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1
2 An act relating to emergencies; amending s. 83.63,
3 F.S.; requiring certain tenants to be given specified
4 opportunities or notice; creating s. 163.31795, F.S.;
5 defining the terms "cumulative substantial improvement
6 period" and "local government"; prohibiting certain
7 local governments from adopting ordinances for
8 substantial improvements or repairs to a structure
9 which include cumulative substantial improvement
10 periods; amending s. 163.31801, F.S.; prohibiting
11 certain entities from assessing impact fees for
12 specified replacement structures; providing an
13 exception; providing construction; amending s.
14 193.155, F.S.; revising the square footage limitations
15 for certain changes, additions, and improvements to
16 damaged property; amending s. 215.559, F.S.; removing
17 a reference to a certain report; revising public
18 hurricane shelter funding prioritization requirements
19 for the Division of Emergency Management; amending s.
20 250.375, F.S.; authorizing certain servicemembers to
21 provide medical care in specified circumstances;
22 amending s. 252.35, F.S.; revising requirements for
23 the state comprehensive emergency management plan;
24 requiring such plan to include an update on the status
25 of certain emergency management capabilities;
26 requiring the division to collaborate with the
27 Department of Health; revising responsibilities of the
28 division; requiring the division to develop a certain
29 template; revising the purpose of certain training

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30 programs; requiring the division to set the minimum
31 number of training hours that specified individuals
32 must complete biennially; authorizing such training to
33 be provided by certain entities; requiring the
34 division to conduct an annual hurricane readiness
35 session in each region designated by the division for
36 a specified purpose; requiring all county emergency
37 management directors, and authorizing other county and
38 municipal personnel, to attend such session; requiring
39 that the session include specified topics and needs;
40 removing a specified reporting requirement; amending
41 s. 252.355, F.S.; authorizing the Department of
42 Veterans' Affairs to provide certain information to
43 specified clients or their caregivers; requiring the
44 Florida Housing Finance Corporation to enter into
45 memoranda of understanding with specified agencies for
46 a certain purpose; providing that specified persons
47 may use special needs shelters in certain
48 circumstances; amending s. 252.3611, F.S.; directing
49 specified entities to submit specified contracts and
50 reports to the Legislature under specified conditions;
51 requiring such contracts to be posted on a specified
52 secure contract system; requiring the division to
53 report annually to the Legislature specified
54 information on expenditures relating to emergencies;
55 providing requirements for such report; amending s.
56 252.363, F.S.; providing for the tolling and extension
57 of certain determinations; providing for retroactive
58 application; amending s. 252.365, F.S.; requiring

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59 agency heads to notify the Governor and the division
60 of the person designated as the emergency coordination
61 officer annually by a specified date; amending s.
62 252.3655, F.S.; creating the natural hazards risks and
63 mitigation interagency coordinating group; providing
64 the purpose of the group; providing for the membership
65 and administration of the group; requiring agency
66 representatives to provide information relating to
67 natural hazards to this state, agency resources, and
68 efforts to address and mitigate risks and impacts of
69 natural hazards; requiring the group to meet in person
70 or by communications media technology at least
71 quarterly for specified purposes; requiring specified
72 agency heads to meet at least annually to strategize
73 and prioritize state efforts; requiring the division,
74 on behalf of the group, to prepare an annual progress
75 report and submit such report to the Governor and
76 Legislature; revising requirements for such report;
77 amending s. 252.37, F.S.; requiring the division to
78 notify the Legislature of its intent to accept or
79 apply for federal funds under certain circumstances;
80 requiring the division to take steps to maximize the
81 availability and expedite the distribution of
82 financial assistance from the Federal Government to
83 state and local agencies; requiring that such steps
84 include the standardization and streamlining of the
85 application process for federal financial assistance
86 and the provision of assistance to applicants for a
87 specified purpose; requiring the division to use

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88 certain federal funds to implement such requirements;
89 amending s. 252.373, F.S.; conforming a cross-
90 reference; amending s. 252.38, F.S.; requiring
91 political subdivisions to annually provide specified
92 notification to the division before a specified date;
93 creating s. 252.381, F.S.; requiring counties and
94 municipalities to post certain information on their
95 websites; requiring counties and municipalities to
96 develop a poststorm permitting plan; providing
97 requirements for such plan; requiring counties and
98 municipalities to update such plan by a specified date
99 annually; requiring counties and municipalities to
100 publish on their websites a specified storm recovery
101 guide by a specified date annually; providing
102 requirements for such guide; requiring certain
103 counties and municipalities to publish on their
104 websites updates to such guide as soon as practicable
105 following a storm; prohibiting certain counties and
106 municipalities from increasing building permit or
107 inspection fees within a specified timeframe;
108 requiring counties and municipalities to allow
109 individuals to receive certain letters electronically
110 on or before a specified date; requiring certain
111 counties and municipalities to use their best efforts
112 to open a permitting office for a minimum number of
113 hours per week; amending s. 252.385, F.S.; revising
114 reporting requirements for the division; revising
115 requirements for a specified list; requiring the
116 Department of Health and the Agency for Persons with

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117 Disabilities to assist the division with certain
118 determinations; creating s. 252.422, F.S.; defining
119 the term "impacted local government"; prohibiting
120 impacted local governments from proposing or adopting
121 certain moratoriums, amendments, or procedures for a
122 specified timeframe; authorizing the enforcement of
123 certain amendments, plans, permits, and orders under
124 certain circumstances; authorizing any person to file
125 suit to enforce specified provisions; authorizing
126 counties and municipalities to request a specified
127 determination by a court; prohibiting counties and
128 municipalities from taking certain actions until the
129 court has issued a preliminary or final judgment;
130 requiring plaintiffs to provide certain notification
131 before filing suit; requiring impacted local
132 governments to take certain actions upon receipt of
133 such notification or a suit may be filed; providing
134 for reasonable attorney fees and costs; authorizing
135 the use of a certain summary procedure; requiring the
136 court to advance the cause on the calendar; requiring
137 the Office of Program Policy Analysis and Government
138 Accountability to conduct a study on certain local
139 government actions after hurricanes; specifying
140 requirements for the study and legislative
141 recommendations; requiring the office to submit a
142 report to the Legislature by a specified date;
143 creating s. 252.505, F.S.; requiring that certain
144 contracts include a specified provision; defining the
145 term "emergency recovery period"; amending s. 373.423,

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146 F.S.; requiring the Department of Environmental
147 Protection to submit a Flood Inventory and Restoration
148 Report to the division by a specified date; requiring
149 the department to work with specified entities to
150 compile information for the report; providing
151 specifications for the report; requiring the owner of
152 certain infrastructure to submit certain information
153 to the department; requiring the department to review
154 and update the report biannually; requiring the
155 department to submit an updated report to the division
156 by a specified date; amending s. 380.0552, F.S.;
157 revising the maximum evacuation clearance time for
158 permanent residents of the Florida Keys Area, which
159 time is an element for which amendments to local
160 comprehensive plans in the Florida Keys Area must be
161 reviewed for compliance; requiring the Department of
162 Commerce to conduct baseline modeling scenarios and
163 gather data to determine the number of building permit
164 allocations for distribution in the Florida Keys Area;
165 requiring that such allocations be distributed in a
166 specified manner and over a specified timeframe;
167 prohibiting such allocations from exceeding a
168 specified number; requiring that permits be issued for
169 certain parcels and the distribution of such permits
170 prioritize specified allocations; amending s. 400.063,
171 F.S.; conforming a cross-reference; amending s.
172 403.7071, F.S.; providing that local governments are
173 authorized and encouraged to add certain addendums to
174 certain contracts and agreements; requiring counties

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175 and municipalities to apply to the department for
176 authorization to designate at least one debris
177 management site; authorizing municipalities to apply
178 jointly with a county or adjacent municipality for
179 authorization of a debris management site if such
180 entities approve a memorandum of understanding;
181 providing requirements for such memorandum; creating
182 s. 489.1132, F.S.; providing definitions; requiring a
183 hurricane preparedness plan to be available for
184 inspection at certain worksites; requiring certain
185 equipment to be secured in a specified manner no later
186 than 24 hours before the impacts of a hurricane are
187 anticipated to begin; providing penalties; requiring
188 the Florida Building Commission to establish specified
189 best practices and report findings to the Legislature
190 by a specified date; amending s. 553.902, F.S.;
191 revising the definition of the term "renovated
192 building"; requiring the division to consult with
193 specified entities to develop certain recommendations
194 and provide a report to the Legislature by a specified
195 date; prohibiting certain counties from proposing or
196 adopting certain moratoriums, amendments, or
197 procedures for a specified timeframe; declaring that
198 such moratoriums, amendments, or procedures are null
199 and void; providing for retroactive application;
200 authorizing the enforcement of certain amendments,
201 plans, permits, and orders under certain
202 circumstances; authorizing certain residents and
203 business owners to bring a civil action for

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204 declaratory and injunctive relief against a county or
205 municipality that violates specified provisions;
206 providing for reasonable attorney fees and costs under
207 specified circumstances; providing for future
208 expiration; providing a directive to the Division of
209 Law Revision; providing effective dates.

