boards: Requires petitioner challenging assessed value of property before value adjustment board to pay specified percentage of taxes by certain date; requires petitioner challenging

denial of classification or exemption, or assessment on specified grounds, before value adjustment board to pay amount of tax which taxpayer admits in good faith to be owing by certain date; provides for penalty if good faith payment is grossly disproportionate to amount of tax found to be due & taxpayer's admission was not made in good faith; requires board to deny petition in writing by certain date if required amount of taxes is not timely paid; requires payment of interest on certain unpaid taxes; requires payment of interest on certain overpayments of taxes; provides for discount for ad valorem taxes paid within 30 days after mailing of corrected tax notice resulting from action of value adjustment board when corrected tax notice is issued before taxes become delinquent. Effective Date: July 1, 2011, and shall apply to petitions filed with value adjustment boards on or after July 1, 2011

➤ Effects of HB 281

The bill provides that a petitioner before a value adjustment board (VAB) challenging an assessment of property must make a partial payment of at least 75 percent of ad valorem taxes before those taxes become delinquent, less any applicable discount. A petitioner before a VAB challenging the denial of a classification or an exemption must make a payment of the amount of tax which the taxpayer admits in good faith to be owing before such taxes become delinquent, less any applicable discount. If the good faith payment made is grossly disproportionate to the amount found to be due by the VAB, a 10% per year penalty applies.

The bill provides that if the VAB determines that the petitioner owes ad valorem taxes in excess of the amounts paid, the unpaid amount accrues interest at the rate of 12 percent per year from April 1. If the VAB determines that the petitioner is owed a refund, the amount paid in excess of the amount due accrues interest at the rate of 12 percent per year from April 1.

The bill also eliminates current language which provides for a four percent discount that applies for 30 days after the mailing of a tax notice resulting from the action of a value adjustment board when the tax notice is issued after the taxes become delinquent.

3. HB 0287 - Relating to Economic Development by Rep. Eisnaugle

Economic Development: Revises definitions of terms "new business" & "expansion of an existing business"; provides for average wage of new job; provides eligibility for target industry businesses; authorizes board of county commissioners of charter county to call & hold referendum to determine whether to grant economic development ad valorem tax exemptions if in receipt of petition or initiative signed by percentage of electors as required by county charter; revises language of ballot questions relating to authority to grant economic development tax exemptions; specifies additional information that must be included in written application requesting adoption of ordinance granting economic development ad valorem tax exemption; specifies factors for board of county commissioners or governing authority of municipality to consider when deciding whether to approve or reject applications for economic development tax exemptions; limits allowable duration of economic development tax exemption granted by county or municipal ordinance; authorizes written tax exemption agreements consistent with act upon approval of tax exemption; specifies reporting requirements; authorizes revocation of agreement; limits application of act to certain exemptions granted pursuant to referenda held on or after act's effective date. Effective Date: July 1, 2011, and shall apply only to exemptions

from ad valorem taxation granted pursuant to referenda held on or after July 1, 2011, under the provisions of s. 196.1995(1), Florida Statutes

➤ Effects of HB 287

The bill makes several changes to the requirements for qualifying and issuing exemptions. Under the proposed changes in this bill, eligibility is expanded, potentially allowing more business types and nonprofit organizations to qualify for exemptions. Second, the proposed changes will provide local governments with more discretion in selecting and approving exemptions. Third, the bill establishes several accountability measures, including authorizing local governments to establish binding contracts with approved applicants that set the terms for qualifying and maintaining an exemption.

Eligibility

The bill revises the definitions for “new business” and “expansion of existing business” by making eligibility requirements more flexible and removing outdated limitations. Eligibility requirements that limit exemptions to manufacturing businesses or to businesses that provide a certain level of employment, sales factor, or output are eliminated. The board of county commissioners or municipal governing authority will have the option to incentivize any new or expanding business or non-profit organization that creates new full-time jobs or demonstrates a net increase in full-time jobs.

Enterprise Zones and Brownfields

The bill strikes references to business activity in an enterprise zone or brownfield area forms. 196.012(15), F.S., and s. 196.012(16), F.S. The revised definitions for “new business” and “expansion of existing business” encompass business activities in and outside of enterprise zones and brownfields. Therefore, this change will not prevent business activity in an enterprise zone or brownfield area from being eligible for an exemption. Further, this change will not preclude the board of county commissioners or municipal governing authority from restricting exemptions to an enterprise zone or a brownfield area as prescribed in s. 196.1995(3), F.S.

