



# 2025 End of Session Report

# MAJOR TOPICS



# Affordable Housing

CS/CS/CS SB 1730 relating to affordable housing passed the Florida Legislature. The bill amends the Live Local Act (enacted in 2023), a statewide housing strategy aimed at expanding and incentivizing the construction of affordable housing in Florida and expands on affordable housing in Florida. SB 1730 made the following modifications:

- Authorizes religious institution land to be utilized for affordable housing.
- Authorizes public and healthcare employers to sponsor affordable housing and allows developers in receipt of federal low-income tax credit funds to prioritize housing for employees.
- Allows Live Local projects to use the maximum permitted height, density, and floor area ratio that was in effect for a local government as of July 1, 2023, when the Live Local Act first became law.
- Provides for a 15% reduction to parking requirements for live local projects.
- Prohibits local moratoriums on multifamily or mixed-use development unless under 90 days within a 3-year period.
- Allows Live Local projects to be constructed on parcels of planned unit developments zoned for commercial, industrial, and mixed use.
- Authorizes the administrative approval of demolition associated with a proposed development.
- Protects historic districts by providing a local governments may require a proposed development on a parcel with a contributing structure in a historic district or on parcels with a historic buildings comply with local regulations relating to architectural design.
- Specifies the live local act does not apply to the Wekiva Study Area, or the Everglades Protection Area.
- Prioritizes Live Local Act litigation in court and allows up to \$250,000 in attorney's fees and costs for prevailing parties.

# Condominium Associations

HB 913 passed the Legislature and makes numerous changes relating to safety, accountability and transparency including the following:

## **Milestone Inspections**

- Requires local enforcement agencies, on or before October 1, 2025, to report to the department specified information regarding the inspections, including the number of buildings inspected, and a list of building that have been deemed unsafe or uninhabitable.
- Revises the requirements for milestone inspections to apply to condominium and cooperative buildings that are three habitable stories or more in height instead three or more stories under current law.

## **Conflicts of Interest**

- Prohibits the person who conducts or performs the SIRS and milestone inspection from having a direct or indirect interest in the firm conducting the study or to be related to someone with such an interest unless disclosed to the association in writing.

## **Insurance**

- Provides that every condominium association must provide adequate property insurance for full insurable value, replacement cost, or similar coverage may be based on the replacement cost of the property to be insured, as determined by an independent insurance appraisal or update of a previous appraisal.

## **Structural Integrity Reserve Studies**

- Revises the requirements for structural integrity reserve studies to apply the requirement to buildings that are three “habitable” stories or more in height;
- Extends the deadline by which for associations must complete a required SIRS from December 31, 2024, to December 31, 2025.

# Amendments to State Constitution

HB 1205 passed the Legislature and was approved by the Governor. The bill includes the following provisions:

- Redefine 'petition circulator' and limit how many signed petition forms an unregistered person may handle, establishing new registration, training, and eligibility rules for circulators.
- Prohibit sponsors from compensating circulators based on the number of signatures or speed of gathering signatures, with new fines for violations.
- Mandate sponsors to deliver signed petitions promptly to supervisors of elections, impose stricter penalties for late submissions, and declare sponsors fiduciaries to petition signers.
- Expand the supervisor of elections' responsibilities for verifying, scanning, and tracking signatures, including sending notices to voters whose petition forms are validated.
- Authorize the Office of Election Crimes and Security to investigate suspected fraud or irregularities if more than 25% of petition signatures in a reporting period are deemed invalid.
- Provide that signatures gathered outside permitted circulator requirements or by ineligible circulators must be invalidated.
- Require rescinding a measure's placement on the ballot if the Supreme Court deems the initiative petition invalid, and modify procedures for producing and displaying a financial impact statement on the ballot.
- Prohibit the use of public funds for advertisements or communications about proposed amendments, with limited exceptions for factual or legally required reporting.

# Administrative Procedures

SB 180 passed the Legislature and makes the following changes regarding administrative regulation reform.

