

2026 Legislative Summary Local Government Finance



Florida Government Finance Officers Association

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I. PASSED BILLS

i. Affordable Housing

(HB 1389; Redondo, Nix) This bill significantly amends affordable housing requirements, as follows:

- It amends Section 125.01055, F.S., to provide that county or municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use; and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use; on property owned by a county, municipality, or school district; and on property that is more than 3 acres in size and owned by a religious institution, which has contained a house of public worship for at least years before the proposed development, regardless of the underlying zoning, if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in Section 420.0004, F.S.
- Notwithstanding any other law, local ordinance, or regulation to the contrary, a county or municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.
- The county or municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes. A proposed development on property owned by a county, municipality, or school district must be within the geographic boundaries of the respective county, municipality, or school district, and the respective county, municipality, or school district must be a party to the application for the proposed development. A proposed development on property owned by a religious institution must be applied for by both the applicant and the religious institution, and the house of public worship must continue to operate on the property after the proposed development is constructed.
- A multifamily or mixed-use residential development proposed under this section shall not exclude an assemblage of 94 parcels under common ownership or control separated by no more than 15 feet of land and limited to public pedestrian access. 96 This subparagraph expires July 1, 2030.
- A county or municipality may not restrict building height through other dimensional means, such as establishing setbacks or stepbacks by height, or require setbacks or stepbacks that are more restrictive than the minimum permitted in the proposed development.
- Limited exceptions to the bill have been added to Section 125.01055(7)(o)5-7.
- The amendments to Sections 125.01055(7)(n) and 166.04151(7)(n), F.S., intended to be remedial and clarifying in nature and apply retroactively to January 1, 2024.

- An applicant for a proposed development authorized under Sections 125.01055(7) and 166.04151(7), F. S., who submitted an application, a written request, or a notice of intent to use such provisions to the county or municipality and which was received by the county or municipality before July 1, 2026, may notify the county or municipality by July 1, 2026, of its intent to proceed under the provisions of Sections 125.01055(7) and or 392 166.04151(7), F.S., as they existed at the time submitted. A county or municipality shall allow an applicant who submitted such before July 1, 2026, the opportunity to submit a revised application, written request, or notice of intent to account for the changes made by the bill.
- Defines “multi-family project” and the owner of a property in a multifamily project that was issued a building permit on or after July 1, 2026, for the development of the multifamily project within 4 years before the effective date of such ordinance or resolution may apply for and be granted the a property tax exemption under Section 196.1078(d)1.a.1 after meeting the requirements of this subsection and may continue to receive such exemption for each subsequent consecutive year that the same owner or each successive owner applies for and is granted the exemption.
- Exemptions “farm” and “farm operation” properties from certain provisions, giving counties and municipalities more flexibility regarding development approval of those areas.
- Amends Section 760.35, F.S., to provide that, If the court finds that a person has engaged in a discriminatory housing practice, it shall issue an order prohibiting the practice and providing affirmative relief from the effects of the practice, including injunctive and other equitable relief, actual and punitive damages, and reasonable attorney fees and costs. In accordance with Section 13, Art. X of the State Constitution, the State, for itself and its agencies or political subdivisions, waives sovereign immunity for causes of action under this section.
- The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate the efficacy of using mezzanine finance,² or second-position short-term debt, to stimulate the construction of affordable owner-occupied housing. OPPAGA shall also evaluate the potential of tiny homes in meeting the need for affordable housing and make recommendations for the structuring of a model mezzanine finance program. By December 31, 2027, OPPAGA shall submit a report of its findings to the President of the Senate and the Speaker of the House.

Effective date: July 1, 2026, unless otherwise indicated.

ii. **Government Accountability**

(HB 1329; Benarroch) This bill, the “Local Government Financial Transparency and Accountability Act,” revises requirements and timeframes relating to local government budgets.

¹ The property appraiser shall exempt: 75 percent of the assessed value of the units in multifamily projects that meet the requirements of this subsection and are used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides.

- Counties and municipalities shall hold a budget workshop at which the governing body shall perform a budget reduction exercise, identifying strategies to potentially reduce the ensuing fiscal year budget by 10 percent in comparison to the current year budget without compromising essential public services, such as law enforcement or fire services, or legal obligations. Such exercise shall be posted on the official website³ in a portable document format or a similar electronically accessible form that can be downloaded and is independent of the original software and hardware used to create the document, or a link to a recording of the budget workshop. The budget reduction exercise must occur at least 14 days before final budget adoption (although the government entity is not required to implement the budget reductions).
- Each tentative budget, adopted tentative budget, and final budget must be posted on the official website.⁴ The budget must be posted in a portable document format or a similar electronically accessible form that can be downloaded and may be independent of the original software and hardware used to create the document. At a minimum, the posted budgets must include all of the following information for the proposed fiscal year, the current fiscal year, and the preceding 4 fiscal years:
 - o Budget overview and summary, including a narrative analysis that also utilizes graphical illustrations to highlight major points of emphasis and trends.
 - o An overall government-wide summary of revenue and expenditures.
 - o A summary of revenue and expenditures by fund.
 - o A summary of expenses by department and division.
 - o A summary of expenses by program or function.
 - o A summary of expenses related to debt obligations.
 - o A summary of expenses related to capital projects.
 - o An organizational chart or staffing summary.
 - o A summary and analysis of reserves and fund balances.
- Each county and municipality shall prepare a quarterly summary of compensation for all employees funded with appropriations. The summary must be posted on the official website⁵ in a portable document format or a similar electronically accessible form that can be downloaded and may be independent of the original software and hardware used to create the document.
- Each county and municipality shall publish a budget development calendar for the ensuing fiscal year. The calendar must list, to the extent practicable, all of the following budget-related events:

² Mezzanine financing stands as a strategic financial tool that bridges the gap between senior debt and equity. This hybrid form of financing provides lenders the potential to convert debt to equity, fostering flexibility and higher returns. Frequently employed in acquisitions and company expansions, mezzanine financing encapsulates both opportunity and risk, offering companies crucial capital for growth.

