MONTHLY REPORT TO VILLAGE COUNCIL
SECTION 4

Legislative Updates
State Legislative Agenda

Ronald L. Book, P.A.

LAW OFFICES

PROFESSIONAL ASSOCIATION

2016 Session
Week 1 Report

The 2016 Regular Session began Tuesday January 11th, with speeches from both Senate President Gardiner and Speaker Crisafulli, who used the opening day ceremony to outline their goals for this Session and for Florida. As is also custom, mid-day on Tuesday, Governor Scott gave his opening day remarks, touting his jobs record, the increasingly positive Florida economy, and his goals for this Session. The Governor reiterated his discontinue to make Florida the premier jobs state, for those wishing to work and raise a family, and outlined his priorities of continuing to cut taxes and proposing a business incentive package to continue to draw new business into the State. This week, the buzz in Tallahassee on the Governor's speech was just as much about the policies he outlined – jobs and a tax cut package, as much as what was not mentioned, such as education, state workers, and health care, among other issues.

Senate President Gardiner outlined his priorities for the developmentally disabled in his opening day speech, followed by his priority bills which passed both houses and were sent to the Governor this week. First, a bill that would enhance scholarship for students with developmental disabilities, and a second bill that would create several programs for those with developmental disabilities, including a literacy program, a program to recognize businesses that hire those with disabilities, and policy that would require state agencies to work together to develop a plan to for the state to hire more disabled workers. A third priority, which is also a priority of Speaker Crisafulli, is the major statewide water policy legislation that also passed this week.

Speaker Crisafulli in his speech, outlined his priorities which as noted above, does include a major statewide water policy overhaul that is already on its way to the Governor for his signature. Strongly supported by the business community and much less so by various environmentalists, this legislation overhauls water policy use, conservation, and water funding priorities, throughout all of Florida. Going forward, an annual assessment of the state's water recourses and conservation lands would be compiled for future use in assessing needs and funding projects – an organized approach which is new to Florida water policy.

We will continue to keep you updated on issues as they move through the process. As bills continue to be heard, we will add to our weekly reports. At the end of each week, we will send a comprehensive report on the legislative session and issues affecting local governments. Included in this report, are the following topics:

- Gaming
- Local Government Regulation
- Red Light Cameras
- Taxi, Limousines and Uber - Preemption of Local Governments
- Film and Entertainment Incentives
- Tax Cuts

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Below are a number of bills that have been filed to date, that affect local governments. We will continually add to this list as the legislative committee meetings progress and bills are filed. As always, should you have questions on these issues or any others, do not hesitate to reach out to us.

- **Gaming Compact**: Last month, the Governor signed new provisions of the Indian Gaming Compact with the Seminole Tribe of Florida, the immediately controversial provisions include a guarantee of $3 billion in revenue to Florida over the first seven (7) years, with the ability to continue the Tribe's exclusive rights to blackjack at its casinos, and the ability to add roulette and craps. The most controversial aspect of the compact is the two (2) new slot licenses which would be awarded in Miami-Dade and in Palm Beach. This provision is the most troublesome as the compact is silent on the two communities that have passed referendums by wide margins, to allow for expanded games such as slots, in both Lee County and Gretna, Florida. This gaming compact must now be ratified by both the House and Senate, before it can become official. Next week, 1/20/16, the Senate Regulated Industries committee will hold a workshop and take testimony on the proposed compact.

- **Tax cut package:** As outlined in his speech on Tuesday, the Governor is promoting his $1 billion tax cut recommendation to the Legislature by holding events around the state. His targeted tax cuts include cuts to manufacturing equipment, commercial leases, and to create a $250 million economic incentive fund to attract new business into the state. House leadership agrees with the concept in cutting $1 billion, however it is clear that the tax cut specifics are not necessarily in alignment. The Senate continues to agree that a tax cut package is necessary, however, the amount is substantially less than the $1 billion the Governor wants in cuts. Additionally, Senate leadership believe an incentive package is in order. In contrast, the House leadership does not support the concept of incentives.

- **Transportation Network Companies (Uber, Lyft ride sharing services):** HB 509 (Gaetz, M.) has passed all its committees and is ready for a vote by the full House. This bill preempts permitting and regulation of TNCs to the state. Permitting would be done through the Department of Highway Safety and Motor Vehicles in order to operate. Annual permit fees would cost $5,000. Insurance requirements include a driver to have a $1 million insurance policy while a passenger is in the car, and at least $50,000 for death and bodily injury per person, $100,000 for death and bodily injury per incident, and $25,000 for property damage after a passenger exits the car. This insurance policy and costs can be borne by the specific TNC company or the driver, or even a combination of the two, with enforcement being the responsibility of the TNC. Additionally, the TNC would be required to conduct, or have a third party conduct a criminal background check on drivers, which would include a Multi-State/Multi-Jurisdiction Criminal Records Locator or a similar commercial national database with validation, and the Dru Sjodin National Sex Offender public website. This bill is ready for a vote of the full House. The Senate has not acted on this legislation, however, it is expected to do so in the near future.

HB 509:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0509c2.docx&DocumentType=Bill&BillNumber=0509&Session=2016

- **Economic Development – Film and Entertainment Incentives:** SB 1646 (Latvala, J.) has been filed which creates a Division of Film and Entertainment within Enterprise Florida, creates a Film and Entertainment Commissioner, and Advisory Council. This bill outlines various responsibilities and qualifications of both, including the creation of a 5-year plan to recruit and maintain entertainment production opportunities throughout the state, coordination with local or regional offices maintained by counties and regions of the state, local film commissions, and labor organizations, and the coordination with each other to facilitate a working relationship. The

bill also creates a Entertainment Action Fund, to respond to opportunities for filming and to compete with other states to grow the filming industry. This bill has not been heard to date.

SB 1646: http://www.flsenate.gov/Session/Bill/2016/1646/BillText/Filed/PDF

- **Public Works Projects:** SB 598 (Brandes) would prohibit the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing restrictive conditions on contractors, subcontractors, or material suppliers or carriers; prohibits the state and political subdivisions from restricting qualified bidders from submitting bids.