210
211 Be It Enacted by the Legislature of the State of Florida:

212
213 Section 1. Section 83.63, Florida Statutes, is amended to
214 read:

215 83.63 Casualty damage.—If the premises are damaged or
216 destroyed other than by the wrongful or negligent acts of the
217 tenant so that the enjoyment of the premises is substantially
218 impaired:⁷

219 (1) The tenant may terminate the rental agreement and
220 immediately vacate the premises. The tenant may vacate the part
221 of the premises rendered unusable by the casualty, in which case
222 the tenant's liability for rent shall be reduced by the fair
223 rental value of that part of the premises damaged or destroyed.
224 If the rental agreement is terminated, the landlord shall comply
225 with s. 83.49(3).

226 (2) The tenant must be given:

227 (a) The opportunity to collect his or her belongings from
228 the premises when it is safe to do so; or

229 (b) Notice of the date by which the tenant will be able to
230 collect his or her belongings from the premises, which must
231 occur within a reasonable time.

232 Section 2. Section 163.31795, Florida Statutes, is created

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233 to read:

234 163.31795 Participation in the National Flood Insurance
235 Program.-

236 (1) For purposes of this section, the term:

237 (a) "Cumulative substantial improvement period" means the
238 period during which an aggregate of improvements or repairs are
239 considered for purposes of determining substantial improvement
240 as defined in s. 161.54(12).

241 (b) "Local government" has the same meaning as in s.
242 163.2514.

243 (2) A local government that is participating in the
244 National Flood Insurance Program may not adopt or enforce an
245 ordinance for substantial improvements or repairs to a structure
246 which includes a cumulative substantial improvement period.

247 Section 3. Subsection (14) is added to section 163.31801,
248 Florida Statutes, to read:

249 163.31801 Impact fees; short title; intent; minimum
250 requirements; audits; challenges.-

251 (14) A local government, school district, or special
252 district may not assess an impact fee for the reconstruction or
253 replacement of a previously existing structure if the
254 replacement structure is of the same land use as the original
255 structure and does not increase the impact on public facilities
256 beyond that of the original structure. However, if the
257 replacement structure increases the demand on public facilities
258 due to a significant increase in size, intensity, or capacity of
259 use, a local government, school district, or special district
260 may assess an impact fee in an amount proportional to the
261 difference in the demand between the replacement structure and

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262 the original structure. Any such fee must be reasonably
263 connected to, or have a rational nexus with, the need for
264 additional capital facilities and the increased impact generated
265 by the reconstruction or replacement of a previously existing
266 structure.

267 Section 4. Paragraph (b) of subsection (4) of section
268 193.155, Florida Statutes, is amended to read:

269 193.155 Homestead assessments.—Homestead property shall be
270 assessed at just value as of January 1, 1994. Property receiving
271 the homestead exemption after January 1, 1994, shall be assessed
272 at just value as of January 1 of the year in which the property
273 receives the exemption unless the provisions of subsection (8)
274 apply.

275 (4)

276 (b)1. Changes, additions, or improvements that replace all
277 or a portion of homestead property, including ancillary
278 improvements, damaged or destroyed by misfortune or calamity
279 shall be assessed upon substantial completion as provided in
280 this paragraph. Such assessment must be calculated using the
281 homestead property's assessed value as of the January 1
282 immediately before the date on which the damage or destruction
283 was sustained, subject to the assessment limitations in
284 subsections (1) and (2), when:

285 a. The square footage of the homestead property as changed
286 or improved does not exceed 130 ~~110~~ percent of the square
287 footage of the homestead property before the damage or
288 destruction; or

289 b. The total square footage of the homestead property as
290 changed or improved does not exceed 2,000 ~~1,500~~ square feet.

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291 2. The homestead property's assessed value must be
292 increased by the just value of that portion of the changed or
293 improved homestead property which is in excess of 130 ~~110~~
294 percent of the square footage of the homestead property before
295 the damage or destruction or of that portion exceeding 2,000
296 ~~1,500~~ square feet.

297 3. Homestead property damaged or destroyed by misfortune or
298 calamity which, after being changed or improved, has a square
299 footage of less than 100 percent of the homestead property's
300 total square footage before the damage or destruction shall be
301 assessed pursuant to subsection (5).

302 4. Changes, additions, or improvements assessed pursuant to
303 this paragraph must be reassessed pursuant to subsection (1) in
304 subsequent years. This paragraph applies to changes, additions,
305 or improvements commenced within 5 years after the January 1
306 following the damage or destruction of the homestead.

307 Section 5. Paragraph (b) of subsection (1) of section
308 215.559, Florida Statutes, is amended to read:

309 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss
310 Mitigation Program is established in the Division of Emergency
311 Management.

312 (1) The Legislature shall annually appropriate \$10 million
313 of the moneys authorized for appropriation under s.
314 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the
315 division for the purposes set forth in this section. Of the
316 amount:

317 (b) Three million dollars in funds shall be used to
318 construct or retrofit facilities used as public hurricane
319 shelters. Each year the division shall prioritize the use of

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320 these funds for projects included in the annual report ~~of the~~
321 ~~Shelter Development Report~~ prepared in accordance with s.
322 252.385(3). The division shall ~~must~~ give funding priority to
323 projects located in counties regional planning council regions
324 that have shelter deficits, projects that are publicly owned,
325 other than schools, and ~~to~~ projects that maximize the use of
326 state funds.

327 Section 6. Section 250.375, Florida Statutes, is amended to
328 read:

329 250.375 Medical officer authorization.—A servicemember
330 trained to provide medical care who is serving under the
331 direction of the Florida National Guard State Surgeon and is
332 assigned to a military duty position and authorized by the
333 Florida National Guard to provide medical care within the scope
334 of the servicemember's professional licensure by virtue of such
335 duty position may provide such medical care to military
336 personnel and civilians within this state ~~physician who holds an~~
337 ~~active license to practice medicine in any state, a United~~
338 ~~States territory, or the District of Columbia,~~ while serving as
339 a ~~medical officer~~ with or in support of the Florida National
340 Guard, pursuant to federal or state orders, ~~may practice~~
341 ~~medicine on military personnel or civilians~~ during an emergency
342 or declared disaster ~~or during federal military training.~~

343 Section 7. Paragraphs (y) through (dd) of subsection (2) of
344 section 252.35, Florida Statutes, are redesignated as paragraphs
345 (x) through (cc), respectively, paragraphs (a), (c), and (n) and
346 present paragraph (x) of that subsection are amended, and a new
347 paragraph (dd) is added to that subsection, to read:

348 252.35 Emergency management powers; Division of Emergency

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349 Management.—

350 (2) The division is responsible for carrying out the
351 provisions of ss. 252.31-252.90. In performing its duties, the
352 division shall:

353 (a) Prepare a state comprehensive emergency management
354 plan, which must ~~shall~~ be integrated into and coordinated with
355 the emergency management plans and programs of the Federal
356 Government. The division shall adopt the plan as a rule in
357 accordance with chapter 120. The plan must be implemented by a
358 continuous, integrated comprehensive emergency management
359 program. The plan must contain provisions to ensure that the
360 state is prepared for emergencies and minor, major, and
361 catastrophic disasters, and the division shall work closely with
362 local governments and agencies and organizations with emergency
363 management responsibilities in preparing and maintaining the
364 plan. The state comprehensive emergency management plan must be
365 operations oriented and:

366 1. Include an evacuation component that includes specific
367 regional and interregional planning provisions and promotes
368 intergovernmental coordination of evacuation activities. This
369 component must, at a minimum: contain guidelines for lifting
370 tolls on state highways; ensure coordination pertaining to
371 evacuees crossing county lines; set forth procedures for
372 directing people caught on evacuation routes to safe shelter;
373 establish strategies for ensuring sufficient, reasonably priced
374 fueling locations along evacuation routes; and establish
375 policies and strategies for emergency medical evacuations.