Referendum Process

Under current law, if initiated by petition, a call for a referendum on whether a county should have the authority to issue exemptions requires the signature of 10 percent of the registered electors. The bill amends s. 196.1995(1) (b), F.S., authorizing charter counties to set the threshold for meeting the signature requirement at the percentage established in the charter. The percentage established in the county charter will be considered valid even if such percentage is less than 10 percent.

Ballot Questions

The bill revises the statutorily required ballot questions in s. 196.1995(2-3), F.S., to clarify to the voter that any exemptions issued under s. 196.1995, F.S., are expected to create new, full-time jobs, and have been evaluated as being of economic interest to the community.

Issuing an Exemption

In order to strengthen accountability, the bill modifies the application and approval process and authorizes counties and municipalities to establish binding contracts with approved applicants.

Application for Exemption

The bill amends 196.1995(8), F.S., providing that an application include the following: the expected number of jobs created, the average and median wage of such jobs, whether the jobs are full-time or part-time, and the expected time schedule for job creation. The Department of Revenue has indicated

that Form DR-418 will need to be revised. This online form can be revised at no cost to the Department.

Approval Process

The bill amends s. 196.1995(10), F.S., establishing a minimum economic criteria that must be considered by the board of county commissioners or a municipal governing authority to before issuing an exemption. In general, the minimum economic criteria are the following:

- The total number of jobs created by the applicant;
- The average and median wage of the new jobs;
- Capital investment made by the applicant;
- Whether the business or operation is an industry targeted by the locality;
- The environmental impact of the proposed business or operation; and
- Extent to which the applicant intends to source supplies and materials from the local area.

Further, the bill clarifies that an exemption may not to exceed ten years and that it is the intent of the Legislature to vest counties and municipalities with as much discretion as legally permissible in determining whether to approve or not approve an exemption.

Contract Agreement

The bill creates s. 196.1995(12), F.S., which authorizes the board of county commissioners or a municipal governing authority to enter into a written tax agreement with approved applicants. The written tax agreement may contain performance criteria and an option to revoke the exemption if the applicant fails to meet expectations established s. 196.1995(8), F.S. However, the written agreement must require the applicant to report, before the exemption expires, the number of full-time jobs created and their average and median wage.

4. HB 0311 - Relating to Local Business Taxes by Rep. Roberson

Local Business Taxes: Defines term "independent contractor"; exempts individual engaging in or managing business as employee from local business tax requirements; specifies that individual licensed & operating as broker associate or sales associate is employee; specifies that independent contractor is not employee; prohibits local authorities from holding exempt employee liable for failure of principal or employer to comply with local business tax obligations or requiring exempt employee to take certain actions; prohibits local authorities from requiring principal or employer to provide personal or contact information for exempt individuals; provides exemption does not apply to business taxes imposed by municipalities or counties on individual employees pursuant to resolution or ordinance adopted before October 13, 2010; requires person applying for or renewing local business tax receipt to engage in or manage business or occupation regulated by Florida Supreme Court or state agency to exhibit certain documentation; authorizes online renewals as means of providing electronic certifications that meet such requirement; deletes requirement that DBPR provide certain professional regulation information to local officials issuing receipts; deletes provision prohibiting official issuing business tax receipts from renewing license. Effective Date: July 1, 2011

➤ Effects of HB 311

The bill creates an exemption from local business taxes for an individual who engages in or manages a business, profession, or occupation as an employee of another person. The bill provides that the exempt employee is not required to pay a local business tax, obtain a local business tax receipt, or apply for an exemption from a local business tax.

The bill provides that the exemption created by the bill does not apply to business taxes imposed by municipalities or counties on individual employees pursuant to a resolution or ordinance adopted prior to October 13, 2010 and the local authority may continue to impose and collect the tax.

The bill removes statutory language which requires the Department of Business and Professional Regulation, by August 1 of each year, to submit to the local official who issues local business tax receipts a current list of professions the department regulates and information regarding those practitioners who should not be allowed to renew their local business tax receipt due to suspension, revocation, or inactivation of a state license, certification, or registration.

The bill expands the prohibition against local governments issuing a business tax receipt unless a practitioner exhibits confirmation of an active state certificate, registration, or license to include practitioners of professions regulated by "the Florida Supreme Court, or any other state regulatory agency" not just the current statutory list of certain practitioners and certain state regulatory agencies.