³ For municipalities without a website, this required website posting must be posted on the county website.

⁴ For municipalities without a website, this required website posting must be posted on the county website.

⁵ For municipalities without a website, this required website posting must be posted on the county website.

- The expected timeframe for county and municipal agencies to submit their proposed budget requests, including the name of the county agency or county budget officer to whom such requests must be submitted.
- The expected timeframe for constitutional county officers to submit their tentative budgets to the board of county commissioners under subsection (2).
- The expected timeframe in which the county property appraiser is expected to submit to the county budget officer and each municipality within the county an estimate of total valuations against which taxes may be levied.
- An expected timeframe for holding any budget workshops at which the municipal governing body will discuss the budget, or (for counties) the timeframe for the board of county commissioners to discuss the ensuing county budget, county agency funding requests, or the budgets of constitutional county officers.
- The expected timeframe in which the budget public hearings required under Section 200.065, F.S., may be held.
- The expected timeframe for the budget workshop at which the budget reduction exercise will be performed.
- The budget development calendar must be published on the website⁶ on or before January 30 of each calendar year. However, the publication of the budget development calendar may not serve as a basis for bringing any civil or equitable action challenging the adoption of the tentative or final budgets pursuant to Sections 129.01 or 200.065, F.S.
- The public hearing to amend the budget must be advertised at least 5 days before the date of the hearing and must be posted on the official website⁷ 5 days before the adoption of the amendment.
- The bill amends Sections 163.3164, 163.3180, and 163.31801, F.S., (Community Planning Act) regarding impact fees and other transportation concurrency fees, as follows:
 - Revised definitions to define:
 - "Impact fee" as a one-time charge imposed by a local government on new development to fund the capital costs of public infrastructure needed to serve that development.
 - "Plan-based methodology" as a study methodology that uses the most recent and localized data to project growth within a jurisdiction over a 10-year period, anticipate capacity impacts on relevant systems which will be created by the projected growth, and establish a list of capital projects to be constructed or purchased in a defined time period to mitigate the anticipated capacity impacts as part of a new or updated impact fee study (The capital projects identified in a county or municipal impact fee study and any

⁶ For municipalities without a website, this required website posting must be posted on the county website on or before January 30 of each calendar year.

⁷ For municipalities without a website, the public hearing date and proposed budget amendment must be submitted to the county within a "reasonable" period of time to ensure that they are posted on the county website at least 5 days before the municipal vote to amend the budget.

necessary interlocal agreement must comport with the requirements of Section 263.163.3177(6)(h), F.S.).

- "Extraordinary circumstances" as measurable effects of development which will require mitigation by the affected local government, including school districts, and which exceed the total of the current adopted impact fee amount and any increase as provided in paragraphs (6)(c), (d), and (e) in less than 4 years.
- The bill clarifies that impacts fees are a type of "transportation concurrency" and that Section 163.3180, F.S., does not require a local government to adopt a mobility fee in lieu of an impact fee.
- An interlocal transportation concurrency agreement entered into before October 1, 2024, may not extend beyond October 1, 2031.
- For impact fees adopted or increased after July 1, 2026, at a minimum, each local government that adopts and collects an impact fee by ordinance and each special district that adopts, collects, and administers an impact fee by resolution must ensure that the calculation of the impact fee is based on a demonstrated-need study that is plan-based and uses using the most recent and localized data available within 4 years of the current impact fee update. The new study must be adopted by the local government within 12 months of the initiation of the new impact fee study if the local government increases the impact fee.
- A demonstrated-need study using a plan-based methodology which justifies justifying any increase exceeding those authorized in Section 163.31801(6)(b)-(e), F.S., has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations. The capacity standards used to support the existence of such extraordinary circumstances must be specified in the impact fee study adopted under paragraph (4)(a). The demonstrated need study must be accompanied by a declaration stating how and the timeframe during which the proposed impact fee increase will be used to construct or purchase capacity increasing improvements
- The local government, including school districts, must use localized data reflecting differences in costs and modality of projects between urban, emerging urban, and rural areas, as applicable within the study area, to project the anticipated growth or capacity impacts that underlie the extraordinary circumstances necessitating the impact fee increase.
- The bill establishes additional steps and criteria for local governments, including school districts, to increase impact fees.
- For alleged overpayments of impact fees, the local government (including school districts) must either provide a refund or credit, or deny such, within 30 days.

Effective date: January 1, 2027.

iii. Building Regulations

(SB 1614; Leek) The bill amends Section 553.80, F.S., to prohibit building permit moneys from being used to pay for the construction of a building or structure that houses a local government's building code enforcement agency.

Effective date: July 1, 2026.

iv. Building Regulations

(Chapter 2026-7, LOF; HB 399; Borrero) This bill amends:

- Sections 125.022 and 166.033, F.S., to require the amount of any application fee associated with a development permit or development order must reasonably relate to the direct and reasonable indirect costs associated with the review, processing, and final disposition of the application and must be published on the county's fee schedule. The fee may not be based on a percentage of construction costs, site costs, or project valuation.
- Section 163.31777, F.S., to require the interlocal agreement with the school board to address the following issues: Reasonable access, where available, to public easements and public rights-of-way which may be necessary for the siting, construction, expansion, or improvement of public school facilities, including charter schools, consistent with adopted level-of-service standards, school concurrency 105 requirements, and applicable public facilities planning requirements.
- Section 163.31803, F.S. to require a local government to administratively approve, without further action by the local government or any quasi-judicial or administrative reviewing body, any application for a minor special exception or variance submitted by a large destination resort for the maintenance, modification, or refurbishment of an existing structure or site that is not a contributing structure which is listed in the National Register of Historic Places, provided such changes are consistent with the existing permitted or accessory uses in the land use category of the local government comprehensive plan or zoning district in which the structure or site is located at the time the large destination resort applies for a building permit or any other permit with respect to the changes. "Minor" means a special exception or variance that applies to no more than 20 percent of the total area of the parcel. This section expires July 1, 2031.
- Section 163.31804, F.S., to require that a local government cannot condition a permit or other approval for a facility that processes compost on a requirement to purchase additional property to expand the footprint of an existing privately owned road, Where possible, the landowner may be required to supply turnouts for emergency vehicles; however, the local government may not require that additional property be purchased to provide such turnouts. The local government may not revoke the permit for an existing compost processing facility if such activity is regulated through and in

compliance with applicable implemented best management practices, interim measures, or regulations adopted as rules under Chapter 120, F.S., by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