  In this bill, the definition of a political subdivision would be expanded to mean a separate agency or unit of local government including a county or a municipality, an authority, board, commission, department, institution of higher education, public corporation, school district, taxing district, water management district, or other public agency authorized to expend public funds for construction, maintenance, repair, or improvement of public works. This bill will be heard next week, in the Governmental Oversight and Accountability committee.

SB 598: http://www.flsenate.gov/Session/Bill/2016/0598/BillText/Filed/PDF

- **Public Corruption bill:** HB 7071 (Formerly PCB RCEC5) passed the House Rules committee this week, 19 – 0, and would do away with two issues in proving bribery, bid rigging and fraud. This legislation would eliminate two hurdles required in prosecuting bribery, bid rigging and fraud. The bill's provisions include recommendations from a statewide grand jury on public corruption and is backed by the Florida USA Today Network. This major piece of legislation is quite comprehensive, and it is uncertain how it would be managed should it become law. The bill does the following:
  - Expands who can be subject to criminal sanction.
  - Classifies private contractors as "public servants" for the purpose of fighting public corruption.
  - Shifts the burden of proof from the prosecution to defense. Current law stipulates that prosecutors have to prove corrupt intent, the bill will require defendants who are accused of knowingly and willingly engaged in illegal conduct to prove otherwise.

  Other provisions of this bill include the expansion of who is determined to be a public servant, and therefore who can be prosecuted for these offenses, including bid tampering.

  A similar public corruption bill, SB 582 by Senator Gaetz, failed in committee this week, with a vote of 1 – 4, but was left pending, and will be addressed in the next meeting of this committee. Senator Gaetz amended his anti corruption language into SB 686, which did pass the Senate Ethics and Elections committee. SB 686, now needs to go before the committee that killed the original bill, the Senate Government Oversight Committee.

HB 7071:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h7071__.docx&DocumentType=Bill&BillNumber=7071&Session=2016
SB 582: http://www.flsenate.gov/Session/Bill/2016/0582/BillText/Filed/PDF
SB 686: http://www.flsenate.gov/Session/Bill/2016/0686/BillText/c1/PDF

- **Election of Officers:** HJR 165 (Artiles) proposes to amend the State Constitution to require that the offices of sheriff, property appraiser, supervisor of elections, tax collector, and clerk of the circuit

court, would be elected offices, and would carry four year terms of office. The joint resolution was amended in committee to include tax collector, and to specifically clarify that the proposed constitutional amendment is applicable to all counties, including Miami-Dade County. Lastly, the HJR was amended to delay implementation until January 8, 2019, so that the affected counties would have time to amend their charters and hold elections.

Being that this legislation amends the state constitution, each house of the Legislature must pass this joint resolution by a three-fifths vote in order for the proposal to be placed on the ballot. CS/HJR 165 provides for the proposed constitutional amendment to be submitted to the electors of Florida for approval or rejection at the next general election or at an earlier special election specifically authorized for this measure. Any proposed constitutional amendment in Florida must pass statewide, by a vote of 60 percent or more. This bill passed the Judiciary Committee; 16 – 2.

CS/HJR 165:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0165c1.docx&DocumentType=Bill&BillNumber=0165&Session=2016

The Senate companion, SB 648 (Hutson) was temporarily postponed in committee this week. We continue to work with members to oppose this bill, in both the House and Senate.

SB 648: http://www.flsenate.gov/Session/Bill/2016/0648/BillText/c1/PDF

- **Municipal Power Regulation**: HB 579 (Mayfield) was heard this week in the Energy and Utilities Subcommittee. An amendment passed that would remove the requirement that the Public Counsel to participate in FMPA rate-setting proceedings and removed provisions that defined FMPA as a public utility for purposes of regulation by the PSC. This bill passed the Energy and Utilities Subcommittee, 6 – 5.

CS/HB 579:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0579c1.docx&DocumentType=Bill&BillNumber=0579&Session=2016

SB 840, the Senate companion bill, by Senator Simpson, was not heard this week.

SB 840: http://www.flsenate.gov/Session/Bill/2016/0840/BillText/Filed/PDF

- **Government Meetings / Licenses to Carry Concealed Weapons or Firearms:** HB 4031 (Steube) is among several bills addressing guns this session. This specific bill though, would delete the prohibition on concealed carry licensees from openly carrying handgun or carrying a concealed weapon or firearm into any meeting of the governing body of a county, public school district, municipality, or special district, any meeting or committee meeting of the Legislature, and in any career center. Effective Date: July 1, 2016. This bill has not been heard to date.

HB 4031: http://www.flsenate.gov/Session/Bill/2016/4031/BillText/Filed/PDF

- **Body Cameras/Law Enforcement Officers:** HB 93 (Jones) and SB 418 (Smith) Requires law enforcement agencies that permit law enforcement officers to wear body cameras, to develop policies and procedures governing the proper use, maintenance, and storage of body cameras and recorded data. The policies would be required to include the following:
  - Guidelines for the proper use, maintenance, and storage of body cameras;
  - Any limitations on which law enforcement officers are permitted to wear body cameras;

- Any limitations on law enforcement-related encounters in which law enforcement officers are permitted to wear body cameras; and
- Guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.
- Training for use and storage of camera, and use and maintenance of data.

HB 93 passed its first committee hearing, 13 – 0. SB 418 has not yet been heard.

HB 93:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0093__.docx&DocumentType=Bill&BillNumber=0093&Session=2016
SB 418: http://www.flsenate.gov/Session/Bill/2016/0418/BillText/Filed/PDF

➢ **Traffic Infraction Detectors (Red Light Cameras):** SB 168 (Brandes) and HB 4027 (Artiles) would repeal the use of red light cameras. Neither bill has been heard to date.

SB 168: http://www.flsenate.gov/Session/Bill/2016/0168/BillText/Filed/PDF
HB 4027: http://www.flsenate.gov/Session/Bill/2016/4027/BillText/Filed/PDF

Tax Package: The following bills provide for various tax reductions, however, the overall tax package as addressed above, has not yet been introduced.

➢ **Sales Tax on Commercial Real Property:** HB 215 (Ahern) would phase out taxes on the rental of commercial property over the next decade. This bill would gradually increase tax exemptions and completely repeal the tax by January 2025. This bill has not been heard to date.