376 2. Include a shelter component that includes specific
377 regional and interregional planning provisions and promotes

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378 coordination of shelter activities between the public, private,
379 and nonprofit sectors. This component must, at a minimum:
380 contain strategies to ensure the availability of adequate public
381 shelter space in each county ~~region of the state~~; establish
382 strategies for refuge-of-last-resort programs; provide
383 strategies to assist local emergency management efforts to
384 ensure that adequate staffing plans exist for all shelters,
385 including medical and security personnel; provide for a
386 postdisaster communications system for public shelters;
387 establish model shelter guidelines for operations, registration,
388 inventory, power generation capability, information management,
389 and staffing; and set forth policy guidance for sheltering
390 people with special needs.

391 3. Include a postdisaster response and recovery component
392 that includes specific regional and interregional planning
393 provisions and promotes intergovernmental coordination of
394 postdisaster response and recovery activities. This component
395 must provide for postdisaster response and recovery strategies
396 according to whether a disaster is minor, major, or
397 catastrophic. The postdisaster response and recovery component
398 must, at a minimum: establish the structure of the state's
399 postdisaster response and recovery organization; establish
400 procedures for activating the state's plan; set forth policies
401 used to guide postdisaster response and recovery activities;
402 describe the chain of command during the postdisaster response
403 and recovery period; describe initial and continuous
404 postdisaster response and recovery actions; identify the roles
405 and responsibilities of each involved agency and organization;
406 provide for a comprehensive communications plan; establish

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407 procedures for coordinating and monitoring statewide mutual aid
408 agreements reimbursable under federal public disaster assistance
409 programs; provide for rapid impact assessment teams; ensure the
410 availability of an effective statewide urban search and rescue
411 program coordinated with the fire services; ensure the existence
412 of a comprehensive statewide medical care and relief plan
413 administered by the Department of Health; and establish systems
414 for coordinating volunteers and accepting and distributing
415 donated funds and goods.

416 4. Include additional provisions addressing aspects of
417 preparedness, response, recovery, and mitigation as determined
418 necessary by the division.

419 5. Address the need for coordinated and expeditious
420 deployment of state resources, including the Florida National
421 Guard. In the case of an imminent major disaster, procedures
422 should address predeployment of the Florida National Guard, and,
423 in the case of an imminent catastrophic disaster, procedures
424 should address predeployment of the Florida National Guard and
425 the United States Armed Forces.

426 6. Establish a system of communications and warning to
427 ensure that the state's population and emergency management
428 agencies are warned of developing emergency situations,
429 including public health emergencies, and can communicate
430 emergency response decisions.

431 7. Establish guidelines and schedules for annual exercises
432 that evaluate the ability of the state and its political
433 subdivisions to respond to minor, major, and catastrophic
434 disasters and support local emergency management agencies. Such
435 exercises shall be coordinated with local governments and, to

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436 the extent possible, the Federal Government.

437 8. Assign lead and support responsibilities to state
438 agencies and personnel for emergency support functions and other
439 support activities.

440 9. Include the public health emergency plan developed by
441 the Department of Health pursuant to s. 381.00315.

442 10. Include an update on the status of the emergency
443 management capabilities of the state and its political
444 subdivisions. The update must include the emergency management
445 capabilities related to public health emergencies, as determined
446 in collaboration with the Department of Health.

447
448 The complete state comprehensive emergency management plan must
449 be submitted to the President of the Senate, the Speaker of the
450 House of Representatives, and the Governor on February 1 of
451 every even-numbered year.

452 (c) Assist political subdivisions in preparing and
453 maintaining emergency management plans. Such assistance must
454 include the development of a template for comprehensive
455 emergency management plans, including plans for natural
456 disasters, and guidance on the development of mutual aid
457 agreements.

458 (n) Implement training programs to maintain this state's
459 status as a national leader in emergency management and improve
460 the ability of state and local emergency management personnel to
461 prepare and implement emergency management plans and programs.
462 This must ~~shall~~ include a continuous training program for
463 agencies and individuals who ~~that~~ will be called on to perform
464 key roles in state and local postdisaster response and recovery

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465 efforts and for local government personnel on federal and state
466 postdisaster response and recovery strategies and procedures.
467 The division shall specify requirements for the minimum number
468 of training hours that county or municipal administrators,
469 county or city managers, county or municipal emergency
470 management directors, and county or municipal public works
471 directors or other officials responsible for the construction
472 and maintenance of public infrastructure must complete
473 biennially in addition to the training required pursuant to s.
474 252.38(1)(b). Such training may be provided by the division or,
475 for county personnel, by a foundation that is a not-for-profit
476 corporation under s. 501(c)(3) of the Internal Revenue Code and
477 has a governing board that includes in its membership county
478 commissioners and professional county staff. If training is
479 provided by a foundation, such training must be approved by the
480 division.

481 ~~(x) Report biennially to the President of the Senate, the~~
482 ~~Speaker of the House of Representatives, the Chief Justice of~~
483 ~~the Supreme Court, and the Governor, no later than February 1 of~~
484 ~~every odd-numbered year, the status of the emergency management~~
485 ~~capabilities of the state and its political subdivisions. This~~
486 ~~report must include the emergency management capabilities~~
487 ~~related to public health emergencies, as determined in~~
488 ~~collaboration with the Department of Health.~~

489 (dd) Conduct, by April 1 of each year, an annual hurricane
490 readiness session in each region designated by the division to
491 facilitate coordination between all emergency management
492 stakeholders. Each county emergency management director or his
493 or her designee shall, and other county and municipal personnel

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494 may, attend the session for his or her region. A session must
495 include, but is not limited to, guidance on timelines for
496 preparation and response, information on state and federal
497 postdisaster resources and assistance, guidance to promote
498 efficient and expedited rebuilding of the community after a
499 hurricane, best practices for coordination and communication
500 among entities engaged in postdisaster response and recovery,
501 and discussion of any outstanding county or municipal
502 preparedness or readiness needs.

503 Section 8. Subsection (4) of section 252.355, Florida
504 Statutes, is renumbered as subsection (5), paragraph (b) of
505 subsection (2) is amended, and a new subsection (4) is added to
506 that section, to read:

507 252.355 Registry of persons with special needs; notice;
508 registration program.—

509 (2) In order to ensure that all persons with special needs
510 may register, the division shall develop and maintain a special
511 needs shelter registration program. During a public health
512 emergency in which physical distancing is necessary, as
513 determined by the State Health Officer, the division must
514 maintain information on special needs shelter options that
515 mitigate the threat of the spread of infectious diseases.

516 (b) To assist in identifying persons with special needs,
517 home health agencies, hospices, nurse registries, home medical
518 equipment providers, the Department of Veterans' Affairs, the
519 Department of Children and Families, the Department of Health,
520 the Agency for Health Care Administration, the Department of
521 Education, the Agency for Persons with Disabilities, the
522 Department of Elderly Affairs, and memory disorder clinics

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523 shall, and any physician licensed under chapter 458 or chapter
524 459 and any pharmacy licensed under chapter 465 may, annually
525 provide registration information to all of their special needs
526 clients or their caregivers. The Florida Housing Finance
527 Corporation shall enter into memoranda of understanding with the
528 Department of Elderly Affairs and with the Agency for Persons
529 with Disabilities to ensure special needs registration
530 information is provided to residents of low-income senior
531 independent living properties and independent living properties
532 for persons with intellectual or developmental disabilities
533 funded by the Florida Housing Finance Corporation, respectively.
534 The division shall develop a brochure that provides information
535 regarding special needs shelter registration procedures. The
536 brochure must be easily accessible on the division's website.
537 All appropriate agencies and community-based service providers,
538 including aging and disability resource centers, memory disorder
539 clinics, home health care providers, hospices, nurse registries,
540 and home medical equipment providers, shall, and any physician
541 licensed under chapter 458 or chapter 459 may, assist emergency
542 management agencies by annually registering persons with special
543 needs for special needs shelters, collecting registration
544 information for persons with special needs as part of the
545 program intake process, and establishing programs to educate
546 clients about the registration process and disaster preparedness
547 safety procedures. A client of a state-funded or federally
548 funded service program who has a physical, mental, or cognitive
549 impairment or sensory disability and who needs assistance in
550 evacuating, or when in a shelter, must register as a person with
551 special needs. The registration program shall give persons with

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552 special needs the option of preauthorizing emergency response
553 personnel to enter their homes during search and rescue
554 operations if necessary to ensure their safety and welfare
555 following disasters.