- Section 163.3194, F.S., to require local government comprehensive plans and land development regulations to:
 - o Include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category.
 - o Incorporate measures for mitigating or minimizing potential incompatibility.
 - o Before recommending denial of an application for rezoning, subdivision, or site plan approval on compatibility grounds, require local government staff to identify with specificity each area of incompatibility and may recommend mitigation measures to the applicant.
 - o Prohibit, If the applicant has proposed mitigation measures, the local government from denying an application on compatibility grounds unless the denial includes written findings stating that the proposed mitigation measures are inadequate and that feasible mitigation measures do not exist.
 - o Require a denial of an application on compatibility grounds to specify with particularity the area or areas of incompatibility, including applicable standards and an explanation of any mitigation measures considered and declined by the applicant, or the basis for determining that feasible mitigation measures do not exist. References to "community character" or "neighborhood feel" are not sufficient, in and of themselves, to support a denial of an application on compatibility grounds.
- Section 553.382, F.S., to prohibit a local government from denying a building permit for placement of a residential manufactured building that is certified by the Department of Business and Professional Regulation on a mobile home lot in a mobile home park, any recreational vehicle park lot, or in a mobile home condominium, cooperative, or subdivision.
- Section 553.385, F.S., to require local governments to permit an off-site constructed residential dwelling in any zoning district where single-family detached dwellings are allowed. A local government may not adopt or enforce any zoning, land use, or development regulation that treats an off-site constructed residential dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district.

Effective date: Except as otherwise expressly provided, it takes effect upon becoming law.

v. Building Regulations

(HB 803; Trabulsy, Overdorf) This bill:

- Establishes that a building permit issued by a local government for a single-family dwelling expires 1 year after the issuance of the permit or on the effective date of the next edition of the Florida Building Code, whichever is later but does not prevent a local government from extending a building permit beyond the expiration date.
- Requires the Department of Management Services to enter into State purchasing agreements with private building inspectors (to allow local governments to piggyback).
- Creates Section 468.634, F.S. , to allow any of the following persons to act under the direction of the local building official for a period of 1 year from the date of a Governor-declared state of emergency if such person has entered into a state term contract, is qualified for such work in any state with a mutual aid agreement, or has held a valid license for such work in any state for 5 years immediately before the date of the declaration:
 - o Building code inspector.
 - o Building inspector.
 - o Coastal construction inspector.
 - o Commercial electrical inspector.
 - o Electrical inspector.
 - o Mechanical inspector.
 - o Plumbing inspector.
 - o Residential electrical inspector.
 - o Residential inspector.
 - o Plans examiner.
 - o Building plans examiner.
 - o Plumbing plans examiner.
 - o Mechanical plans examiner.
 - o Electrical plans examiner.
- Amends Section 553.382, F.S., to prohibit a local government from denying a building permit for placement of a residential manufactured building that is certified by the Department of Business and Professional Regulation on a mobile home lot in a mobile home park, any recreational vehicle park lot, or in a mobile home condominium, cooperative, or subdivision (Note: This same provision is in HB 399).
- Amends Section 553.385, F.S., to require local governments to permit an off-site constructed residential dwelling in any zoning district where single- family detached dwellings are allowed. A local government may not adopt or enforce any zoning, land use, or development regulation that treats an off-site constructed residential dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district (Note: This same provision is in HB 399).
- The Florida Building Commission shall, by July 1, 2027, adopt by rule a uniform commercial building permit application to be used statewide for commercial construction projects and a uniform residential building permit application to be used statewide for residential construction projects. To the extent feasible, the uniform commercial building permit application and the uniform residential building permit

application adopted by the Commission must be capable of integration with existing building permit software systems used by local governments and must account for local amendments to the Florida Building Code.

- Inspection fees may not be based on the total cost of a project and may not exceed the actual inspection costs incurred by the local enforcement agency.
- A local government that issues building permits shall exempt an owner of a single-family dwelling or the owner's contractor from the requirement to obtain a building permit to perform any work valued at less than \$7,500 on the owner's property (However, a job may not be subdivided into smaller projects individually valued at less than \$7,500), with some delineated exceptions.
- A local government must grant building permit exemptions for temporary storm walls or barriers unless the property is in a flood hazard area.
- Imposes limitations on permits for glazing.
- Requires local governments to allow electronic submission of building plans.
- When a provider is used for plan review or inspection services:
 - o The local enforcement agency may not require private provider contracts to be provided as part of the permit application or as a condition for issuing a permit.
 - o The permit fee must be based on the cost incurred by the local jurisdiction, including the labor cost of the personnel providing such services and the clerical and supervisory assistance required to comply with this section. The local jurisdiction may not charge fees for plans review or building inspections if the fee owner or the fee owner's contractor hires a private provider to perform such services. The local enforcement agency may not charge punitive administrative fees when a fee owner has chosen to work with a private provider.
 - o For a commercial construction project, the local enforcement agency must reduce the permit fee by at least 25 percent of the portion of the permit fee attributable to plans review or building inspection services, the local enforcement agency must reduce the total permit fee by at least 50 percent of the amount otherwise charged for such services. If the local enforcement agency does not reduce such fee by those percentages, it forfeits the ability to collect any fees for the commercial construction project. The surcharge required by Section 553.721, F.S., must be calculated using the reduced permit fee amount.
 - o A local enforcement agency must create a registration system for private providers working in the local enforcement agency's jurisdiction. A local enforcement agency must have a method to register and update registration information electronically. The local enforcement agency may not charge an administrative fee for registration or updates to a registration. The private provider must provide its contact information and verify compliance with licensure and insurance requirements of subsection.