HB 215: http://www.flsenate.gov/Session/Bill/2016/0215/BillText/Filed/PDF

➢ **Tax on Sales, Use, and Other Transactions/Commercial and Sales and Use Tax Reduction:** SB 116 (Hukill) would also reduce the commercial property tax, by trimming the tax rate from 6 percent to 5 percent, effective Jan. 1, 2017. Additionally, the bill reduces sales and use tax revenue by $119.6 m in FY 2016-2017 and $287m on a recurring basis. It decreases General Revenue and local revenue by $254.1m and $32.9m, respectively, on a recurring basis. In FY 2016-2017, the bill reduces General Revenue by $105m and local revenue by $137m. The bill would take effect January 1, 2017.

The bill has passed two of its three committees of reference unanimously, but has not been heard since it passed the Finance and Tax committee on 10/20/15, with a vote of 8 – 0. We expect this or a similar version, to be included in a tax package in the upcoming weeks.

SB 116: http://www.flsenate.gov/Session/Bill/2016/0116/BillText/Filed/PDF

➢ **Tax on Communications Services:** SB 256 (Hukill) would reduce the tax rates applied to the sales of communications services and retail sales of direct-to-home satellite services, revise the allocation of revenue received from the tax on retail sales of direct-to-home satellite services. This bill has not been heard to date.

SB 256: http://www.flsenate.gov/Session/Bill/2016/0256/BillText/Filed/PDF

➢ **Public Procurement Practices:** SB 124 (Evers) and HB 95 (Steube) would require a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee

does not cover certain costs. It deletes provisions relating to notice to affected local jurisdictions by which the responsible public entity would no longer be required to notify each affected local jurisdiction when considering a proposal for a qualifying project. Also, this bill would increase the dollar threshold for a contract amount of a project for which a person, the state, or a political subdivision is prohibited from refusing a surety bond issued by a surety company, and deletes provisions creating the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force. SB 124 passed the Community Affairs committee, 7 – 0 on 11/17/15. HB 95 passed the Local Government Affairs Subcommittee 11 – 0, on 11/4/15.

SB 124: http://www.flsenate.gov/Session/Bill/2016/0124/BillText/Filed/PDF
HB 95: http://www.flsenate.gov/Session/Bill/2016/0095/BillText/Filed/PDF

- **Texting while driving:** SB 328 (Altman) and HB 537 (Perry) would authorize law enforcement officers to stop motor vehicles and issue citations as a primary offense to people who are texting and driving. Currently texting while driving is a secondary offense. Neither bill has been heard to date.

SB 328: http://www.flsenate.gov/Session/Bill/2016/0328/BillText/Filed/PDF
HB 537:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0537__.docx&DocumentType=Bill&BillNumber=0537&Session=2016

- **Texting while driving in a school zone:** HB 25 (Stark) and SB 246 (Sachs) is a different approach, which would only make texting while driving a primary offense while in a school zone or in a school crossing. Neither bill has been heard to date.

HB 25: http://www.flsenate.gov/Session/Bill/2016/0025/BillText/Filed/PDF
SB 246: http://www.flsenate.gov/Session/Bill/2016/0246/BillText/Filed/PDF

- **Community Investment Program:** HB 33 (Rodgers) and SB 240 (Soto) would establish an investment program within the Department Of Economic Opportunity. The program will focus investment to reduce poverty in economically disadvantaged communities. Neither bill has been heard to date.

HB 33: http://www.flsenate.gov/Session/Bill/2016/0033/BillText/Filed/PDF
SB 240: http://www.flsenate.gov/Session/Bill/2016/0240/BillText/Filed/PDF

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2016 Session
Week 2 Report

Week 2 of the Legislative Session concluded with the signature of the Governor of three major priorities of the Speaker, the Senate President and the Governor, while budget estimators held their final conference to determine the outlook for the state before the presiding officers give the appropriations subcommittee chairs their budget allocations.

BUDGET: A critical development this week was a shortfall in the economic outlook of the state. Revenue estimators have calculated that the state will have approximately $400 million less to allocate, throwing off the budget process as it was just beginning. This has also put the Governor's request for $1 billion in tax cuts and a $250 million incentive package under a higher level of scrutiny. This report explores these issues in more depth below.

INDIVIDUALS WITH DISABILITIES: Senator Gardiner championed legislation which was signed by the Governor this week and would provide new programs and interagency policies meant to increase employment opportunities for people with disabilities. It creates the Florida Unique Abilities Partner Program which will recognize that employ individuals who have a disability. Also signed into law this week was legislation that establishes a financial literacy program to help individuals with disabilities through the complex network of federal and state requirements and to find employment. (Individuals with disabilities – HB 7003, and Florida Postsecondary Comprehensive Transition Program Act – SB 672).

WATER: Speaker Crisafulli led the legislature in passage of a comprehensive water policy bill which was also signed this week by the Governor. (Environmental Resources – SB 552) This legislation restructures priorities for policy geared toward water conservation. Water management districts (WMDs) would no longer be able to alter water use permits if conservation practices cause water consumption to drop. It addresses permits for agricultural irrigation, requires the WMDs to create incentive rules to encourage water conservation, restricts local government's regulation over flow control, addresses waste control facilities and the levels of trash they are to receive, and other issues including phosphate mining, the water quality credits, and water supply options for surface waters.

Included in this report are summaries on each of the subjects below. Should you need further information on these or other issues, please call or email us and we will be happy to provide that information.

- Gaming Compact
- Economic Incentive Package
- Economic Development Incentives (Including Film Incentives
- Transportation Network Companies (Uber, Lyft ride sharing services)
- Public Works Projects
- Public Corruption bill
- Election of Officers
- Traffic Infraction Detectors (Red Light Cameras)

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- Drone Use and Drone Use by Sexual Predators
- Municipal Power Regulation
- Body Cameras/Law Enforcement Officers
- Tax Cuts (various bills)
- Public Procurement Practices
- Texting while driving, and while driving in a school zone
- Community Investment Program
- Government Meetings / Licenses to Carry Concealed Weapons or Firearms

Gaming Compact: During week two, the Senate Regulated Industries committee held a workshop and heard presentations on the proposed gaming compact. Mr. Jeff Woodburn, the Governor's gaming policy director, gave a lengthy presentation on the compact and took many questions from legislators.