556 (4) The caregiver of a person with special needs who is
557 eligible for admission to a special needs shelter, and all
558 persons for whom he or she is the caregiver, shall be allowed to
559 shelter together in the special needs shelter. If a person with
560 special needs is responsible for the care of persons without
561 special needs, those persons shall be allowed to use the special
562 needs shelter with the person with special needs.

563 Section 9. Effective January 1, 2026, subsection (2) of
564 section 252.3611, Florida Statutes, is amended, and subsection
565 (5) is added to that section, to read:

566 252.3611 Transparency; audits.—

567 (2) If ~~When~~ the duration of a declaration of a state of an
568 emergency issued by the Governor exceeds 90 days:

569 (a) 1. The Executive Office of the Governor or the
570 appropriate agency, within 72 hours after ~~of~~ executing a
571 contract executed with moneys authorized for expenditure to
572 support the response to the declared state of emergency, must
573 ~~the Executive Office of the Governor or the appropriate agency~~
574 ~~shall~~ submit a copy of such contract to the Legislature. For
575 contracts executed during the first 90 days of the declared
576 state of emergency, the Executive Office of the Governor or the
577 appropriate agency shall submit a copy to the Legislature within
578 the first 120 days of the declared state of emergency.

579 2. All contracts executed to support the response to a
580 declared state of emergency, including contracts executed before

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581 a declared state of emergency to secure resources or services in
582 advance or anticipation of an emergency, must be posted on the
583 secure contract tracking system required under s. 215.985(14).

584 (b) The Executive Office of the Governor or the appropriate
585 agency shall submit monthly reports to the Legislature of all
586 state expenditures, revenues received, and funds transferred by
587 an agency during the previous month to support the declared
588 state of emergency.

589 (5) Annually, by January 15, the division shall report to
590 the President of the Senate, the Speaker of the House of
591 Representatives, and the chairs of the appropriations committee
592 of each house of the Legislature on expenditures related to
593 emergencies incurred over the year from November 1 of the
594 previous year. The report must include:

595 (a) A separate summary of each emergency event, whether
596 complete or ongoing, and key actions taken by the division.

597 (b) Details of expenditures, separated by emergency event
598 and agency, for preparing for, responding to, or recovering from
599 the event. The report must specify detailed expenditures for the
600 entire report time period; specify total expenditures for the
601 event; and indicate amounts that are being or are anticipated to
602 be reimbursed by the Federal Emergency Management Agency or
603 other federal entity, amounts ineligible for reimbursement, and
604 any amounts deobligated by the Federal Emergency Management
605 Agency or other federal entity for reimbursement. The division
606 shall review expenditures by state agencies to ensure that
607 efforts, purchases, contracts, or expenditures are not
608 duplicated.

609 (c) An accounting of all inventory and assets purchased,

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610 separated by emergency event and agency, for preparing for,
611 responding to, or recovering from the event, including motor
612 vehicles, boats, computers, and other equipment, and the current
613 status of such assets, including divestment, sale, or donation
614 by the state. The report must include a detailed accounting for
615 the entire report time period and specify a total for the event.

616 Section 10. Paragraph (a) of subsection (1) of section
617 252.363, Florida Statutes, is amended to read:

618 252.363 Tolling and extension of permits and other
619 authorizations.—

620 (1) (a) The declaration of a state of emergency issued by
621 the Governor for a natural emergency tolls the period remaining
622 to exercise the rights under a permit or other authorization for
623 the duration of the emergency declaration. Further, the
624 emergency declaration extends the period remaining to exercise
625 the rights under a permit or other authorization for 24 months
626 in addition to the tolled period. The extended period to
627 exercise the rights under a permit or other authorization may
628 not exceed 48 months in total in the event of multiple natural
629 emergencies for which the Governor declares a state of
630 emergency. The tolling and extension of permits and other
631 authorizations under this paragraph shall apply retroactively to
632 September 28, 2022, except in the case of the formal
633 determination of the delineation of the extent of wetlands under
634 s. 373.421, in which case tolling and extension of
635 determinations under this paragraph shall apply retroactively to
636 January 1, 2023. This paragraph applies to the following:

637 1. The expiration of a development order issued by a local
638 government.

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639 2. The expiration of a building permit.

640 3. The expiration of a permit issued by the Department of
641 Environmental Protection or a water management district pursuant
642 to part IV of chapter 373.

643 4. Permits issued by the Department of Environmental
644 Protection or a water management district pursuant to part II of
645 chapter 373 for land subject to a development agreement under
646 ss. 163.3220-163.3243 in which the permittee and the developer
647 are the same or a related entity.

648 5. The buildout date of a development of regional impact,
649 including any extension of a buildout date that was previously
650 granted as specified in s. 380.06(7)(c).

651 6. The expiration of a development permit or development
652 agreement authorized by Florida Statutes, including those
653 authorized under the Florida Local Government Development
654 Agreement Act, or issued by a local government or other
655 governmental agency.

656 7. The formal determination of the delineation of the
657 extent of wetlands under s. 373.421.

658 Section 11. Subsection (4) of section 252.365, Florida
659 Statutes, is amended to read:

660 252.365 Emergency coordination officers; disaster-
661 preparedness plans.—

662 (4) On or before May 1 of each year, the head of each
663 agency shall notify the Governor and the division in writing of
664 the person initially designated as the emergency coordination
665 officer for such agency and her or his alternate and of any
666 changes in persons so designated thereafter.

667 Section 12. Section 252.3655, Florida Statutes, is amended

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668 to read:

669 252.3655 Natural hazards risks and mitigation interagency
670 coordinating group ~~workgroup~~.—

671 (1) (a) An interagency coordinating group ~~workgroup~~ is
672 created for the purpose of sharing information on the current
673 and potential risks and impacts of natural hazards throughout
674 this ~~the~~ state, coordinating the ongoing efforts of state
675 agencies in addressing and mitigating the risks and impacts of
676 natural hazards, and collaborating on statewide initiatives to
677 address and mitigate the risks and impacts of natural hazards.
678 As used in this section, the term “natural hazards” includes,
679 but is not limited to, extreme heat, drought, wildfire, sea-
680 level change, high tides, storm surge, saltwater intrusion,
681 stormwater runoff, flash floods, inland flooding, and coastal
682 flooding.

683 (b) The agency head, or his or her designated senior
684 manager, from each of the following agencies shall serve on the
685 coordinating group:

686 1. Chief Resilience Officer of the Statewide Office of
687 Resilience.

688 2. Department of Agriculture and Consumer Services.

689 3. Department of Commerce.

690 4. Department of Environmental Protection.

691 5. Department of Financial Services.

692 6. Department of Law Enforcement.

693 7. Department of Highway Safety and Motor Vehicles.

694 8. Department of Military Affairs.

695 9. Division of Emergency Management.

696 10. Department of Transportation.

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697 11. Fish and Wildlife Conservation Commission.

698 12. Office of Insurance Regulation.

699 13. Public Service Commission.

700 14. Each water management district ~~Each agency within the~~
701 ~~executive branch of state government, each water management~~
702 ~~district, and the Florida Public Service Commission shall select~~
703 ~~from within such agency a person to be designated as the agency~~
704 ~~liaison to the workgroup.~~

705 (c) The director of the Division of Emergency Management,
706 or his or her designee, shall serve as the administrator liaison
707 ~~to and coordinator~~ of the coordinating group ~~workgroup~~.