- The local enforcement agency may not alter private provider forms.
 - A local enforcement agency must accept electronically submitted affidavits.
 - The local building official may not review plans, construction drawings, or any other related documents determined by a private provider to be compliant with the applicable codes, except to the extent necessary to determine compliance with local ordinances, floodplain management regulations, site review requirements, and any other administrative or life-safety review unrelated to building code compliance. The local building official may review other forms and documents required under this section for completeness only and must provide written notice to a permit applicant of any incomplete forms or documents no later than 10 business days after receipt of a permit application or, if the permit application is relating to a single-trade plans review for a single-family or two-family dwelling, no later than 5 business days after receipt of a permit application and an affidavit from the private provider. The written notice must specify which forms or documents are incomplete.
 - A local enforcement agency may not require additional verification of licensure or insurance requirements beyond that which is required at registration.
 - A local building official may not fail any inspection performed by a private provider for not having the inspection records at the job site if the inspection records have been electronically transmitted to the local building official within the 4-business-day requirement.
 - Certificates of compliance may be signed by any qualified licensed individual employed full-time by the private provider firm under whose authority the inspection was completed.
 - The local building official may only perform building inspections of construction that a private provider has determined to be compliant with the applicable codes if the local building official has knowledge that the private provider did not perform the required inspections. If the local building official has such knowledge, the local building official must provide to the private provider written notice of the facts and circumstances upon which the local building official relied for such knowledge before performing a required inspection. The local building official may review forms and documents required under this section for completeness only.
 - A local enforcement agency may not prohibit or limit private providers from using virtual inspections if a virtual inspection is not prohibited by any applicable code.
 - The private provider must be given notice of each inspection performance audit to be performed at least 5 business days before the audit.
- If the local building official issues a second notice for a permit application but does not provide it within the prescribed time period, the permit must be deemed

approved as a matter of law, and the local building official must issue the permit on the next business day

Effective date: July 1, 2026

Building Regulations

(HB 927; Sapp)

- By January 1, 2027, each county with a population of 75,000 or greater and each municipality with a population of 10,000 or greater shall create and implement a program for the purpose of making available development preapplication consultation services at an applicant's request; however, the bill does not affect or require the modification of a program that makes available the same or substantially similar development preapplication consulting services to an applicant for a development permit or development order, including a program that requires mandatory preapplication meetings for specified types of developments, if such county program exists on or before July 1, 2026.
 - o The preapplication consultation services are limited to those applications for permits as defined in Section 163.3169, F.S. A development preapplication consultation services program must, at minimum, provide all of the following:
 - The minimum information that must be submitted for a permit application.
 - The review and precertification of completeness of the application and related documents, including site engineering plans or site plans or their functional equivalent, or plats, and their compliance with all relevant existing land development regulations.
 - o If an applicant chooses to use the development preapplication consultation services program, the local government upon receipt of the proposed development application, shall confirm receipt, verify completeness, and issue a written notification to the applicant indicating that all required information has been submitted, or specify in writing with particularity any deficiencies in the application, within 5 business days. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. If the local government fails to issue the written notification within 5 business days, the application is deemed complete by operation of law without conditions, and the local government must process the application.
 - o Upon receipt of the completed application, the local government must process the application for final action and must approve, approve with conditions, or deny the application within 45 days after submission, except the local government may not review again those plans specified Section 163.2 (b)(2), F.S. If the local government fails to take final action to approve, approve with conditions, or deny the application within 45 days, the applicant shall notify the local government in writing. If the local government fails to respond within 10 days, the application is deemed approved by operation of law without

conditions, and the applicant is entitled to proceed as though the local government had granted unconditional approval.

- Section 163.3169, F.S., was adopted, and it includes several pages of definitions of development terms, for example in Sections 177.071 and 177.073, F.S.
- By January 1, 2027, a local government shall establish a registry of at least four qualified contractors or two qualified contractor firms, which the governing body shall use to supplement the local government's staff resources for fulfilling:
 - The preapplication consultation services for permits.
 - Processing and expediting the review of application for preliminary plat or any plans related to such application.
 - Administrative approval of a plat or replat.
- A qualified contractor or a qualified contractor firm on the registry may not have a conflict of interest. If a prohibitive conflict of interest exists, the applicant may use an otherwise qualified contractor.
- A local government may enter into an agreement with another local government for the purpose of using public employees who meet the requirements for a qualified contractor to satisfy the minimum numerical requirements for qualified contractors for the registry. However, a local government may not add its own employees to its own registry.
- If a local government fails to establish or maintain the registry, an applicant may, at its sole discretion, retain a qualified contractor or a qualified contractor firm of the applicant's choosing to provide preapplication consultation services, provided that the selected qualified contractor or qualified contractor firm does not have a conflict of interest. If a conflict of interest is identified after selection, the applicant must promptly replace the qualified contractor or qualified contractor firm.
- The local government may not condition, deny, or delay the applicant's selection or use of such qualified contractor or qualified contractor firm, and the applicant is responsible for all fees and costs associated with the qualified contractor or qualified contractor firm
- If an applicant uses a qualified contractor or a qualified contractor firm, the local government must provide access to public records and information reasonably necessary to perform preapplication consultation services.
- There are exceptions for National Historic Registry properties.
- A governing body and its designated administrative authority shall use, upon the written request of the applicant, the qualified contractor registry to supplement local government staff.
- A local government may not create, establish, or apply any additional local procedure or condition for administrative approval of a plat or replat. If infrastructure financial assurances are required as a condition of plat or replat approval, the administrative authority must receive and act upon the proposed assurance.