- Institutes a one-time review of any new rule adopted after July 1, 2025 (to occur 5 years after its adoption).
- Sets a timeframe (total of 7 months) for an agency to propose language for a proposed rule.
- When the Legislature requires the agency to adopt a rule, the agency must start its rulemaking (by publishing a notice of rule development) within 30 days of the effective date of the law. It must then publish a notice if proposed rule within 180 days thereafter.
- When the Legislature permits the agency to adopt a rule, the agency is not required to issue the notice of rule development within a specified time after the law goes into effect.
- If an agency exceeds the above timeframe for proposing a rule, and fails to file an explanation of the delay with the JAPC, and update the statement quarterly thereafter until it files its notice of proposed rule. When an agency fails to both timely issue a notice of proposed rule and file a notice of extension/explanation with JAPC, it must withdraw the rule and start again.
- Adds additional factors that an agency must consider when performing its SERC, including increased customer charges or business costs, value of business' time to understand and comply with the rule, and capital costs. The bill allows agencies to survey affected parties to better develop such estimates. Augments the SERC process by allowing the same level of public input in the SERC process as is currently provided for in the agency's rule development process (e.g., allowing the public to request a workshop on the SERC as well as the rule development).
- Prohibits sunseting or repeal of a rule by its own terms (this is permitted only where the underlying statute provides for the sunset/repeal).

# Sovereign Immunity

**HB 301 Failed to Pass** the Legislature. The bill proposed significant reforms for how tort claims are handled against the state, its agencies, and subdivisions. The major provisions included:

- Increased caps on damages recoverable from the government:
  - Before Oct 1, 2025: \$200,000 per person / \$300,000 per incident.
  - Oct 1, 2025 – Sep 30, 2030: \$500,000 per person / \$1 million per incident.
  - On or after Oct 1, 2030: \$600,000 per person / \$1.1 million per incident.
- Subdivisions of the state may settle claims exceeding the statutory caps without legislative approval, regardless of insurance coverage.
- Insurance companies cannot require a claims bill to pay benefits.
- Effective Date of Liability Limits is the liability cap in effect at the time the claim accrues will govern the claim.
- The time to present a claim to an agency or the Department of Financial Services is reduced from 3 years to 18 months.
- The civil statute of limitations for negligence claims against the state is reduced from 4 years to 2 years.
- If an agency or department does not act to deny a claim within 4 months (reduced from 6 months), it is deemed a final denial. For medical malpractice or wrongful death that time limit is 90 days.

# State Lands

HB 209 passed the Legislature and creates the State Park Preservation Act, which requires state parks to be managed for conservation-based recreational uses and in a manner that provides the greatest combination of benefits to the public and the land's natural resources. The bill authorizes the Division of Recreation and Parks within the Department of Environmental Protection (DEP) to acquire, install, or permit the installation of camping cabins in state parks within certain guidelines. Additionally, the bill revises notice requirements for public meetings related to land management plans. Additionally, the bill does the following:

- Requires all managed lands to prioritize a combination of public benefits and natural resource conservation, allowing specific conservation-compatible recreational activities like fishing, hiking, and birding.
- Prohibits the construction of new sporting facilities within state park boundaries except for repairs or maintenance of existing facilities.
- Reiterates responsibilities for studying recreational needs, disseminating information, providing consultation, assisting in personnel recruitment for recreation, and promoting recreation through various programs.
- Specifies conditions under which the division may grant privileges, leases, or permits, including restrictions on the impact on natural resources and public access.
- Modifies the management of conservation and recreation lands, requiring advisory input and periodic updates of management plans.

# Services for Individuals with Developmental Disabilities

HB 1103 passed the Legislature and enhances transparency, streamlines enrollment, and revises oversight structures for services provided to individuals with developmental disabilities.

- Requires the Agency for Persons with Disabilities (APD) to provide newly enrolled clients with a list of qualified organizations within 5 days, and to promptly post quarterly waiver expenditure reconciliation reports online.
- Mandates APD participation in transition planning for certain young adults and requires posting of updated priority category data for waiver enrollment at least every 5 days.
- Establishes a Statewide Family Care Council to review local reports, advise APD on policy, and coordinate consistent input from local family care councils, with revamped membership criteria, reporting requirements, and administrative support.
- Clarifies that certain Medicaid-eligible persons may voluntarily enroll in managed care rather than being automatically enrolled.
- Alters the pilot program for individuals with developmental disabilities by making enrollment voluntary, specifying a weekly data exchange among agencies, creating a call center for enrollment assistance, expanding available benefits, and requiring individualized assessments within 5 days of enrollment.
- Directs APD to contract for a study of the current budget allocation algorithm, including possible improvements or alternatives that better fit waiver expenditure needs.