708 (d) Each agency representative liaison shall provide
709 information from his or her respective agency, including all
710 relevant reports, on the current and potential risks and impacts
711 of natural hazards to this state ~~to his or her agency~~, agency
712 resources available, and efforts made by the agency to address
713 and mitigate the risks and impacts of ~~against~~ natural hazards,
714 ~~and efforts made by the agency to address the impacts of natural~~
715 ~~hazards.~~

716 (e) 1. The coordinating group ~~workgroup~~ shall meet in person
717 or by means of communications media technology as provided in s.
718 120.54(5)(b)2. at least ~~teleconference on a quarterly basis~~ to
719 share information, leverage agency resources, coordinate ongoing
720 efforts, and provide information for inclusion in the annual
721 progress report submitted pursuant to subsection (2). Agency
722 heads for the agencies listed in paragraph (b) shall meet in
723 person at least annually to collectively strategize and
724 prioritize state efforts.

725 2. Information regarding the coordinating group, including

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726 meeting agendas and reports, must be posted in a conspicuous
727 location on the division's website.

728 (2) (a) On behalf of the coordinating group ~~workgroup~~, the
729 division ~~of Emergency Management~~ shall prepare an annual
730 progress report on the implementation of the state's hazard
731 mitigation plan, developed and submitted in accordance with 42
732 U.S.C. s. 5165 and any implementing regulations, as it relates
733 to natural hazards. At a minimum, the annual progress report
734 must:

735 1. Assess each agency's ~~the relevance, level, and~~
736 ~~significance of current agency~~ efforts to address and mitigate
737 the risks and impacts of natural hazards; ~~and~~

738 2. Strategize and prioritize ongoing efforts to address and
739 mitigate the risks and impacts of natural hazards;

740 3. Provide recommendations regarding statutory changes and
741 funding that may assist in addressing or mitigating the risks
742 and impacts of natural hazards; and

743 4. Provide recommendations for state and local natural
744 hazard mitigation strategies.

745 (b) ~~Each liaison is responsible for ensuring that the~~
746 ~~workgroup's annual progress report is posted on his or her~~
747 ~~agency's website.~~

748 (c) ~~By January 1 of each year, 2019, and each year~~
749 ~~thereafter,~~ the division on behalf of the coordinating group
750 ~~workgroup~~ shall submit the annual progress report to the
751 Governor, the President of the Senate, and the Speaker of the
752 House of Representatives.

753 Section 13. Paragraphs (c) and (d) of subsection (5) of
754 section 252.37, Florida Statutes, are redesignated as paragraphs

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755 (d) and (e), respectively, a new paragraph (c) is added to that
756 subsection, and subsection (7) is added to that section, to
757 read:

758 252.37 Financing.—

759 (5) Unless otherwise specified in the General
760 Appropriations Act:

761 (c) If the division intends to accept or apply for federal
762 funds for a division-administered program that is new, that will
763 be implemented in a manner that is innovative or significantly
764 different from the manner in which the program is typically
765 administered, or that will require a state match for which the
766 division will be required to seek new budget authority, the
767 division must notify the Legislature of its intent to accept or
768 apply for the federal funds. The notice must detail the federal
769 program under which the funds will be accepted or applied for,
770 the intended purpose and use of the funds, and the amount of
771 funds, including the estimated state match.

772 (7) The division shall take steps to maximize the
773 availability and expedite the distribution of financial
774 assistance from the Federal Government to state and local
775 agencies. Such steps must include the standardization and
776 streamlining of the application process for financial assistance
777 through the federal Public Assistance Program and provision of
778 assistance to applicants in order to mitigate the risk of
779 noncompliance with federal program requirements. The division
780 shall use federal funds allocated as management costs or other
781 funds as appropriated to implement this subsection.

782 Section 14. Paragraph (a) of subsection (2) of section
783 252.373, Florida Statutes, is amended to read:

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784 252.373 Allocation of funds; rules.—

785 (2) The division shall allocate funds from the Emergency
786 Management, Preparedness, and Assistance Trust Fund to local
787 emergency management agencies and programs pursuant to criteria
788 specified in rule. Such rules shall include, but are not limited
789 to:

790 (a) Requiring that, at a minimum, a local emergency
791 management agency either:

792 1. Have a program director who works at least 40 hours a
793 week in that capacity; or

794 2. If the county has fewer than 75,000 population or is
795 party to an interjurisdictional emergency management agreement
796 entered into pursuant to s. 252.38(3)(c) ~~s. 252.38(3)(b)~~, that
797 is recognized by the Governor by executive order or rule, have
798 an emergency management coordinator who works at least 20 hours
799 a week in that capacity.

800 Section 15. Paragraphs (a) and (b) of subsection (3) of
801 section 252.38, Florida Statutes, are redesignated as paragraphs
802 (b) and (c), respectively, a new paragraph (a) is added to that
803 subsection, and paragraph (a) of subsection (1) is amended, to
804 read:

805 252.38 Emergency management powers of political
806 subdivisions.—Safeguarding the life and property of its citizens
807 is an innate responsibility of the governing body of each
808 political subdivision of the state.

809 (1) COUNTIES.—

810 (a) In order to provide effective and orderly governmental
811 control and coordination of emergency operations in emergencies
812 within the scope of ss. 252.31-252.90, each county within this

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813 state shall be within the jurisdiction of, and served by, the
814 division. Except as otherwise provided in ss. 252.31-252.90,
815 each local emergency management agency shall have jurisdiction
816 over and serve an entire county. Unless part of an
817 interjurisdictional emergency management agreement entered into
818 pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by the
819 Governor by executive order or rule, each county must establish
820 and maintain such an emergency management agency and shall
821 develop a county emergency management plan and program that is
822 coordinated and consistent with the state comprehensive
823 emergency management plan and program. Counties that are part of
824 an interjurisdictional emergency management agreement entered
825 into pursuant to paragraph (3) (c) ~~(3) (b)~~ which is recognized by
826 the Governor by executive order or rule shall cooperatively
827 develop an emergency management plan and program that is
828 coordinated and consistent with the state comprehensive
829 emergency management plan and program.

830 (3) EMERGENCY MANAGEMENT POWERS; POLITICAL SUBDIVISIONS.—

831 (a) Each political subdivision shall notify the division on
832 or before May 1 each year of the person designated as the
833 emergency contact for the political subdivision and his or her
834 alternate and of any changes in persons so designated
835 thereafter. For a county, the emergency contact must be the
836 county emergency management director.

837 Section 16. Section 252.381, Florida Statutes, is created
838 to read:

839 252.381 Information related to natural emergencies;
840 poststorm county and municipal permitting; operations.—

841 (1) Each county and municipality must post on its publicly

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842 accessible website:

843 (a) A frequently asked questions web page related to
844 natural emergency response, emergency preparedness, and public
845 relief for residents following an emergency. The web page must
846 answer questions concerning resident evacuations; safety tips;
847 generator, food and drinking water, and wastewater and
848 stormwater safety; damage assessment; debris cleanup; accessing
849 assistance through the Federal Emergency Management Agency and
850 this state; building recovery; natural emergency guidance;
851 applicable laws; and what to do before, during, and after an
852 emergency.

853 (b) A disaster supply list and a list of emergency
854 shelters.

855 (c) Links to information about flood zones.

856 (d) A checklist for residents explaining next steps to take
857 during postdisaster recovery.

858 (e) Information specific to persons with disabilities,
859 including, but not limited to, guidelines for special needs
860 shelter registration; an explanation of how to register for
861 special needs shelters and where to obtain assistance with that
862 process; guidelines as to the level of care that is or is not
863 provided at a special needs shelter as well as situations when
864 either a general population shelter or hospital should be
865 considered; and any other postdisaster assistance or resources
866 available to affected persons with disabilities impacted by a
867 disaster.

868 (2) (a) Each county and municipality shall develop a
869 poststorm permitting plan to expedite recovery and rebuilding by
870 providing for special building permit and inspection procedures

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871 after a hurricane or tropical storm. The plan must, at a
872 minimum:

873 1. Ensure sufficient personnel are prepared and available
874 to expeditiously manage postdisaster building inspection,
875 permitting, and enforcement tasks. The plan must anticipate
876 conditions that would necessitate supplemental personnel for
877 such tasks and address methods for fulfilling such personnel
878 needs, including through mutual aid agreements as authorized in
879 s. 252.40, other arrangements, such as those with private sector
880 contractors, or supplemental state or federal funding. The plan
881 must include training requirements and protocols for
882 supplemental personnel to ensure compliance with local
883 floodplain management requirements that apply within the county
884 or municipality.