- The local government shall accept commonly used forms of financial assurance, including performance bonds, letters of credit, and escrow agreements, provided that the assurance is in a form reasonably acceptable to the local government. Local government review of such financial assurance shall be limited to verifying that the amount, form, and issuer satisfy the requirements of Section 177.091(8) and (9), F.S., and the local government's uniformly applied standards, and may not be used to unreasonably delay approval. If the assurance is deficient, the local government must provide written notice of deficiencies within 10 business days.
- If a governing body fails to adopt a program or fails to update or modify an existing program by January 1, 2027, the following will apply without further action or approval by the governing body:
 - o The applicant has an unconditional, self-executing right to use a qualified contractor of the applicant's choosing, within the scope of the contractor's professional licensure to perform technical review and certification to issue up to 75 percent of the building permits for the residential subdivision or planned community, including one or more phases thereof, before the final plat is recorded (provided the qualified contractor does not have a conflict of interest).
 - o The local government staff may not condition, delay, limit, restrict, obstruct, or deny the applicant's use of a qualified contractor.
 - o Any local requirement that conflicts with these requirements is preempted to the extent of the conflict.
 - o The qualified contractor may perform all technical review services necessary to obtain building permits, including preparing, reviewing, and submitting permit applications and supporting plans, specifications, and documents, and providing signed and sealed documents.
 - o The local government must accept such submissions as meeting any local requirement that the submission be prepared or reviewed by local government staff and must review and issue the permits in accordance with the Florida Building Code. However, the local government still has authority to review qualified contractor submissions for compliance with the Florida Building Code and State law, to identify deficiencies, or to approve or deny the permit in accordance with the State law.
 - o The local government may not unreasonably require the applicant or the qualified contractor to use a local government registry, rotation, or shortlist, or any other selection or vetting process, which has the effect of denying or materially delaying the applicant's use of a qualified contractor under this section.
 - o The unconditional right provided by this bill becomes effective immediately upon the governing body's failure to meet the applicable deadlines, continues in effect unless and until the governing body has adopted or updated a program fully compliant with the bill, and may not be limited, impaired, or applied retroactively to reduce the number or percentage of building permits the applicant may obtain or is eligible to obtain.
- A local government may not condition, delay, withhold, or deny the issuance of any building permit upon:

- The actual completion, substantial completion, or physical installation of any subdivision or planned community infrastructure, or improvements identified in the approved preliminary plat or approved plans.
- The submission, acceptance, or approval of any certification of completion or similar documentation, including, but not limited to, certificates of completion or substantial completion, engineer's or architect's certifications of completion, as-built or record drawings, pressure or compaction test results, utility acceptance letters, service availability letters, or similar confirmations of finished construction or readiness for service.
- Compliance with an environmental condition which is not required by its land development regulations, a local government comprehensive plan, a regulatory covenant or similar recorded instrument, a decision or order by a local zoning board or other quasi-judicial board, or by State law or federal law to obtain a building permit.

Effective date: July 1, 2026, except as otherwise specified.

vi. Clerks of Court

(HB 925; Trabulsy) Amends Clerk of Court revenue sharing percentages with municipalities for violations within the municipal borders. Specifically: the Clerk's share of the remaining civil penalty increases from 5.6 percent to 28.2 percent, while the municipal share decreases from 50.8 percent to 28.2 percent. This change results in a significantly larger portion being deposited into the Fine and Forfeiture Trust Fund under Section 142.01, F.S., with a correspondingly smaller portion distributed to the municipality.

Effective date: July 1, 2026.

vii. Diversity, Equity, and Inclusion (DEI)

(HB 1134; Yarborough) The bill preempts all local government DEI activities as follows:

- A county or municipality may not fund or promote, directly or indirectly, or take any official action, including, but not limited to, the adoption or enforcement of ordinances, resolutions, rules, regulations, programs, or policies, as it relates to DEI.
- Any such existing ordinances, resolutions, rules, regulations, programs, or policies are void.
- A county or municipality may not expend any funds, regardless of source, to establish, sustain, support, or staff a diversity, equity, and inclusion office or to employ, contract, or otherwise engage a person to serve as a diversity, equity, and inclusion officer.

- Any member of a county or municipality governing body of a municipality or other individuals acting in an official capacity commits misfeasance or malfeasance office.
- A county or municipality may not provide or authorize its funds to be used by employees, contractors, volunteers, vendors, or agents to promote DEI initiatives.
- A resident can bring action in circuit court against a county or municipality and the court may enter a judgment awarding declaratory and injunctive relief, damages, and costs.
- The bill contains exceptions for conflicts with federal law and State law and contains certain other limited exceptions.
- Section 287.139, F.S., is created to require a potential recipient of a county or municipal contract or grant shall certify to the county or municipality, as applicable, before being awarded such contract or grant that the potential recipient does not and will not use county or municipal funds in requiring its employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials relating to DEI. This requirement applies to any contract between a county or municipality and a DEI officer which is in existence on January 1, 2027, and to all other contracts that are entered into or renewed after January 1, 2027.

Effective date: January 1, 2027

viii. Electronic Payments Made to Units of Local Governments

(HB 967; Buchanan, McFarland, Salzman) The bill amends Section 215.322(5)(a) to require (rather than allow) local governments to accept online electronic payments unless there is another law that requires a different specified form of payment.

Effective date: January 1, 2027

ix. Ethics for Public Officers and Employees

(Chapter 2026-22, LOF; SB 572; Harrell) Amends Section 112.312, F.S., to add foster parent to list of relatives: an individual who, while the public officer or employee was a minor, was his or her legally recognized foster parent in the jurisdiction where the relationship occurred or an individual who is a current or former legally recognized foster child of the public officer or employee in the jurisdiction where the relationship occurs or occurred.