While they asked a variety of questions in a heated atmosphere, the committee members focused on a few key points. Permits would be granted, one (1) in Miami-Dade County and one (1) in Palm Beach County, to operate slot machines, (and would require a change in state law and a county-wide referendum). Several Senators asked for the reasoning behind this decision, to the exclusion of other communities around the state, particularly ones who held a referendum, but were not included. Mr. Woodburn was quizzed on this extensively. Several of the Miami-Dade County legislators strongly commented that they had not been consulted on an additional permit in the County they represent.

Mr. Jim Allen, CEO of Seminole Gaming, spoke at length as well, on the tribe's perspective of the negotiated compact. The meeting was to include a presentation by Amy Baker, the state's economist, who is the director of the State's Economic and Demographic Research, but the meeting was scheduled from 1:30 - 3:30, and the committee ran out of time. Chairman Bradley agreed that the committee should meet again next week for Ms. Baker's presentation and for any entity representative who would like to come and present, would be able to do so.

The Senate Regulated Industries committee will meet again, Wednesday, January 27th, from 9:00 am to 11:00 am.

Economic Incentive Package: As outlined by the Governor, in addition to his $1 billion tax cut package, he is promoting a $250 million incentive package as part of his economic development recommendations to the Legislature. The Governor is asking the legislature to provide a $250 million funding investment through the creation of an enterprise fund, so that he and Enterprise Florida could use that money as incentives for luring business to Florida.

This week, Senator Latvala, Chair of the Transportation and Economic Development Appropriations subcommittee, held a workshop to hear a presentation from Amy Baker, the state's economist, director of the State's Economic and Demographic Research, on the financial outlook on the $250 million tax incentive package the Governor has requested. Ms. Baker's recommendation was not necessarily positive. She testified that a variety of other methods of investment had a higher return on investment (ROI) than the proposed enterprise fund, for the simple reason that once the $250 million is diverted from other areas of the budget, and put into reserve for economic development purposes, it becomes idle and untouchable until the state finds business entities to recruit. Ms. Baker did offer another alternative incentive method, which would be more along the lines of a "pay as you go" scenario, in which incentive funds would be paid to business entities once they meet their contractual obligations to the state.

Enterprise Florida's chief operating officer, Ms. Crystal Sircy, disputed this assessment, touting the benefits of a large, lump sum of money in reserve to leverage business recruitment deals. Enterprise Florida's board of directors is chaired by the Governor.

Chairman Latvala, Chair announced that as a result of this presentation, he would create an incentive package from the ground up, and it would include various incentive offerings, including tv and film incentives. See SB 1646 below.

Economic Development Incentives (Including Film Incentives): SB 1646 (Latvala) would require the Department of Economic Opportunity to contract with a direct-support organization to promote the sports industry and the participation of residents in certain athletic competitions in this state and to promote the state as a host for athletic competitions; require the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to provide a detailed analysis of the retention of Major League Baseball spring training baseball franchises, repeal provisions relating to state agency funding of the International Game Fish Association World Center facility; and create the Entertainment Action Fund within the Department of Economic Opportunity.

SB 1646 will be heard next week, in the Commerce and Tourism committee, chaired by Senator Detert, the long time champion of incentives for the television and film industry in Florida. Senator Latvala has said very publicly, that the Senate would not pass an economic development financial package without incentives for the tv and film industry.

SB 1646: http://www.flsenate.gov/Session/Bill/2016/1646/BillText/Filed/PDF

The House companion, HB 1325 is sponsored by Representative Goodson and has not been scheduled for a hearing at this time.

HB 1325:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h1325__.docx&DocumentType=Bill&BillNumber=1325&Session=2016

Transportation Network Companies (Uber, Lyft ride sharing services): HB 509 (Gaetz, M.) has passed all its committees and will be voted on by the full House, January 26th.

This bill preempts permitting and regulation of TNCs to the state. Permitting would be done through the Department of Highway Safety and Motor Vehicles in order to operate. Annual permit fees would cost $5,000. Insurance requirements include a driver to have a $1 million insurance policy while a passenger is in the car, and at least $50,000 for death and bodily injury per person, $100,000 for death and bodily injury per incident, and $25,000 for property damage after a passenger exits the car. This insurance policy and costs can be borne by the specific TNC company or the driver, or even a combination of the two, with enforcement being the responsibility of the TNC. Additionally, the TNC would be required to conduct, or have a third party conduct a criminal background check on drivers, which would include a Multi-State/Multi-Jurisdiction Criminal Records Locator or a similar commercial national database with validation, and the Dru Sjodin National Sex Offender public website. This bill is ready for a vote of the full House. The Senate has not acted on this legislation, however, it is expected to do so in the near future.

HB 509:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0509c2.docx&DocumentType=Bill&BillNumber=0509&Session=2016

Public Works Projects: SB 598 (Brandes) would prohibit the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing restrictive conditions on contractors, subcontractors, or material suppliers or carriers; prohibits the state and political subdivisions from restricting qualified bidders from submitting bids.

In this bill, the definition of a political subdivision would be expanded to mean a separate agency or unit of local government including a county or a municipality, an authority, board, commission, department, institution of higher education, public corporation, school district, taxing district, water management district, or other public agency authorized to expend public funds for construction, maintenance, repair, or improvement of public works.

This bill was scheduled to be heard during week two, but was not considered, and is back on the agenda for the Governmental Oversight and Accountability committee meeting during week three.

SB 598: http://www.flsenate.gov/Session/Bill/2016/0598/BillText/Filed/PDF

Public Corruption bill: HB 7071 (Formerly PCB RCEC5) passed the House Rules committee this week, 19 – 0, and would do away with two issues in proving bribery, bid rigging and fraud.