885 2. Account for multiple or alternate locations where
886 building permit services may be offered in person to the public
887 following a hurricane or tropical storm during regular business
888 hours.

889 3. Specify a protocol to expedite permitting procedures
890 and, if practicable, for the waiver or reduction of applicable
891 fees in accordance with and in addition to the procedures and
892 waivers provided for under s. 553.7922. The plan must identify
893 the types of permits that are frequently requested following a
894 hurricane or tropical storm and methods to expedite the
895 processing of such permits.

896 4. Specify procedures and resources necessary to promote
897 expeditious debris removal following a hurricane or tropical
898 storm.

899 (b) Each county and municipality shall update the plan no

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900 later than May 1 annually.

901 (3) (a) By May 1 annually, each county and municipality
902 shall publish on its website a hurricane and tropical storm
903 recovery permitting guide for residential and commercial
904 property owners. The guide must describe:

905 1. The types of poststorm repairs that require a permit and
906 applicable fees.

907 2. The types of poststorm repairs that do not require a
908 permit.

909 3. The poststorm permit application process and specific
910 modifications the county or municipality commonly makes to
911 expedite the process, including the physical locations where
912 permitting services will be offered.

913 4. Local requirements for rebuilding specific to the county
914 or municipality, including elevation requirements following
915 substantial damage and substantial improvement pursuant to the
916 National Flood Insurance Program (NFIP) and any local amendments
917 to the building code.

918 (b) As soon as practicable following a hurricane or
919 tropical storm, a county or municipality within the area for
920 which a state of emergency pursuant to s. 252.36 for such
921 hurricane or tropical storm is declared shall publish updates on
922 its website to the information required under paragraph (a)
923 which are specific to such storm, including any permitting fee
924 waivers or reductions.

925 (4) For 180 days after a state of emergency is declared
926 pursuant to s. 252.36 for a hurricane or tropical storm, a
927 county or municipality within the area for which the state of
928 emergency is declared may not increase building permit or

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929 inspection fees.

930 (5) On or before May 1, 2026, each county and municipality
931 must provide an online option for receiving, reviewing, and
932 accessing substantial damage and substantial improvement
933 letters. The county or municipality must allow homeowners to
934 provide an e-mail address where they can receive digital copies
935 of such letters.

936 (6) As soon as reasonably practicable following the
937 landfall and passage of a hurricane or tropical storm, each
938 county and municipality that has experienced a direct impact
939 from a natural emergency must use its best efforts to open a
940 permitting office at which residents can access government
941 services for at least 40 hours per week.

942 Section 17. Subsections (2) and (3) of section 252.385,
943 Florida Statutes, are amended to read:

944 252.385 Public shelter space; public records exemption.—

945 (2) ~~(a)~~ The division shall administer a program to survey
946 existing schools, universities, community colleges, and other
947 state-owned, municipally owned, and county-owned public
948 buildings and any private facility that the owner, in writing,
949 agrees to provide for use as a public hurricane evacuation
950 shelter to identify those that are appropriately designed and
951 located to serve as such shelters. The owners of the facilities
952 must be given the opportunity to participate in the surveys. The
953 state university boards of trustees, district school boards,
954 community college boards of trustees, and the Department of
955 Education are responsible for coordinating and implementing the
956 survey of public schools, universities, and community colleges
957 with the division or the local emergency management agency.

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958 ~~(b) By January 31 of each even numbered year, the division~~
959 ~~shall prepare and submit a statewide emergency shelter plan to~~
960 ~~the Governor and Cabinet for approval, subject to the~~
961 ~~requirements for approval in s. 1013.37(2). The emergency~~
962 ~~shelter plan must project, for each of the next 5 years, the~~
963 ~~hurricane shelter needs of the state, including periods of time~~
964 ~~during which a concurrent public health emergency may~~
965 ~~necessitate more space for each individual to accommodate~~
966 ~~physical distancing. In addition to information on the general~~
967 ~~shelter needs throughout this state, the plan must identify the~~
968 ~~general location and square footage of special needs shelters,~~
969 ~~by regional planning council region. The plan must also include~~
970 ~~information on the availability of shelters that accept pets.~~
971 ~~The Department of Health shall assist the division in~~
972 ~~determining the estimated need for special needs shelter space~~
973 ~~and the adequacy of facilities to meet the needs of persons with~~
974 ~~special needs based on information from the registries of~~
975 ~~persons with special needs and other information.~~

976 (3) (a) The division shall annually provide by October 15 to
977 the Governor, the President of the Senate, and the Speaker of
978 the House of Representatives a report that includes, ~~and the~~
979 ~~Governor~~ a list of facilities recommended to be retrofitted
980 using state funds. State funds should be maximized and targeted
981 to projects in counties ~~regional planning council regions~~ with
982 hurricane evacuation shelter deficits. Additionally, the
983 division shall prioritize on the list of recommended facilities
984 other state-owned, municipal-owned, and county-owned public
985 buildings, other than schools, for retrofitting using state
986 funds. The owner or lessee of a public hurricane evacuation

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987 shelter that is included on the list of facilities recommended
988 for retrofitting is not required to perform any recommended
989 improvements.

990 (b) The report required in paragraph (a) must include a
991 statewide emergency shelter plan that must project, for each of
992 the next 5 years, the hurricane shelter needs of the state. In
993 addition to information on the general shelter needs throughout
994 this state, the plan must identify, by county, the general
995 location and square footage of special needs shelters. The plan
996 must also include information on the availability of shelters
997 that accept pets. The Department of Health and the Agency for
998 Persons with Disabilities shall assist the division in
999 determining the estimated need for special needs shelter space,
1000 the estimated need for general shelter space to accommodate
1001 persons with developmental disabilities, including, but not
1002 limited to, autism, and the adequacy of facilities to meet the
1003 needs of persons with special needs based on information from
1004 the registries of persons with special needs and other
1005 information.

1006 Section 18. Section 252.422, Florida Statutes, is created
1007 to read:

1008 252.422 Restrictions on county or municipal regulations
1009 after a hurricane.—

1010 (1) As used in this section, the term "impacted local
1011 government" means a county listed in a federal disaster
1012 declaration located entirely or partially within 100 miles of
1013 the track of a storm declared to be a hurricane by the National
1014 Hurricane Center while the storm was categorized as a hurricane
1015 or a municipality located within such a county.

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1016 (2) For 1 year after a hurricane makes landfall, an
1017 impacted local government may not propose or adopt:

1018 (a) A moratorium on construction, reconstruction, or
1019 redevelopment of any property.

1020 (b) A more restrictive or burdensome amendment to its
1021 comprehensive plan or land development regulations.

1022 (c) A more restrictive or burdensome procedure concerning
1023 review, approval, or issuance of a site plan, development
1024 permit, or development order, to the extent that those terms are
1025 defined in s. 163.3164.

1026 (3) Notwithstanding subsection (2), a comprehensive plan
1027 amendment, land development regulation amendment, site plan,
1028 development permit, or development order approved or adopted by
1029 an impacted local government before or after the effective date
1030 of this act may be enforced if:

1031 (a) The associated application is initiated by a private
1032 party other than the impacted local government and the property
1033 that is the subject of the application is owned by the
1034 initiating private party;

1035 (b) The proposed comprehensive plan amendment was submitted
1036 to reviewing agencies pursuant to s. 163.3184 before landfall;
1037 or

1038 (c) The proposed comprehensive plan amendment or land
1039 development regulation is approved by the state land planning
1040 agency pursuant to s. 380.05.

1041 (4) (a) Any person may file suit against any impacted local
1042 government for declaratory and injunctive relief to enforce this
1043 section.

1044 (b) A county or municipality may request a determination by

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1045 a court of competent jurisdiction as to whether such action
1046 violates this section. Upon such a request, the county or
1047 municipality may not enforce the action until the court has
1048 issued a preliminary or final judgment determining whether the
1049 action violates this section.