# HB 991 - Community and Economic Development

HB 991/SB 1242 **failed** to pass the Florida Legislature. The bill included the following provisions:

- Streamlined professional licensing under DBPR, modifies community redevelopment agency operations, reduces continuing education mandates, clarifies local permitting requirements, and enhances rural development assistance measures.
  - Terminates community redevelopment agencies by July 1, 2025, with limitations on new projects, exceptions for outstanding bonds, and no future expansions or creations of such agencies.
  - Dissolves or consolidates multiple boards and commissions within DBPR, moving most licensing and disciplinary responsibilities directly under department authority.
  - Removes or reduces continuing education requirements for numerous licenses, such as barbers, cosmetologists, certified public accountants, engineers, real estate brokers, and building inspectors, shifting focus to initial qualification standards.
  - Restricts local building departments from denying certificates of occupancy based on landscaping ordinances during disaster recovery and waives permits for certain small-scale or post-disaster home repairs and improvements.
  - Revises and streamlines rural development programs, adjusts definitions of fiscally constrained counties, creates or modifies offices to assist rural communities, and allocates special funding for rural infrastructure projects.
- HB 991 was procedurally amended into SB 110 – Rural Communities (a top priority for President Albritton) in a 561-page amendment including deregulation, hemp products, CRAs and other topics. In this case, HB 991 – originally titled “Community Redevelopment Agencies” – was renamed to relate generally to “Economic Development.”
- The Florida House took SB 110 (Rural Communities), amended it with the new, sweeping HB 991 language, and passed it off the House floor by a vote of 69 Yeas to 42 Nays, sending it back to the Senate. The Florida Senate rejected these changes, stripped the language out and sent a “clean” version of SB 110 back to the House.
- The bill died in-between the chambers on a House Message List on the very last day of the legislative session.

# Insurance

In 2022 & 2023, the Legislature passed significant insurance and civil justice reforms, which have led to market stabilization and improvement. This session, the House made it a priority to unwind two of those priorities—repeal of one-way attorney’s fees (HB 1551) and transparency in medical damages (HB 947)—but the Senate did not hear either of those bills in its chamber, leaving them companionless.

Late in session, the House attempted to add both issues to a bill related to phosphate litigation, SB 832, and passed the combined product 80-20. The Senate “refused to concur” in the House amendment, reaffirming its opposition to reinstating one-way attorney’s fees and removing medical damages transparency.

Further, the House added a number of problematic pieces of language to other bills, including HB 643, HB 881, HB 1047, and HB 1433, that related to governance of insurer affiliates, the use of artificial intelligence for review of claims, third-party bad faith, and more. The Senate put vehicles for this language to bed early in that chamber, preventing these issues from achieving final passage.

HB 6017, Recovery of Damages for Medical Negligence, was an insurance issue that did achieve passage. It removes the prohibition on recovery of noneconomic wrongful death damages in medical negligence cases by the decedent’s children who are 25 years of age or older and parents of a deceased child who was 25 years of age or older at the time of death. While the Senate sponsor attempted a \$1m cap on noneconomic damages, that amendment was narrowly defeated, and the bill passed to the Governor.

# Tourist Development Taxes

HB 7033, the House tax package, DID NOT PASS during the regular Session, due to it being tied to the budget which did not pass during regular session. When legislators return to complete the budget and tax package before July 1<sup>st</sup>, it is anticipated that this issue could be put back in play. The bill proposed the following changes:

- Beginning July 1, 2025, all TDT revenues are available to counties for any public purpose, rather than being limited to the current authorized uses of TDT. Counties are responsible for the continued payment of any debt service or existing contracts related to TDT levies.
- Beginning in 2026, a credit against county ad valorem taxes is to be applied to property tax bills that, in total, equals the prior year's TDT collections less any revenue needed for debt service or to continue any contract in effect on July 1, 2025. The credit on bills may either be proportionate shares of the TDT collections for all county taxpayers or can be allocated among certain categories of taxpayers according to an ordinance adopted by the Board of County Commissioners.
- All tourist development councils are dissolved December 31, 2025.
- Tourism promotion agencies may continue if affirmatively extended by local governing boards.

