



FHBA Legislative Updates – Week of February 12

Legislative Conference (by FHBA GA Chair, Frank Severino):

I want to thank the nearly 100 members who trekked to Tallahassee putting a local face on this year's legislative priorities. Timing is everything in this process and FHBA members converged at an opportune time. As we were walking the halls meeting with legislators and discussing our key issues, 1000 Friends of Florida and other opponents filled legislator's inboxes with messages aimed at defeating FHBA priority legislation which allows for state assumption of the 404 dredge and fill permitting process. The result: The Senate version passed the Appropriations Subcommittee on the Environment and Natural Resources unanimously. Meanwhile the House bill is being geared up for a floor vote later this week.

If effectively negating the misconceived efforts of 1000 Friends of Florida and others was not enough, attendees at the FHB-PAC 1,000 Club reception and Board meeting got to hear from a few candidates eyeing state wide office. These included: Matt Caldwell for Agriculture Commissioner, Frank White for Attorney General, and Tom Lee for Chief Financial Officer. Legislators from Pensacola, to Jacksonville to Miami joined us at the Legislative Reception on Tuesday evening. FHBA Leadership and local delegations met with key leaders including Senate President Joe Negron, Senate President Designate Bill Galvano, and Senate Majority Leader Wilton Simpson. Each of these individuals balanced difficult schedules. We were lucky to get them all.

I could go on about meetings and presentations from bill sponsors, running up and down stairs following our lobbyists from meeting to meeting and the friendships renewed and made as I walked the halls with fellow FHBA members. My final thought: Mission accomplished!

State Assumption of 404 Dredge and Fill Permits:

Senator Simmons's bill, SB 1402, received unanimous approval by the Appropriations Subcommittee on the Environment and Natural Resources. The bill requires the State DEP to enter into negotiations with the Army Corps of Engineers to assume their 404 permitting authority.



Condominium Bulk Buyer:

HB 841 by Rep. Moraitis received approval by the House Judiciary Committee, its last committee of reference. The Senate Bill, SB 1274 by Passidomo, received approval by the Senate Committee on Community Affairs. These bills delete the sunset provisions relating to the assumption of liability by bulk-buyers. Making permanent that condo bulk buyers do not assume developer liability better positions potential investments into distressed condos.

Permit Fees:

HB 725 by Rep. Williamson was approved by the full House. This bill requires local governments to post not only permit fees, but also the number of permits issued, how those fees are spent and other relevant issues so local HBA's and others can exert greater accountability with respect to how the fees are spent.

Affordable Housing:

HB 987 by Rep. Cortes was approved by the House Transportation and Tourism Appropriations Subcommittee. Though the provisions to waive impact fees for affordable housing were removed, it maintained requirements for expedited permits for affordable housing (clearer and more meaningful than current Sadowski Act Requirements). The bill also creates a process for housing recovery after natural disasters and requires more extensive reporting on collection and expenses associated with impact fees.

Tree Trimming:

SB 574 by Sen. Steube was amended and approved by the Senate Committee on Community Affairs. The amendment significantly revised the thrust of the bill to preempt city and counties from tree trimming and debris removal authority from a right of way if the right of way is the jurisdiction of a Special District, Community Development District or other jurisdiction.



Expected Actions for Week of February 19:

(Note: Agendas for many committees have not been released)

Statute of Repose:

HB 875 by Rep. Leek is scheduled to be heard by the full House this week. The bill provides that repairs and warranty services do not delay the start of the repose clock.

State Assumption of 404 Dredge and Fill Permits:

HB 7043 by Rep. Raschein is scheduled to be heard by the full House this week. The bill requires the State DEP to enter into negotiations with the Army Corps of Engineers to assume their 404 permitting authority.