Effective date: Upon becoming law.

x. Green House Gas Emissions Regulation

(HB 1217; Commerce Committee; Snyder; Jacques) A governmental entity may not enact or enforce or require any person or legal entity to enact or enforce, a resolution, ordinance, rule, code, or policy to support a net zero policy, including as a condition of any contract or

agreement between the governmental entity and a third party. A governmental entity may not use, pay, or distribute public funds in any manner that supports, implements, or advances a net zero policy by doing any of the following:

- Providing procurement or purchasing preferences for a product or vendor that advances or supports a net zero policy.
- Providing procurement or purchasing preferences for any goods, including, but not limited to, vehicles, equipment, appliances, or other products, based solely on the types or sources of fuel used by, or used in the production of, such goods.
- Using public funds to pay dues, membership fees, subscription fees, or charitable contributions to any nongovernmental agency or other private organization, including any trade association or organization, that:
 - o Adopts a net zero policy.
 - o Requires adoption of, or any commitment to support, a net zero policy as a condition of membership or of receiving any benefit of membership.
 - o Uses such funds to advocate for a net zero policy.
- Imposing any charge, including a tax, fee, penalty, offset, or assessment, to advance a net zero policy, including, but not limited to:
 - o A charge based on the carbon content of a fuel.
 - o A charge based on the emission of greenhouse gases that results from the use, production, or consumption of any product, service, or activity.
 - o A charge assessed in connection with an emission trading program.
- Implementing, administering, or enforcing any program or join any organization that has a policy of:
 - o Establishing a statewide, regional, or geographic limit or cap on the amount of greenhouse gas emissions.
 - o Requiring or incentivizing a governmental entity or any person in this state to participate in an emissions trading program.
- Each governmental entity shall annually submit to the Department of Revenue an affidavit, signed under penalty of perjury by an authorized official of the governmental entity, attesting to compliance.

Effective date: July 1, 2026

xi. Local Government Cyber Security Program

(HB 1085; Miller) Creates a grant program, administered by the Florida Digital Service (FDS), to assist eligible local governments in mitigating and defending against cybersecurity threats. In addition, the bill allows local governments to piggyback from FDS information technology contracts, regardless of whether they participate in the grant program. The program will sunset on July 1, 2031, unless extended by the Legislature.

Effective date: July 1, 2026

xii. Mobile Home Housing Assistance

(SB 594; Burton, Arrington) Allows local governments to spend local housing distributions for mobile home rent, not to exceed 6 months. Allows such funds to be provided to mobile homeowners for rehabilitation and emergency repairs. Removes 20 percent cap on local housing distribution funds to be used for manufactured housing. Also requires each county and eligible municipality housing plan to include:

- A strategy that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park.
- A strategy for providing program funds to mobile homeowners, which must include lot rental assistance.

Effective date: July 1, 2026.

xiii. Preemption on Gasoline Powered Equipment

(Chapter 2026-3, LOF; SB 290; Truenow) A county or municipality may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and may not create differing standards for such equipment or distinguish such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting.

Effective date: July 1, 2026

xiv. Sovereign Immunity

(HB 145; McFarland) Increases sovereign immunity thresholds to \$350,000 for a claim or judgment by any one person and \$500,000 when totaled with all other claims or judgments arising out of the same incident or occurrence.

Effective date: October 1, 2026

xv. Utilities

(HB 1451; Busatta) This bill imposes numerous municipal utility requirements, as follows:

- Section 180.19, F.S., is amended to require any agreement for a municipality to provide utility services outside municipal limits to be in writing and for the municipality providing the service and each municipality and unincorporated area served to participate in a public meeting to solicit public input on:
 - o The nature of services to be provided or changes to the already provided services.

- The rates, fees, and charges, including any differential with the rates, fees, and charges imposed for the same services on customers located within the boundaries of the serving municipality, the basis for the differential, and the length of time that the differential is expected to exist.
- The extent to which revenues generated from the provision of the services will be used to fund or finance nonutility government functions or services.
- Any other matter deemed relevant by the agreement parties.
- Rates, fees, and charges imposed for water or sewer utility services provided pursuant must comply with Section 180.191, F.S.
- A representative of each municipality that provides electric, water, natural gas, or sewer utility services pursuant, in conjunction with the governing body of each municipality and unincorporated area served, shall annually conduct a public customer meeting held within each municipality and unincorporated area for purposes of soliciting public input on utility-related matters, including fees, rates, charges, and services.
- Section 180.191(a), F.S., is amended to prohibit the additional 25 percent surcharge. Section 180.191(b), F.S., will still allow the assessment of the additional 25 percent surcharge provided that the above-mentioned public meetings are held.
- In addition, a municipality may continue to impose a surcharge on consumers outside the municipal boundaries if the surcharge was in effect before March 1, 2026, but only to the extent necessary to comply with the terms of bond covenants in effect as of July 1, 2024. Such surcharges must be phased out by July 1, 2029, or upon the retirement, expiration, or refinancing of the applicable debt obligation, whichever occurs earlier.
- Section 180.192, F. S., is created and establishes the following reporting requirements:
 - By January 1, 2027, and annually thereafter, each municipality that provides electric, water, natural gas, or sewer utility services outside of its municipal boundaries shall provide a report to the Florida Public Service Commission which identifies, for each type of utility service provided by the municipality:
 - The number and percentage of customers that receive utility services provided by the municipality at a location outside the boundaries of the municipality.
 - The volume and percentage of sales made to such customers, and the gross revenues generated from such sales.
 - Whether the rates, fees, and charges imposed on customers that receive services at a location outside the municipality's boundaries are different than the rates, fees, and charges imposed on customers within the boundaries of the municipality, and, if so, the amount and percentage of the differential.
 - The percentage of revenues generated from the provision of utility services that were used to fund or finance nonutility government functions or services of the municipality, and the percentage of the municipality's nonutility budget that was funded by such revenues.

- A municipality that fails to file the report is subject to the penalties provided in Sections 366.095 and 367.161, F.S.⁸
 - By March 31, 2027, and annually thereafter, the Commission shall compile the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- The subject of a regional utilities authority created by the Legislature through charter amendment after January 1, 2023, is expressly preempted to the state (Impacts Gainesville and Apalachicola). This section shall take effect upon this act becoming a law.