# Emergency Preparedness and Response

SB 180 passed the Legislature and provides the following:

- Prohibits assessing impact fees on replacement structures unless they significantly intensify the original use.
- Increases square footage allowances for property improvements or replacements following damage and adjusts how those improvements are assessed for property tax purposes.
- Shifts hurricane shelter funding priorities to first address deficits in counties and prioritizes publicly owned sites other than schools.
- Requires the Division of Emergency Management to develop a comprehensive state emergency management plan, regularly assess state and local capabilities, prepare training standards for local officials, and conduct annual regional hurricane readiness sessions.
- Mandates public transparency for extended state-of-emergency contracts and annual reporting of expenditures on disaster responses, including asset use and inventory status.
- Restricts post-hurricane local moratoriums or stricter regulations on construction, land development, and permitting for one year in impacted counties and municipalities, subject to legal enforcement.
- Requires faster disbursement of federal aid, standardizes the application process for federal assistance, and clarifies local notice requirements for storm debris and waste management readiness.
- Mandates the development of a hurricane preparedness plan for cranes and hoisting equipment, including specific securing procedures before a hurricane arrives.
- Raises the allowable evacuation clearance time in the Florida Keys Area to 24.5 hours and requires study of allocated building permits based on local needs.
- Encourages local governments to add storm debris clauses to franchise agreements and requires at least one debris management site per county, with possible joint agreements.
- Updates the definition of “renovated building” to exempt certain structures damaged by natural disasters unless repair costs exceed 75% of fair market value.

## SPECIFIC LEGISLATION

# Nursing Education Programs

HB 1427 passed the Legislature. The standalone legislation appeared dead until the language was added into a large healthcare bill at the very end of the 60<sup>th</sup> day of Session. As a priority of the Speaker and House, this language replaced all provisions in the DOH bill and was the only provisions passed in the bill. The Legislation established new requirements for nursing education programs to be approved by the Board of Nursing, including adoption of standardized evaluation and admission criteria, a comprehensive exit exam, and a remediation program. The bill allows the Board of Nursing to address adverse actions taken against an approved nursing education program in another US Jurisdiction.

The bill revises existing accountability measures by reducing the number of years an approved nursing education program can fail to meet statutory requirements before being placed on probation for two years to one year. The bill also reduces the length of time a program can spend on probation from up to three years, to two years. The bill removed the Board of Nursing's authority to extend the deadline to obtain accreditation for professional nursing education programs.

# Higher Education

SB 1726/HB 1321 all failed to pass the Legislature and included various provisions including:

- Require that, beginning January 6, 2027, members of a state university board of trustees and the Board of Governors be United States citizens and either residents of Florida or university graduates, deeming seats vacant if these conditions are unmet.
- Impose new financial disclosure requirements for certain Board of Governors members starting January 1, 2026.
- Set term limits for Florida College System board trustees, allowing reappointment for one additional term, permit trustees to await successor appointments, and limit the chair to one 2-year term.
- Eliminate State Board of Education approval for hiring or renewing Florida College System institution presidents, mandate a presidential search committee, and restrict contract renewals to not exceed the original term.
- Limit Board of Governors members to a single 7-year term and prohibit universities from conducting candidate-related polling.
- Require the Board of Governors to review and post university program admission criteria, and transfer the full authority to appoint and reappoint presidents to each university's board of trustees without Board of Governors approval.
- Define "syllabus" in statute, require public posting of syllabi and textbook materials (including open resources) at least 10 days before the term, and specify the license duration for purchased materials.
- Prohibit Florida College System institutions and state universities from imposing additional graduation requirements in conflict with statutory general education course mandates.
- Authorize university boards to transfer unreserved cash among auxiliary enterprises under specified conditions, with reporting requirements, until June 30, 2030.

# Workforce Education

HB 1145 passed the Legislature and amends s. 1011.803, F.S., relating to the Money-back Guarantee Program, to:

- Require each school district and Florida College System (FCS) institution to increase the number of programs for which a money-back guarantee is offered from three to six by July 1, 2026, and to notify the State Board of Education of the additional programs.
- Clarify that enrollment in a qualifying program constitutes enrollment in the money-back guarantee program.
- Provide that eligibility criteria related to job search documentation and internship or work-study participation may not exceed the work search requirements under Reemployment Assistance Law.

The bill also expands the Department of Education's annual reporting requirement to include the eligibility criteria for tuition reimbursement by school district, FCS institution, and program, in addition to performance results.