This legislation would eliminate two hurdles required in prosecuting bribery, bid rigging and fraud. The bill's provisions include recommendations from a statewide grand jury on public corruption and is backed by the Florida USA Today Network. This major piece of legislation is quite comprehensive, and it is uncertain how it would be managed should it become law. The bill expands who can be subject to criminal sanction, classifies private contractors as "public servants" for the purpose of fighting public corruption, and shifts the burden of proof from the prosecution to defense. Current law stipulates that prosecutors have to prove corrupt intent, the bill will require defendants who are accused of knowingly and willingly engaged in illegal conduct to prove otherwise. Also included is a provision that expands who is determined to be a public servant and therefore who could be prosecuted for these offenses, including bid tampering.

HB 7071 will be heard by the full House on Wednesday of week three.

HB 7071:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h7071__.docx&DocumentType=Bill&BillNumber=7071&Session=2016

A similar public corruption bill, SB 582 by Senator Gaetz, which failed in committee during week one, and which was left pending was addressed during the same committee during week 2. An amendment by Senator Latvala which removed public contractors from sections of the bill related to bribery and unlawful compensation, but kept them in the sections dealing with bid tampering and official misconduct. This amendment was compromise language agreed upon by Senators Latvala and Gaetz, whose strong exchange in the previous committee was on this issue.

SB 582: http://www.flsenate.gov/Session/Bill/2016/0582/BillText/Filed/PDF
SB 686: http://www.flsenate.gov/Session/Bill/2016/0686/BillText/c1/PDF

Election of Officers: HJR 165 (Artiles) proposes to amend the State Constitution to require that the offices of sheriff, property appraiser, supervisor of elections, tax collector, and clerk of the circuit court, would be elected offices, and would carry four year terms of office.

The joint resolution was amended in its first committee to include tax collector, and to specifically clarify that the proposed constitutional amendment is applicable to all counties, including Miami-Dade County. Lastly, the HJR was amended to delay implementation until January 8, 2019, so that the affected counties would have time to amend their charters and hold elections.

Being that this legislation amends the state constitution, each house of the Legislature must pass this joint resolution by a three-fifths vote in order for the proposal to be placed on the ballot. CS/HJR 165 provides for the proposed constitutional amendment to be submitted to the electors of Florida for approval or rejection at the next

general election or at an earlier special election specifically authorized for this measure. Any proposed constitutional amendment in Florida must pass statewide, by a vote of 60 percent or more.

This bill passed the Judiciary Committee; 16 – 2, and this week, passed the Local and Federal Affairs Committee, 12 – 4.

CS/HJR 165:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0165c1.docx&DocumentType=Bill&BillNumber=0165&Session=2016

The Senate companion, SB 648 (Hutson) was temporarily postponed in committee this week. We continue to work with members to oppose this bill, and the Senate bill has not had a hearing to date.

SB 648: http://www.flsenate.gov/Session/Bill/2016/0648/BillText/c1/PDF

Traffic Infraction Detectors (Red Light Cameras): SB 168 (Brandes) and HB 4027 (Artiles) would repeal the use of red light cameras.

HB 4027 passed the Economic Affairs Committee, 13 – 3.

HB 4027: http://www.flsenate.gov/Session/Bill/2016/4027/BillText/Filed/PDF

SB 168 has not been heard to date.

SB 168: http://www.flsenate.gov/Session/Bill/2016/0168/BillText/Filed/PDF

Drones: SB 642 (Diaz de la Portilla) and HB 459 (Fitzenhagen) these bills provide for liability for injury to a person or property damage in this state for the negligent operation of a drone. HB 459 has not been heard to date.

SB 642 passed the Commerce and Tourism committee, 6 – 1 and is scheduled to be heard in the Rules committee next week.

SB 642: http://www.flsenate.gov/Session/Bill/2016/0642/BillText/c1/PDF

The House companion, HB 459 (Fitzenhagen) has not been heard to date.

HB 459:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0459__.docx&DocumentType=Bill&BillNumber=0459&Session=2016

Drone Use by Sexual Predators: SB 510 (Hukill) and HB 1301 (Metz) would create a third degree felony for convicted sexual predators who use or operate a drone to view or record an image of a minor.

Neither bill has been heard to date.

SB 510: http://www.flsenate.gov/Session/Bill/2016/0510/BillText/Filed/PDF
HB 1301:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h1301__.docx&DocumentType=Bill&BillNumber=1301&Session=2016

Municipal Power Regulation: HB 579 (Mayfield) was heard this week in the Energy and Utilities Subcommittee. An amendment passed that would remove the requirement that the Public Counsel to participate in FMPA rate-setting proceedings and removed provisions that defined FMPA as a public utility for purposes of regulation by the PSC.

This bill passed the Energy and Utilities Subcommittee, 6 – 5, during week one, but was not heard this week.

CS/HB 579:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0579c1.docx&DocumentType=Bill&BillNumber=0579&Session=2016

SB 840 (Simpson), the Senate companion bill on Municipal Power Regulation, was not heard this week.

SB 840: http://www.flsenate.gov/Session/Bill/2016/0840/BillText/Filed/PDF

Body Cameras/Law Enforcement Officers: HB 93 (Jones) and SB 418 (Smith) Requires law enforcement agencies that permit law enforcement officers to wear body cameras, to develop policies and procedures governing the proper use, maintenance, and storage of body cameras and recorded data. The policies would be required to include the following:

- Guidelines for the proper use, maintenance, and storage of body cameras;
- Any limitations on which law enforcement officers are permitted to wear body cameras;
- Any limitations on law enforcement-related encounters in which law enforcement officers are permitted to wear body cameras; and
- Guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.
- Training for use and storage of camera, and use and maintenance of data.

HB 93 passed the Criminal Justice subcommittee, 13 – 0, and the Appropriations committee, 18 – 0 and will next be heard in the Judiciary committee.

HB 93:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0093__.docx&DocumentType=Bill&BillNumber=0093&Session=2016

SB 418 has not yet been heard.

SB 418: http://www.flsenate.gov/Session/Bill/2016/0418/BillText/Filed/PDF

Tax Cut Legislation: The following bills provide for various tax reductions, however, the overall tax package as addressed above, has not yet been introduced.