1050 (c) Before a plaintiff may file suit, the plaintiff shall
1051 notify the impacted local government by setting forth the facts
1052 upon which the complaint or petition is based and the reasons
1053 the impacted local government's action violates this section.
1054 Upon receipt of the notice, the impacted local government shall
1055 have 14 days to withdraw or revoke the action at issue or
1056 otherwise declare it void. If the impacted local government does
1057 not withdraw or revoke the action at issue within the time
1058 prescribed, the plaintiff may file suit. The plaintiff shall be
1059 entitled to entry of a preliminary injunction to prevent the
1060 impacted local government from implementing the challenged
1061 action during pendency of the litigation. In any action
1062 instituted pursuant to this paragraph, the prevailing plaintiff
1063 shall be entitled to reasonable attorney fees and costs.

1064 (d) In any case brought under this section, all parties are
1065 entitled to the summary procedure provided in s. 51.011, and the
1066 court shall advance the cause on the calendar.

1067 (5) The Office of Program Policy Analysis and Government
1068 Accountability (OPPAGA) shall conduct a study on actions taken
1069 by local governments after hurricanes which are related to
1070 comprehensive plans, land development regulations, and
1071 procedures for review, approval, or issuance of site plans,
1072 permits, or development orders. The study must focus on the
1073 impact that local governmental actions, including moratoriums,

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1074 ordinances, and procedures, have had or may have on
1075 construction, reconstruction, or redevelopment of any property
1076 damaged by hurricanes. In its research, OPPAGA shall survey
1077 stakeholders that play integral parts in the rebuilding and
1078 recovery process. OPPAGA shall make recommendations for
1079 legislative options to remove impediments to the construction,
1080 reconstruction, or redevelopment of any property damaged by a
1081 hurricane and prevent the implementation by local governments of
1082 burdensome or restrictive procedures and processes. OPPAGA shall
1083 submit the report to the President of the Senate and the Speaker
1084 of the House of Representatives by December 1, 2025.

1085 Section 19. Effective January 1, 2026, section 252.505,
1086 Florida Statutes, is created to read:

1087 252.505 Breach of contract during emergency recovery
1088 periods for natural emergencies.—Each state or local government
1089 contract for goods or services related to emergency response for
1090 a natural emergency entered into, renewed, or amended on or
1091 after July 1, 2025, must include a provision that requires a
1092 vendor or service provider that breaches such contract during an
1093 emergency recovery period to pay a \$5,000 penalty and damages,
1094 which may be either actual and consequential damages or
1095 liquidated damages. As used in this section, the term “emergency
1096 recovery period” means a 1-year period that begins on the date
1097 that the Governor initially declared a state of emergency for a
1098 natural emergency.

1099 Section 20. Subsection (4) is added to section 373.423,
1100 Florida Statutes, to read:

1101 373.423 Inspection.—

1102 (4) (a) By September 1, 2026, the department shall submit a

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1103 Flood Inventory and Restoration Report to the Division of
1104 Emergency Management. The department must work with water
1105 management districts, local governments, and operators of public
1106 and private stormwater management systems to compile the
1107 necessary information for the report, which must:

1108 1. Identify priority infrastructure needs within each water
1109 management district jurisdiction that may result in flooding or
1110 property damage or threaten human health if left unaddressed;

1111 2. Identify locations that have both historic flooding
1112 occurrences, based on flood zones identified by the Federal
1113 Emergency Management Agency, and the potential to flood from
1114 future significant storm events, such as hurricanes and tropical
1115 storms;

1116 3. For each location identified in subparagraph 1. or
1117 subparagraph 2., include an inspection and maintenance schedule
1118 and specific information on the age of the infrastructure,
1119 upstream impacts, and other factors that may lead to system
1120 failure if unaddressed; and

1121 4. Include a list of facilities prioritized for funding to
1122 address flooding issues.

1123 (b) The owner of any priority infrastructure identified in
1124 the report must submit an inspection and maintenance schedule to
1125 the department.

1126 (c) The department must review and update the report on a
1127 biannual basis. The report must provide information regarding
1128 compliance with the inspection and maintenance schedules,
1129 include any additional revisions based on storm event
1130 experience, and revise the list of facilities as new flooding
1131 events take place and new projects are implemented to alleviate

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1132 infrastructure deficiencies which led to flooding events. The
1133 department must submit an updated report to the Division of
1134 Emergency Management by September 1 of each year in which the
1135 report is due.

1136 Section 21. Paragraph (a) of subsection (9) of section
1137 380.0552, Florida Statutes, is amended to read:

1138 380.0552 Florida Keys Area; protection and designation as
1139 area of critical state concern.—

1140 (9) MODIFICATION TO PLANS AND REGULATIONS.—

1141 (a) Any land development regulation or element of a local
1142 comprehensive plan in the Florida Keys Area may be enacted,
1143 amended, or rescinded by a local government, but the enactment,
1144 amendment, or rescission becomes effective only upon approval by
1145 the state land planning agency. The state land planning agency
1146 shall review the proposed change to determine if it is in
1147 compliance with the principles for guiding development specified
1148 in chapter 27F-8, Florida Administrative Code, as amended
1149 effective August 23, 1984, and must approve or reject the
1150 requested changes within 60 days after receipt. Amendments to
1151 local comprehensive plans in the Florida Keys Area must also be
1152 reviewed for compliance with the following:

1153 1. Construction schedules and detailed capital financing
1154 plans for wastewater management improvements in the annually
1155 adopted capital improvements element, and standards for the
1156 construction of wastewater treatment and disposal facilities or
1157 collection systems that meet or exceed the criteria in s.
1158 403.086(11) for wastewater treatment and disposal facilities or
1159 s. 381.0065(4)(1) for onsite sewage treatment and disposal
1160 systems.

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1161 2. Goals, objectives, and policies to protect public safety
1162 and welfare in the event of a natural disaster by maintaining a
1163 hurricane evacuation clearance time for permanent residents of
1164 no more than 24.5 ~~24~~ hours. The hurricane evacuation clearance
1165 time shall be determined by a hurricane evacuation study
1166 conducted in accordance with a professionally accepted
1167 methodology and approved by the state land planning agency. For
1168 purposes of hurricane evacuation clearance time:

1169 a. Mobile home residents are not considered permanent
1170 residents.

1171 b. The City of Key West Area of Critical State Concern
1172 established by chapter 28-36, Florida Administrative Code, shall
1173 be included in the hurricane evacuation study and is subject to
1174 the evacuation requirements of this subsection.

1175 Section 22. The Department of Commerce shall conduct
1176 baseline modeling scenarios and gather data in order to
1177 determine a number of building permit allocations to be
1178 distributed in the Florida Keys Area based upon the hurricane
1179 evacuation clearance time provided in s. 380.0552(9)(a), Florida
1180 Statutes, as amended by this act. The permit allocations must be
1181 distributed to counties and municipalities based on the number
1182 of vacant buildable lots within each jurisdiction. The permit
1183 allocations must be distributed over a period of at least 10
1184 years but may not exceed 900 total permit allocations. All
1185 permits must be issued for vacant, buildable parcels, of which
1186 only one may be awarded for any individual parcel, and the
1187 distribution of which must prioritize allocations for owner-
1188 occupied residences, affordable housing, and workforce housing.

1189 Section 23. Subsection (1) of section 400.063, Florida

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1190 Statutes, is amended to read:

1191 400.063 Resident protection.—

1192 (1) The Health Care Trust Fund shall be used for the
1193 purpose of collecting and disbursing funds generated from the
1194 license fees and administrative fines as provided for in ss.
1195 393.0673(5), 400.062(3), 400.121(2), and 400.23(8). Such funds
1196 shall be for the sole purpose of paying for the appropriate
1197 alternate placement, care, and treatment of residents who are
1198 removed from a facility licensed under this part or a facility
1199 specified in s. 393.0678(1) in which the agency determines that
1200 existing conditions or practices constitute an immediate danger
1201 to the health, safety, or security of the residents. If the
1202 agency determines that it is in the best interest of the health,
1203 safety, or security of the residents to provide for an orderly
1204 removal of the residents from the facility, the agency may
1205 utilize such funds to maintain and care for the residents in the
1206 facility pending removal and alternative placement. The
1207 maintenance and care of the residents shall be under the
1208 direction and control of a receiver appointed pursuant to s.
1209 393.0678(1) or s. 400.126(1). However, funds may be expended in
1210 an emergency upon a filing of a petition for a receiver, upon
1211 the declaration of a state of local emergency pursuant to s.
1212 252.38(3)(b)5. ~~s. 252.38(3)(a)5.~~, or upon a duly authorized
1213 local order of evacuation of a facility by emergency personnel
1214 to protect the health and safety of the residents.