For purposes of the application of the provisions relating to renewal of local business tax receipts, the bill specifies that a person operating as a real estate broker associate or a real estate sales associate is considered to be an employee. The bill specifies that an employee does not include an independent contractor.

The bill specifies that "independent contractor" means an entity which satisfies at least 4 of the 6 criteria listed in s. 440.02(15), F.S., the workers' compensation statute. Additionally, the bill further specifies that if at least 4 of the 6 criteria are not met, an individual may still be presumed to be an independent contractor and not an employee based on consideration of 7 specified work conditions created in the bill.

5. SB 0400 - Relating to Treatment-based Drug Court Programs by Sen. Wise

Treatment-based Drug Court Programs; Requires all offenders sentenced to a post adjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program. Increases the number of Criminal Punishment Code score sheet total sentence points that a defendant may have and be eligible for a post adjudicatory treatment-based drug court program, etc. EFFECTIVE DATE: July 1, 2011

➤ **Effects of SB 400**

This bill provides for additional sentencing options for a statutorily restricted population of defendants and community supervision offenders who might successfully, and safely, be diverted from the prison system into existing post adjudicatory drug court programs. The target population consists of offenders who have a substance abuse or addiction problem that is amenable to treatment and who are currently in the criminal justice system because of a nonviolent felony offense.

Entry into the post adjudicatory drug court program is also expanded to include offenders who violate their probation or community control for any reason.

Whether having violated community supervision or before the court for sentencing on a substantive law violation, the candidate for a post adjudicatory drug court program may not score more than 60 sentencing points, shall be before the court for sentencing on a nonviolent felony, and must show by a drug screening and the court's assessment that he or she is amenable to substance abuse or addiction treatment. The defendant or offender must agree to enter the program. The state attorney and victim, if any, must be consulted. Successful completion of the program is a condition of a probation or community control sentence.

6. HB 0767 -Relating to Local Government by Rep. Rooney, Jr.

Local Government: Authorizes board of county commissioners to negotiate lease of certain real property for limited period; authorizes transfers of right-of-way between local governments by deed. Effective Date: July 1, 2011

➤ **Effects of SB 767**

This bill allows the county commission to lease county real property for less than five years without going through the competitive bidding process. The change would provide greater flexibility in addressing issues that may be time sensitive. Expanding the use of temporary leases would provide greater flexibility in dealing with emergencies, short term revenue generating ventures, and replacing vendors in government buildings.

Furthermore, the bill allows government entities to transfer title to a road by recording a deed with the county or counties in which the right-of-way is located. This change would decrease the length of time that the transfer of title process requires under current law.

7. SB 1128 - Relating to Public Retirement Plans by Sen. Ring

Public Retirement Plans; Provides for the calculation of local government retirement benefits after a certain date. Requires the Department of Management Services to provide a fact sheet on each local plan. Deletes a limitation on the justification for approving an increase in member contributions. Provides a prohibition on the use of certain compensation for calculating retirement benefits. Directs the Department of Financial Services to develop a plan for rating the financial strength of local government defined benefit plans, etc. EFFECTIVE DATE: July 1, 2011

➤ **Effects of SB 1128**

Section 1 amends s. 112.63, F.S., to specify that actuarial reports required of local plans must include a disclosure of the present value of the plan's accrued vested, nonvested, and total benefits, as adopted by the Financial Accounting Standards Board, using the Florida Retirement System's assumed rate of return, in order to promote the comparability of actuarial data between local plans.

Section 2 amends s. 112.66, F.S., to:

- Prohibit inclusion of accrued unused sick or annual leave in calculating retirement benefits, and cap inclusion of overtime at 300 hours per year, starting July 1, 2011;
- Prohibit a cash or actuarial surplus in a local plan from being used outside the plan; and
- Prohibit reducing contributions required to fund normal costs.

Section 3 amends s. 112.665, F.S., to require DMS to provide a fact sheet for each participating local government defined benefit pension plan summarizing the plan's actuarial status. The fact sheet must provide a summary of the plan's most current actuarial data, minimum funding requirements as a percentage of pay, and a 5-year history of funded ratios, and include a brief explanation of each element in order to maximize the transparency of the local government plans. These documents must be posted on the department's website, and plan sponsors that have websites must provide a link to the department's website.