Sales Tax on Commercial Real Property: HB 215 (Ahern) would phase out taxes on the rental of commercial property over the next decade. This bill would gradually increase tax exemptions and completely repeal the tax by January 2025. This bill has not been heard to date.

HB 215: http://www.flsenate.gov/Session/Bill/2016/0215/BillText/Filed/PDF

Tax on Sales, Use, and Other Transactions/Commercial and Sales and Use Tax Reduction: SB 116 (Hukill) would also reduce the commercial property tax, by trimming the tax rate from 6 percent to 5 percent, effective Jan. 1, 2017. Additionally, the bill reduces sales and use tax revenue by $119.6 m in FY 2016-2017 and $287m on a recurring basis. It decreases General Revenue and local revenue by $254.1m and $32.9m, respectively, on a

recurring basis. In FY 2016-2017, the bill reduces General Revenue by $105m and local revenue by $137m. The bill would take effect January 1, 2017.

The bill has passed two of its three committees of reference unanimously, but has not been heard since it passed the Finance and Tax committee on 10/20/15, with a vote of 8 – 0. We expect this or a similar version, to be included in a tax package in the upcoming weeks.

SB 116: http://www.flsenate.gov/Session/Bill/2016/0116/BillText/Filed/PDF

Tax on Communications Services: SB 256 (Hukill) would reduce the tax rates applied to the sales of communications services and retail sales of direct-to-home satellite services, revise the allocation of revenue received from the tax on retail sales of direct-to-home satellite services. This bill has not been heard to date.

SB 256: http://www.flsenate.gov/Session/Bill/2016/0256/BillText/Filed/PDF

Public Procurement Practices: SB 124 (Evers) and HB 95 (Steube) would require a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs. It deletes provisions relating to notice to affected local jurisdictions by which the responsible public entity would no longer be required to notify each affected local jurisdiction when considering a proposal for a qualifying project. Also, this bill would increase the dollar threshold for a contract amount of a project for which a person, the state, or a political subdivision is prohibited from refusing a surety bond issued by a surety company, and deletes provisions creating the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force. SB 124 passed the Community Affairs committee, 7 – 0 on 11/17/15. HB 95 passed the Local Government Affairs Subcommittee 11 – 0, on 11/4/15.

SB 124: http://www.flsenate.gov/Session/Bill/2016/0124/BillText/Filed/PDF
HB 95: http://www.flsenate.gov/Session/Bill/2016/0095/BillText/Filed/PDF

Texting while driving: SB 328 (Altman) and HB 537 (Perry) would authorize law enforcement officers to stop motor vehicles and issue citations as a primary offense to people who are texting and driving. Currently texting while driving is a secondary offense. Neither bill has been heard to date.

SB 328: http://www.flsenate.gov/Session/Bill/2016/0328/BillText/Filed/PDF
HB 537:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0537__.docx&DocumentType=Bill&BillNumber=0537&Session=2016

Texting while driving in a school zone: HB 25 (Stark) and SB 246 (Sachs) is a different approach, which would only make texting while driving a primary offense while in a school zone or in a school crossing. Neither bill has been heard to date.

HB 25: http://www.flsenate.gov/Session/Bill/2016/0025/BillText/Filed/PDF
SB 246: http://www.flsenate.gov/Session/Bill/2016/0246/BillText/Filed/PDF

Community Investment Program: HB 33 (Rodgers) and SB 240 (Soto) would establish an investment program within the Department Of Economic Opportunity. The program will focus investment to reduce poverty in economically disadvantaged communities. Neither bill has been heard to date.

HB 33: http://www.flsenate.gov/Session/Bill/2016/0033/BillText/Filed/PDF
SB 240: http://www.flsenate.gov/Session/Bill/2016/0240/BillText/Filed/PDF

Government Meetings / Licenses to Carry Concealed Weapons or Firearms: HB 4031 (Steube) is among several bills addressing guns this session. This specific bill though, would delete the prohibition on concealed carry licensees from openly carrying handgun or carrying a concealed weapon or firearm into any meeting of the governing body of a county, public school district, municipality, or special district, any meeting or committee meeting of the Legislature, and in any career center. Effective Date: July 1, 2016. This bill has not been heard to date.

HB 4031: http://www.flsenate.gov/Session/Bill/2016/4031/BillText/Filed/PDF

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Ronald L. Book, P.A.

LAW OFFICES

PROFESSIONAL ASSOCIATION

2016 Session
Week 3 Report

At the end of week 3, the House and Senate proposed General Appropriations bills were released, with the Senate budget totaling just over $80 billion, and the House budget just under. Once the two chambers have passed their versions of the budget they will enter into budget conference negotiations over the next few weeks, ending likely during the last week of the Legislative Session. Major funding differences at this point in session include natural resources funding, economic development incentives, school construction, higher education funding, and the court system funding.

Economic Development and Film Incentives: The Senate Commerce and Tourism Committee this week, passed an omnibus economic development bill, SB 1646 by Senator Detert, that restructures the state's economic incentive and development programs. The next stop for this bill is the Senate Appropriations committee on Transportation and Economic Development, which includes funding for this program, in its budget proposal released this week. The budget proposal also includes $6 million to be allocated to Visit Florida, to help advertise movies that showcase Florida as a destination. Senator Detert and Senator Thompson expressed concerns with this proposal to Chairman Latvala, noting that Visit Florida was not the preferred location for funding of this sort, and that the appropriate area for the entertainment film industry funding be a separate item under Enterprise Florida. This remains to be finalized as the legislature goes through the budget process.

The Senate Transportation and Economic Development subcommittee budget proposal does contain the Governor's Enterprise Fund priority, which is strongly supported by Senator Latvala, the chairman of this subcommittee, and who is slated to become the full Appropriations committee chairman next Session. The Governor has requested $250 million for this fund. In the Senate proposal, to qualify for funding from the Enterprise Fund, a project will have to create at least 10 jobs and receive 20 percent of its support from local contributions, in addition to providing a 3 to 1 return on investment as calculated by state economists. The proposal limits the duration of incentive contracts for all programs to 10 years, and mandates that the final incentive deals approved by the Governor include the same requirements and metrics as the project descriptions provided to the Legislature. Lastly, $100 million of this fund would be allocated to this fund once the settlement money is awarded to Florida from the BP oil spill case. Conversely, the future of this economic incentives package in the House, is uncertain at this time, with House leadership philosophically opposed to incentives.