Effective date: July 1, 2027, except as otherwise noted in the text of the bill.

xvi. Utility Cooperatives

(Chapter 2026-21, LOF; SB 288; Rodriguez) Amends Section 425.041, F.S., to prohibit a cooperative which sells electricity from enacting, or enforcing any fee, including a lot fee, developer fee, or surcharge, or any bylaw, tariff, or policy, that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel or appliances listed in Section 366.032(1), F.S.

Effective date: July 1, 2026.

⁸ The Commission shall have the power to impose upon any entity subject to its jurisdiction under this chapter that is found to have refused to comply with or to have willfully violated any lawful rule or order of the commission or any provision of this chapter a penalty for each offense of not more than \$5,000, which penalty shall be fixed, imposed, and collected by the commission. Each day that such refusal or violation continues shall constitute a separate offense.

II. FAILED BILLS

i. Clerks of the Circuit Court

- HB 421(Boyles) and SB 666 (Bernard) would have required clerks of courts to prepare an annual performance report regarding the judicial efficiency of each circuit and county court judge in this state detailing the judicial activities during the preceding calendar year.
- HB 759 (Smith) would have increased various clerk of court fees.

ii. Constitutional Officer Salaries

HB 1095 (Spencer) and SB 842 (Jones) would have increased clerk of court and supervisor of elections salaries.

iii. Construction and Development

- HB 405 (Griffitts) and SB 526 (Grall) would have limited local government enforceability of certain public works contract provisions and would have allowed procurement of such projects to be advertised on the local government's Web site. Also, a standard Statewide commercial construction building permit application would have been implemented, which would have been mandatory for local governments.
- HB 699 (Conerly) and SB 888 (Martin) would have restricted liability clauses in design professional (architect and engineer) contracts.
- HB 479 (Maggard) would have prohibited counties and municipalities from adopting laws, regulations, rules, policies, or ordinances that prohibit adjacent upland activities that are outside certain wetland buffers; repeals provisions relating to land management review teams.
- SB 718 (McClain) would have preempted local government authority to regulate water quality and quantity, pollution, and wetlands and would have given the CFO authority to withhold State moneys for noncompliance.
- HB 1465 (Andrade, Basabe, Tramont) and SB 840 (DiCeglie) would have required an application for review, approval, or issuance of a site plan, development permit, development order, including the interpretation of existing regulations, or adoption of an amendment to a comprehensive plan, pending as of March 31, 2026, to be processed and effective upon approval or adoption irrespective of the local governments adoption of a more restrictive or burdensome amendment to its comprehensive plan or land development regulations during the period that the application is pending.

- HB 1049 (Esposito) and SB 968 (McClain) would have prevented a local government from requiring a permit for certain types of backup power generation, required building permits be granted for placement of mobile homes, and exempted projects valued at \$7,500 or less from permit requirements.
- SB 948 (McClain) and HB 1143 (Nix) would have prohibited the application of certain land development regulations to residential lots (lot size, setbacks, open space, certain height restrictions, dwelling size, etc.); require approval of townhomes and fourplexes on all residential lots; impose deadlines with financial penalties; shift to administrative approval for all types of development permits and development orders; require administrative approval of lot splits; require local governments to prove the validity of their land development regulations by demonstrating the regulation satisfies a compelling governmental interest, and authorize lawsuits against local governments with attorney fee awards to prevailing plaintiffs. HB 1143 was substantially amended during session to remove the cause of action component and limit administrative approval requirements to apply only to applications for lot splits and subdivisions of property and was also narrowed to apply only to the following counties and the municipalities within them: Broward, Miami-Dade, Palm Beach, Pinellas, Orange, Seminole, Volusia, Hillsborough, Duval, Lee, Sarasota, Pasco, Brevard, St. Lucie, and Manatee.

iv. Cybersecurity

HB 635 (Giallombardo and Blanco) and SB 380 (Leek) would have imposed certain cybersecurity standards and prohibited local governments from imposing certain cybersecurity standards or processes on vendors and from adopting or enforcing certain cybersecurity standards or processes.

v. Government Accountability

HB 1303 (Miller) and SB 1572 (DiCeglie) would have rebranded the Florida Department of Government Efficiency as the Florida Agency for Fiscal Oversight (FAFO) and housed it within the Department of Financial Services on a permanent basis. In addition to investigative authority, the FAFO would be required to draft mandatory ethics training for local governments and establish a local government hotline for constituents to submit complaints. Local governments would have to notify the FAFO, within 5 days after authorizing a referendum to levy a tax, increase a current tax, or increase the millage rate, and the FAFO would conduct an “audit” of any such local government. The FAFO would have the authority to levy \$1,000 per day fines and withhold State shared revenues for noncompliance and would have the authority to report any “evidence suggesting ethical violations, misconduct, or malfeasance by a local government” to the Executive Office of the Governor or Commission on Ethics.

vi. Local Government Enforcement Actions

HB 105 (Brackett and Barnaby) and SB 588 (McClain) would have prohibited a county or municipality, including employees thereof, from initiating or threatening to initiate any enforcement action that is determined by a court of competent jurisdiction to be arbitrary or unreasonable and not authorized by ordinance.

vii. Nonprofit and For-profit Organization Funding

HB 605 (Steele) would have prohibited local governments from funding any nonprofit or for-profit organizations with certain limited exceptions.

viii. Other Local Government Revenue Flexibility and Limitations

- Tourist Development Taxes:
 - o HB 6007 (Eskamani) and SB 454 (Smith) would have amended Section 125.0104, F.S., to eliminate the requirement to spend at least 40 percent of tourist development tax (TDT) collections on tourism advertising and promotions.
 - o SB 456 (Smith) would have allowed TDT moneys to be used for public safety, affordable housing, and workforce housing.
 - o SB 458 (Smith) would have reduced from 40 to 20 percent the requirement to spend TDT collections on tourism advertising and promotions.
 - o SB 976 (Smith) would have allowed TDT moneys to be used for commuter rail service.
- Tangible Personal Property Tax: SJR 550 and SB 552 (Bernard and Yarborough) would have prohibited the levy of ad valorem taxes on tangible personal property.
- Local Business Tax: HB 103 (Botana, Basabe, Benarroch, Cobb, Fabricio, Plakon, Yarkosky), SB 122 (Truenow), and SB 650 (Bernard) would have essentially repealed all business taxes with a few specified exceptions.