Florida Retirement System

Section 4 amends s. 121.051(2), F.S., by adding a new paragraph providing that local retirement systems or plans, including firefighters' or police officers' pension or retirement plans established in chapters 175 or 185, F.S., are eligible for membership in the FRS only if the plans have no unfunded actuarial liabilities.

Retirement Calculation - Firefighter and Municipal Police Pensions

Sections 5 and 8 amend ss. 175.032 and 185.02, F.S., respectively, to provide that payments for accrued unused sick or annual leave may not be included in a member's compensation or salary for purposes of calculating retirement benefits. Overtime compensation may be included in the calculation, but must be capped at 300 hours. This provision applies to:

- non-collectively bargained service earned on or after July 1, 2011; and
- service earned under collective bargaining agreements entered into on or after July 1, 2011.

Board Membership- Firefighter and Municipal Police Pensions

Sections 6 and 9 amend ss. 175.061 and 185.05, F.S., respectively, to provide that a municipality to change, by ordinance, the representation on the board of trustees, if the change does not reduce the membership percentage of firefighters or police officers.

Premium Tax Income - Firefighter and Municipal Police Pensions

Sections 7 and 10 amend ss. 175.351 and 185.35, F.S., respectively, to change a date relating to local law plans created by special act from May 23, 1939, to May 27, 1939.

The bill requires firefighter and police pension plans to have defined contribution supplemental plans by October 1, 2011; plans established by special act of the Legislature have until July 1, 2012.

As of July 1, 2011, for plans with defined contribution supplemental plans in place, or July 1, 2012, for plans without defined contribution supplemental plans in place as of July 1, 2011, premium tax revenues will be distributed as follows:

For Defined Benefit Plans

At least 80% funded	Meet Charter Min.?	Premium Tax Revenue Goes:
YES	YES	100% to DC supplemental plan
YES	NO	100% to meeting chapter minimum
NO	YES	50% to unfunded actuarial liability; 50% to DC supplemental plan
NO	NO	50% to unfunded actuarial liability; 50% to meeting chapter minimum

For Supplemental plans in conjunction with DB plans

At least 70% funded	Meet Charter Min.?	Premium Tax Revenue Goes:
YES	YES	100% to DC supplemental plan
YES	NO	100% to meeting chapter minimum
NO	YES	100% to unfunded actuarial liability
NO	NO	50% to unfunded actuarial liability; 50% to meeting chapter minimum

Financial Rating of Local Plans

Section 11 requires the Department of Financial Services to create and provide standardized ratings for the financial strength of all local government defined benefit plans in Florida, to be provided on the department's website. The ratings must include the following factors:

- Current and future unfunded liabilities;
- The net asset value, managed returns, and funded ratio;
- Metrics related to the sustainability of the plan, including, but not limited to the percentage that the annual contribution is of the participating employee payroll;
- Municipal bond ratings for the local government, if applicable;
- Whether the local government has reduced contribution rates to the plan when the plan has an actuarial surplus; and
- Whether the local government uses any actuarial surplus in the plan for obligations outside the plan.

The department may obtain the data needed to formulate the ratings from all relevant sources, which must cooperate in furnishing the data.

Task Force on Public Employee Disability Presumptions

Section 12 creates the Task Force on Public Employee Disability Presumptions for the purpose of developing findings and issuing recommendations on the disability presumptions applicable to firefighters and police officers employed by the state and local governments. The task force consists of nine members to be appointed by July 15, 2011, as follows:

- An attorney in private practice appointed by the President of the Senate;

- A representative of organized labor who is a member of a Ch. 175 pension plan, appointed by the President of the Senate;
- A representative from the Florida League of Cities appointed by the President of the Senate;
- An attorney in private practice appointed by the Speaker of the House;
- A representative of organized labor who is a member of a Ch. 185 pension plan, appointed by the Speaker of the House;
- A representative from the Florida League of Cities appointed by the Speaker of the House;
- A representative from the Auditor General;
- A representative from DMS' Division of Retirement; and
- A representative from the Department of Financial Services.

The task force must address, at a minimum, the following issues:

- Data related to the operation of the statutory disability presumptions.
- How disability presumptions are handled in other states; and
- Proposals for changes to the existing disability presumptions

By January 1, 2012, the task force must submit, a report to the Legislature and the Governor on recommendations for legislative action to be taken.