Local Government Water Projects: While both the House and Senate Agriculture and Natural Resources Appropriations subcommittee budgets have been released, no funding for water projects was included in either House or Senate preliminary proposal. Water project funding allocations are not expected until the end of the budget conference process.

Should you need further information on these or other issues, please call or email us and we will provide that information.

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Gaming Compact: During week 3, the Senate Regulated Industries committee held a second workshop to hear a presentation by Amy Baker, the state's economist, and is the director of the State's Economic and Demographic Research. Gaming entities and members of the public where given the opportunity to speak on the Compact. In Ms. Baker's presentation, and in her answers to members' questions during the committee meeting, one of the more important points she stressed, was that with this Compact as written, the "cannibalization" of the state's many existing gaming businesses, is likely. This is important to note because the existing gaming entities have been working to include various other issues in the Compact, such as tax parity, slots parity, and decoupling. At this stage, the inclusion of these issues is tied to members' votes, and without them, the Compact could be in jeopardy.

The Legislature must ratify the Compact in order for it to become finalized. The Senate has not indicated its plan to meet in the next few weeks to take up the compact to authorize the Governor's agreement, nor has the House Regulatory Affairs committee. We will continue to update you on this important issue.

Tax Cut Package: The preliminary Senate budget proposal does not include the Governor's top priority this year, of $1 billion in tax cuts. However this week in the House, Representative Gaetz, Chair of the Finance and Tax committee, held a workshop to review the House tax cut package proposal, which does include almost $1 billion in cuts. It includes cuts to 33 different taxes, according to the House, and would amount to approximately $989 million. What the House cut package does not include is the Governor's proposal to eliminate corporate income taxes on manufacturers and retail businesses. This cut would be just under $400 million this fiscal year and $770 million annually, beginning in the next fiscal year. The House plan would include four sales tax holidays: A 10-day reduction for back to school shopping in August; a reduction on taxes for hunting and fishing gear, including firearms, ammunition and fishing poles for one day in August; a reduction to encourage people to shop at small businesses on the Saturday after Thanksgiving; and a cut in sales taxes on technology, including computers, tablets, and cell phones, which would amount to $116 million in sales tax reductions next year. The House plan also includes reductions in taxes on commercial leases and continues a sales tax exemption on manufacturing equipment.

The atmosphere in the Senate is entirely different, as Chairman Lee has used strong language questioning the Governor's and House tax cut plans. He has made it known that he is wary of long-term tax reductions that would cut too far into the state's budget, and could have strong implications if the economy should take a stronger turn downward. We reported earlier this month that the state revenue estimating conference released a budget projection that lowered expected state funding by $400 million.

Transportation Network Companies (Uber, Lyft ride sharing services): HB 509 (Gaetz, M.) passed the full House this week, with a vote of 108 – 10. The bill as passed, would take effect July 1, 2016, and accomplish the following:

- Preempts to the state the regulation of Transportation Network Companies (TNCs) and creates a regulatory framework for the operation of TNCs.
- Prohibits local governments from imposing taxes or licenses on TNCs relating to the provision of TNC service.
- Provides that airports may charge an annual fee to TNCs of up to $5,000.
- Defines "transportation network company" as an entity granted a permit under s. 316.680, F.S., to operate in this state using a digital network or software application service to connect riders to TNC service provided by drivers. A TNC is not deemed to own, control, operate, or mange the vehicles used by drivers; is not deemed to control or mange drivers; and is not a taxicab association or for-hire vehicle owner. A TNC does not include an individual, corporation, partnership, sole proprietorship, or other entity arranging nonemergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the state or a managed care organization. The bill also provides other definitions related to TNCs.
- Provides that a TNC is not a common carrier and does not provide taxi or for-hire vehicle service.

- Provides that a TNC driver is not required to register his or her vehicle as a commercial motor vehicle or for-hire vehicle.
- Provides that a person must obtain an annual permit from the Department of Highway Safety and Motor Vehicles (DHSMV) to operate as a TNC in the amount of $5,000, paid to DHSMV.
- Requires TNCs charging fares to disclose the fare calculation, to provide riders with applicable rates being charged, and an option to receive an estimated fare and requires an electronic receipt to be provided.
- Requires the identification of TNC vehicles and drivers by license plate and picture of the driver.
- Provides minimum TNC and driver insurance requirements and requires insurance related disclosures.
- Provides that TNC drivers are independent contractors if certain conditions are met and TNCs are not required to provide workers' compensation coverage for independent contractors.
- Requires TNCs to have a zero tolerance policy for illegal drug or alcohol use.
- Provides minimum requirements for TNC drivers, including a criminal background check and a driving history report.
- Prohibits TNC drivers from accepting street hails or cash payments.
- Prohibits TNCs from discriminating against drivers and requires them to develop policies on nondiscrimination and accessibility.
- Requires motor vehicle crash reports to indicate if a driver is engaged in TNC service and provides penalties for providing false information.

HB 509:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0509e1.docx&DocumentType=Bill&BillNumber=0509&Session=2016

Transportation Network Companies: HB 1118, (Simmons), is the Senate TNC bill that at this time, only addresses insurance required of the company and drivers, it would take effect July 1, 2017, and accomplish the following:

- Specifies minimum insurance requirements for TNCs, and requires transportation network companies or drivers to maintain primary automobile liability insurance of at least $125,000 for death and bodily injury per person, $250,000 for death and bodily injury per incident, and $50,000 for property damage. The bill creates two time periods during which the insurance is required. The first time period is during the time when a driver is logged on to the transportation network company's digital network but not providing a prearranged ride. The second time period is during a prearranged ride.
- Requires TNC drivers to maintain liability insurance of at least $25,000 for death and bodily injury per person, $50,000 for death and bodily injury per incident, and $10,000 for property damage. Such coverage would apply at all times other than during a prearranged ride or when the driver is logged on to the TNC digital network but not providing a prearranged ride. The bill also requires that coverage meeting the requirements of the Florida Motor Vehicle No-Fault Law be maintained at all times.
- Preempts any local ordinances imposing insurance requirements on transportation network companies.