1215 Section 24. Subsection (7) of section 403.7071, Florida
1216 Statutes, is amended, and subsection (8) is added to that
1217 section, to read:

1218 403.7071 Management of storm-generated debris.—Solid waste

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1219 generated as a result of a storm event that is the subject of an
1220 emergency order issued by the department may be managed as
1221 follows:

1222 (7) Unless otherwise specified in a contract or franchise
1223 agreement between a local government and a private solid waste
1224 or debris management service provider, a private solid waste or
1225 debris management service provider is not required to collect
1226 storm-generated yard trash, debris, or waste. Local governments
1227 are authorized and encouraged to add an addendum to existing
1228 contracts or franchise agreements for collection of storm-
1229 generated debris.

1230 (8) (a) Each county and municipality shall apply to the
1231 department for authorization of at least one debris management
1232 site as described in subsection (2) and shall annually seek
1233 preauthorization for any previously approved debris management
1234 sites, as allowed by the department.

1235 (b) A municipality may jointly apply for authorization of a
1236 debris management site with a county or at least one adjacent
1237 municipality, if the parties develop and approve a memorandum of
1238 understanding. Such memorandum must clearly outline the capacity
1239 of the debris management site and location of the site relative
1240 to each party. The memorandum of understanding must be approved
1241 annually as part of the preauthorization process described in
1242 paragraph (a).

1243 Section 25. Section 489.1132, Florida Statutes, is created
1244 to read:

1245 489.1132 Regulation of hoisting equipment used in
1246 construction, demolition, or excavation work during a
1247 hurricane.-

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1248 (1) As used in this section, the term:

1249 (a) "Controlling entity" means the general contractor,
1250 prime contractor, or construction manager with overall
1251 responsibility for a construction project.

1252 (b) "Hoisting equipment" means power-operated cranes,
1253 derricks, and hoists used in construction, demolition, or
1254 excavation work that are regulated by the Occupational Safety
1255 and Health Administration.

1256 (c) "Mobile crane" means a type of hoisting equipment
1257 incorporating a cable-suspended latticed boom or hydraulic
1258 telescoping boom designed to be moved between operating
1259 locations by transport over a roadway. The term does not include
1260 a mobile crane with a boom length of less than 25 feet or a
1261 maximum rated load capacity of less than 15,000 pounds.

1262 (d) "Tower crane" means a type of hoisting equipment using
1263 a vertical mast or tower to support a working boom in an
1264 elevated position if the working boom can rotate to move loads
1265 laterally either by rotating at the top of the mast or tower or
1266 by the rotation of the mast or tower itself, whether the mast or
1267 tower base is fixed in one location or ballasted and moveable
1268 between locations.

1269 (2) (a) When a tower crane or mobile crane is located on a
1270 worksite, a hurricane preparedness plan for the crane must be
1271 available for inspection at the worksite.

1272 (b) In preparation for a hurricane, the controlling entity
1273 must ensure that hoisting equipment is secured in the following
1274 manner no later than 24 hours before the impacts of the
1275 hurricane are anticipated to begin:

1276 1. All hoisting equipment must be secured in compliance

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1277 with manufacturer recommendations relating to hurricane and
1278 high-wind events, including any recommendations relating to the
1279 placement, use, and removal of advertising banners and rigging.

1280 2. Tower crane turntables must be lubricated before the
1281 event.

1282 3. Fixed booms on mobile cranes must be laid down whenever
1283 feasible.

1284 4. Booms on hydraulic cranes must be retracted and stored.

1285 5. The counterweights of any hoists must be locked below
1286 the top tie-in.

1287 6. Tower cranes must be set in the weathervane position.

1288 7. All rigging must be removed from hoist blocks.

1289 8. All power at the base of tower cranes must be
1290 disconnected.

1291 (3) A person licensed under this part who intentionally
1292 violates this section is subject to discipline under ss. 455.227
1293 and 489.129.

1294 (4) The Florida Building Commission shall establish best
1295 practices for the utilization of tower cranes and hoisting
1296 equipment on construction job sites during hurricane season and
1297 report its findings to the Legislature by December 31, 2026.

1298 Section 26. Subsection (6) of section 553.902, Florida
1299 Statutes, is amended to read:

1300 553.902 Definitions.—As used in this part, the term:

1301 (6) “Renovated building” means a residential or
1302 nonresidential building undergoing alteration that varies or
1303 changes insulation, HVAC systems, water heating systems, or
1304 exterior envelope conditions, if the estimated cost of
1305 renovation exceeds 30 percent of the assessed value of the

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1306 structure. However, if the alteration is a result of a natural
1307 disaster that is the subject of a declaration of a state of
1308 emergency by the Governor, the estimated cost of renovation must
1309 exceed 75 percent of the fair market value of the building
1310 before the natural disaster.

1311 Section 27. The Division of Emergency Management shall
1312 consult with local governments, the Department of Business and
1313 Professional Regulation, the Department of Environmental
1314 Protection, and any other appropriate agencies to develop
1315 recommendations for statutory changes necessary to streamline
1316 the permitting process for repairing and rebuilding structures
1317 damaged during natural emergencies. By July 1, 2026, the
1318 division shall provide a report containing such recommendations
1319 to the President of the Senate and the Speaker of the House of
1320 Representatives.

1321 Section 28. (1) Each county listed in the Federal Disaster
1322 Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-
1323 4828), or Hurricane Milton (DR-4834), and each municipality
1324 within one of those counties, may not propose or adopt any
1325 moratorium on construction, reconstruction, or redevelopment of
1326 any property damaged by such hurricanes; propose or adopt more
1327 restrictive or burdensome amendments to its comprehensive plan
1328 or land development regulations; or propose or adopt more
1329 restrictive or burdensome procedures concerning review,
1330 approval, or issuance of a site plan, development permit, or
1331 development order, to the extent that those terms are defined by
1332 s. 163.3164, Florida Statutes, before October 1, 2027, and any
1333 such moratorium or restrictive or burdensome comprehensive plan
1334 amendment, land development regulation, or procedure shall be

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1335 null and void ab initio. This subsection applies retroactively
1336 to August 1, 2024.

1337 (2) Notwithstanding subsection (1), any comprehensive plan
1338 amendment, land development regulation amendment, site plan,
1339 development permit, or development order approved or adopted by
1340 a county or municipality before or after the effective date of
1341 this act may be enforced if:

1342 (a) The associated application is initiated by a private
1343 party other than the county or municipality.

1344 (b) The property that is the subject of the application is
1345 owned by the initiating private party.

1346 (3) (a) A resident of or the owner of a business in a county
1347 or municipality may bring a civil action for declaratory and
1348 injunctive relief against the county or municipality for a
1349 violation of this section. Pending adjudication of the action
1350 and upon filing of a complaint showing a violation of this
1351 section, the resident or business owner is entitled to a
1352 preliminary injunction against the county or municipality
1353 preventing implementation of the moratorium or the comprehensive
1354 plan amendment, land development regulation, or procedure. If
1355 such civil action is successful, the resident or business owner
1356 is entitled to reasonable attorney fees and costs.

1357 (b) Attorney fees and costs and damages may not be awarded
1358 pursuant to this subsection if:

1359 1. The resident or business owner provides the governing
1360 body of the county or municipality written notice that a
1361 proposed or enacted moratorium, comprehensive plan amendment,
1362 land development regulation, or procedure is in violation of
1363 this section; and

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1364 2. The governing body of the county or municipality
1365 withdraws the proposed moratorium, comprehensive plan amendment,
1366 land development regulation, or procedure within 14 days; or, in
1367 the case of an adopted moratorium, comprehensive plan amendment,
1368 land development regulation, or procedure, the governing body of
1369 a county or municipality notices an intent to repeal within 14
1370 days after receipt of the notice and repeals the moratorium,
1371 comprehensive plan amendment, land development regulation, or
1372 procedure within 14 days thereafter.

1373 (4) This section expires June 30, 2028.

1374 Section 29. The Division of Law Revision is directed to
1375 replace the phrase "the effective date of this act" wherever it
1376 occurs in this act with the date this act becomes a law.

1377 Section 30. Except as otherwise provided in this act, this
1378 act shall take effect upon becoming a law.