Local Government Pension Plan Transparency

Section 13 requires the Department of Financial Services, in consultation with the Legislature's Office of Economic and Demographic Research, to consider issues related to the transparency of the financial condition of local government pension plans, including:

- Whether and what kinds of local pension plan data should be included in the financial audit reports required under s. 218.39, F.S.;
- Whether the reporting requirements related to local police and firefighter pension plans should be supplemented with other types of financial data in order to give a more complete and transparent picture of a local government's financial solvency;
- Proposals for a uniform format for providing pension data, including standard terminology and the specific types of data which should be provided, including funding ratios, and whether contributions are sufficient to fund actuarial liabilities;
- Whether to require local governments to provide pension financial data on local public websites;
- Other related issues, including insurance benefits, health care benefits, postemployment plan benefits; and
- Proposals related to the composition of local pension plan boards.

The department must report its recommendations to the Legislature and Governor by December 1, 2011.

8. HB 4031 - Relating to Local Government Services by Rep. Dorworth

Local Government Services: Repeals statute relating to efficiency & accountability in local government services. Effective Date: July 1, 2011

➤ Effects of HB 4031

HB 4031 repeals s. 163.07, F.S., relating to efficiency and accountability in local government services, and providing a process that allows any county or combination of counties, and the municipalities therein, to develop and adopt a plan to improve the efficiency, accountability and coordination of the delivery of local government services. Local governments do not require the authority provided in this law, and have not elected to use the complicated procedure.

Local governments may accomplish the same results by entering into interlocal agreements pursuant to s.163.01, F.S., the "Florida Interlocal Cooperation Act of 1969." The stated purpose of that section is to enable local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities. Public agencies are thereby authorized to exercise jointly power, privilege or authority which such agencies share in common and which each can exercise separately. This joint exercise of power is made by contract in the form of an interlocal agreement which is filed with the clerk of the circuit court of each county where a party to the agreement is located. The entire process is perceived as straightforward and flexible.

9. Elections (HB 1355) – PASSED and SIGNED BY GOVERNOR

➤ Effects of HB 1355

- This bill is an omnibus elections bill that contains numerous changes to the Florida Elections Code. In part, the bill does the following:
- Revises requirements for third-party voter registration organizations.
- Prohibits any person, political committee, committee of continuous existence, or other group or organization from soliciting any voter who is in line to vote at any polling place or early voting site.
- Requires committees of continuous existence (CCEs) and political committees (PCs) who participate in local elections to file campaign finance reports on the same schedule as local candidates, in addition to filing that information on required periodic reports with the Division of Elections.
- Makes report requirements for CCEs and PCs more uniform.
- Requires revised timeframes and specifies the format for supervisors of elections and the Department of State (Department) to submit information on state voter history and precinct data.
- Requires the Department to maintain a sortable and downloadable databases with specified information.
- Moves the primary election from 10 weeks to 12 weeks before a general election.
- Provides that signatures on an initiative petition are valid for 2 years instead of 4 years.
- Creates a process for determining the date for the presidential preference primary.
- Creates provisions governing Minor Political Parties, and revises provisions relating to general election ballot placement of candidates for President and Vice-President.
- Allows within county change of address at polls and voting of a regular ballot; outside of county change of address cannot occur at polls, but the person may vote a provisional ballot.
- Deletes obsolete provisions in the Florida Elections Code.
- Provides for issuance of a new voter registration card to indicate precinct number.

- Revises absentee voter procedures to provide a timeframe for absentee ballots to be sent to Florida registered voters who are not uniformed or overseas voters.
- Ensures greater integrity of our Florida Voter Registration System through better list maintenance requirements and encouragement of voters to update information.
- Revises polling place procedures.
- Provides for polls and surveys to determine viability of a potential candidate and for a potential candidate "testing the waters" to determine whether to become a candidate.
- Revises absentee ballot procedures to allow an absentee ballot request to be good through the end of the calendar year of the next two regularly scheduled general elections, and to provide additional information to absentee voters to encourage making voter information changes so their vote will count.
- Provides earlier canvassing of absentee ballots to improve the accuracy and efficiency of the count.
- Revises political advertisement requirements, including adding requirements for a write-in candidate and political advertisement paid for by in-kind contributions.
- Eliminates the duty of the Department to provide funds from the Election Campaign Financing Trust
- Fund when a nonparticipating candidate exceeds the expenditure limit

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