SB 1118: http://www.flsenate.gov/Session/Bill/2016/1118/BillText/c1/PDF

Public Works Projects: SB 598 (Brandes) would prohibit the state and political subdivisions that contract for the construction, maintenance, repair, or improvement of public works from imposing restrictive conditions on contractors, subcontractors, or material suppliers or carriers; prohibits the state and political subdivisions from restricting qualified bidders from submitting bids.

This bill was heard in the Governmental Oversight and Accountability committee and failed, 2 – 3.

The House companion, HB 181, (Van Zant, Tobia), which passed all of its committees and was scheduled to be heard by the full House, was temporarily postponed, that same day.

Public Corruption bills: HB 7071 (Formerly PCB RCEC5) passed the full House this week, 118 – 0, and would do away with two issues in proving bribery, bid rigging and fraud.

This legislation would eliminate two hurdles required in prosecuting bribery, bid rigging and fraud. The bill's provisions include recommendations from a statewide grand jury on public corruption and is backed by the Florida USA Today Network. This major piece of legislation is quite comprehensive, and it is uncertain how it would be managed should it become law. The bill expands who can be subject to criminal sanction, classifies private contractors as "public servants" for the purpose of fighting public corruption, and shifts the burden of proof from the prosecution to defense. Current law stipulates that prosecutors have to prove corrupt intent, the bill will require defendants who are accused of knowingly and willingly engaged in illegal conduct to prove otherwise. Also included is a provision that expands who is determined to be a public servant and therefore who could be prosecuted for these offenses, including bid tampering.

HB 7071:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h7071__.docx&DocumentType=Bill&BillNumber=7071&Session=2016

The companion public corruption bill, SB 582 by Senator Gaetz, will be amended and heard by the Senate Criminal Justice committee, on 2/1/16.

SB 582: http://www.flsenate.gov/Session/Bill/2016/0582/BillText/Filed/PDF

SB 686 (Gaetz, D) a third version of the public corruption bill, will be heard by the Senate Governmental Oversight and Accountability, on 2/01/16.

SB 686: http://www.flsenate.gov/Session/Bill/2016/0686/BillText/c1/PDF

Election of Officers: HJR 165 (Artiles) proposes to amend the State Constitution to require that the offices of sheriff, property appraiser, supervisor of elections, tax collector, and clerk of the circuit court, would be elected offices, and would carry four year terms of office. The joint resolution was amended in its first committee to include tax collector, and to specifically clarify that the proposed constitutional amendment is applicable to all counties, including Miami-Dade County. Lastly, the HJR was amended to delay implementation until January 8, 2019, so that the affected counties would have time to amend their charters and hold elections.

Being that this legislation amends the state constitution, each house of the Legislature must pass this joint resolution by a three-fifths vote in order for the proposal to be placed on the ballot. CS/HJR 165 provides for the proposed constitutional amendment to be submitted to the electors of Florida for approval or rejection at the next general election or at an earlier special election specifically authorized for this measure. Any proposed constitutional amendment in Florida must pass statewide, by a vote of 60 percent or more.

This bill passed the Judiciary Committee; 16 – 2, and passed the Local and Federal Affairs Committee, 12 – 4.

CS/HJR 165:
http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0165c1.docx&DocumentType=Bill&BillNumber=0165&Session=2016

The Senate companion, SB 648 (Hutson) was temporarily postponed in committee. We continue to work with members to strongly oppose this bill, and subsequently the Senate bill has not had a hearing to date.

SB 648: http://www.flsenate.gov/Session/Bill/2016/0648/BillText/c1/PDF

Traffic Infraction Detectors (Red Light Cameras): SB 168 (Brandes) and HB 4027 (Artiles), would repeal the use of red light cameras.

HB 4027 passed the Economic Affairs Committee, 13 – 3, on 1/21/16.

HB 4027: http://www.flsenate.gov/Session/Bill/2016/4027/BillText/Filed/PDF

SB 168 has not been heard to date.

SB 168: http://www.flsenate.gov/Session/Bill/2016/0168/BillText/Filed/PDF

Drones: SB 642 (Diaz de la Portilla) and HB 459 (Fitzenhagen) these bills provide for liability for injury to a person or property damage in this state for the negligent operation of a drone. HB 459 has not been heard to date.

SB 642 passed the Rules committee, 12 – 1.

SB 642: http://www.flsenate.gov/Session/Bill/2016/0642/BillText/c1/PDF

The House companion, HB 459 (Fitzenhagen) has not been heard to date.

HB 459:
http://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=_h0459__.docx&DocumentType=Bill&BillNumber=0459&Session=2016

Public Procurement Practices: SB 124 (Evers) and HB 95 (Steube) would require a private entity that submits an unsolicited proposal to pay an initial application fee and additional amounts if the fee does not cover certain costs. It deletes provisions relating to notice to affected local jurisdictions by which the responsible public entity would no longer be required to notify each affected local jurisdiction when considering a proposal for a qualifying project. Also, this bill would increase the dollar threshold for a contract amount of a project for which a person, the state, or a political subdivision is prohibited from refusing a surety bond issued by a surety company, and deletes provisions creating the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force.

HB 95 passed the full Appropriations Committee, 24 – 1.
SB 124 will be heard in the Governmental Oversight and Accountability committee on 2/01.

Body Cameras/Law Enforcement Officers: HB 93 (Jones) and SB 418 (Smith) Requires law enforcement agencies that permit law enforcement officers to wear body cameras, to develop policies and procedures governing the proper use, maintenance, and storage of body cameras and recorded data. The policies would be required to include the following:

- Guidelines for the proper use, maintenance, and storage of body cameras;
- Any limitations on which law enforcement officers are permitted to wear body cameras;
- Any limitations on law enforcement-related encounters in which law enforcement officers are permitted to wear body cameras; and
- Guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.
- Training for use and storage of camera, and use and maintenance of data.

HB 93 passed the Criminal Justice subcommittee, 13 – 0, and the Appropriations committee, 18 – 0. HB 93 was not heard this week.