- Impact Fees: HB 1139 (Gentry and Basabe) and SB 548 (McClain) would have restricted impact fees to be expended under a “plan-based methodology” and would have required any exceptions for “extraordinary circumstances” to use data no later than 4 years old. The bills would have made it easier for a petitioner to sue the local government and would have required the local government to pay plaintiff attorney fees for unsuccessful defenses.
- Tax Referendums: HB 1439 (Sapp) and SB 1320 (Martin) would have required a “local government spending analysis” to be performed and included in any local referendum for a tax increase.

ix. Property Taxes

Due to the high number of proposed property tax bills filed, they are summarized in large groups below without the listed sponsors. Note that “JR” in any bill number refers to a joint resolution, which would require voter approval because it would require the State Constitution to be amended. It should be noted that none of these bills received much traction except that HJR 203 passed the House, and SB 434 passed the Senate.

- HJR 787 and HB 789 would have repealed Constitutional authority for local governments to levy any property tax whatsoever with no exceptions.
- HJR 67, HB 69, HJR 213 would have reduced the annual maximum assessment increase on homesteaded properties from 3 percent to 1.5 percent or otherwise restricted any annual increases.
- HJR 201, HJR 203, HJR 205, HJR 207, SPB 7046 would have all eliminated or significantly reduced any property taxes assessed on homesteaded properties, either immediately or phased out over a period of years.
- HJR 209 would have increased non-school homestead tax exemptions by \$200,000 (\$250,000 total).
- HJR 211 would have increased the homestead exemption portability amount.
- HJR 793, HB 795, SJR 1210, SB 1212 would have allowed homestead tax exemptions to be inherited by family members that inherit the homesteaded property.
- SJR 270 and SB 272 would have exempted homesteaded homeowners aged 65 and older with \$350,000 or less annual income from property taxes.
- HB 215 would have clarified how to establish the homestead tax exemptions if two homeowners, each individually having their own homesteaded property, married and purchased a new primary residence.
- HB 227, HB 617, HB 1545, SB 110, SB 286, and SB 434 would have exempted certain leasehold improvements or various other (non-leasehold) repairs, maintenance, additions, and improvements.
- SJR 274 and SB 276 would have increased the homestead exemption for long-term residents.
- SJR 278 and SB 280 would have limited assessments on homesteaded properties that change hands.

- HB 393, SJR 282, SB 284, SB 450 would have limited or eliminated property taxes for specified groups of individuals, such as residents with home businesses and disabled veterans.
- HB 791, HB 799, SB 932 would have replaced some property tax revenues by increasing sales tax or providing State assistance to fiscally constrained counties.
- HJR 903 would have limited annual property tax increases in non-homestead properties.
- SB 280 (Bernard) would have specified that, if a home is acquired by a person entitled to a homestead exemption and the acquired property had an assessed value of less than \$500,000 in the preceding year, the property's new assessed value may not exceed 150 percent of its assessed value in the preceding year

x. Public Notices

HB 1009 (Griffitts) and SB 380 (Trumbull) would have allowed certain notifications to be published on the local government's website rather than in a newspaper and would have established minimum amount of time for such notices to be posted.

xi. Public Records

HB 437 (Andrade, Campbell, Mooney, and Plasencia) and SB 770 (Rouson) would have provided that willful refusal to provide public records is a criminal misdemeanor and would have provided fines for noncompliant individuals. The bills would also have required a local government to acknowledge receipt of a public records request within 3 days, required a good faith estimate for a response time, and disallowed any cost recovery for failure to notify the requester within 3 days. Finally, the bills would have clarified the types of reimbursable costs for large records requests.

xii. Sovereign Immunity

SB 1208 (Rodriguez) would have expanded the definition of the term "state agencies or subdivisions" to include county constitutional officers for purposes of provisions relating to the waiver of sovereign immunity in tort actions.

xiii. Special Districts

- HB 123 (Overdorf) would have dissolved 35 soil and water conservation districts.
- HB 6005 (Greco) and SB 378 (Truenow) would have repealed provisions relating to periodic special district performance reviews.

xiv. Utilities

- HB 225 (Robinson and Campbell), SB 940 (McClain), SB 1188 (Grall), HB 1075 (Sirois and Oliver), and SB 1014 (Mayfield) would have restricted municipal utility rates and/or authority to provide utility services outside of municipal boundaries.

- HB 773 (Brackett) would have restricted municipal utility transfers for governmental services to “10 percent of the municipality's or agency's general fund.” (Note: Bill did not specify whether this relates to general fund revenues or expenditures), requires the transfer percentage to be set by voter referendum, reduces the amount based upon proportion of customers served outside of municipal borders, and requires the transfer percentages, amounts, and purposes to be disclosed in the budget and financial report (Note: Bill did not specify whether “financial report” was intended to be the audited financial statements, the annual financial report, or both).
- HB 239 (Grow) would have required all local stormwater systems to follow Department of Transportation specifications.

xv. Violation of State Immigration Law

HB 229 (Jacques and Barnaby) and SB 304 (Martin) would have allowed individuals to sue a local governmental entity or law enforcement agency for wrongful death on the grounds of failure to cooperate or fully comply with federal immigration authorities, or with an immigration detainer, allowed an unauthorized alien to have materially contributed to a decedent's death. The bill would also allow the Department of Law Enforcement to impose a fine of \$10,000 against a law enforcement agency for each violation and use the moneys to compensate victims of unauthorized aliens.

xvi. Whistleblower Protections

HB 139 (Maney and Benarroch) and SB 92 (Gaetz) would have significantly expanded whistleblower protections, including delineation of protected employee actions, adverse actions, and expansion of remedies.