

Economic Infrastructure Subcommittee

Wednesday, February 4, 2026
1:30 PM - 3:30 PM
Reed Hall (102 HOB)

Daniel Perez
Speaker

Chip LaMarca
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Economic Infrastructure Subcommittee

Start Date and Time: Wednesday, February 04, 2026 01:30 PM

End Date and Time: Wednesday, February 04, 2026 03:30 PM

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 33 Transportation Facility Designations by Porras, Weinberger
HB 53 Rapid Rail Transit Compact by Hinson
HB 1217 Prohibited Governmental Policies Regulating Greenhouse Gas Emissions by Snyder
HB 1323 Railroad Crossing Safety by Tuck
HB 1451 Utility Services by Busatta

Consideration of the following proposed committee substitute(s):

PCS for HB 1233 -- Transportation

NOTICE FINALIZED on 02/02/2026 4:30PM by Marks.Amie

HB 33

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 33	**COMPANION BILL:** SB 174 (Rodriguez)
TITLE: Transportation Facility Designations	**LINKED BILLS:** None
SPONSOR(S): Porras and Weinberger	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Commerce

SUMMARY

Effect of the Bill:
The bill designates the portion of S.R. 985/S.W. 107th Avenue between S.W. 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County as "Charlie Kirk Memorial Avenue" and directs the Florida Department of Transportation (FDOT) to erect suitable markers for the designation.

Fiscal or Economic Impact:
The bill will have an insignificant negative impact on government expenditures.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill requires FDOT to erect suitable markers to designate that portion of S.R. 985/S.W. 107th Avenue between S.W. 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County as "Charlie Kirk Memorial Avenue." (Section 1).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will have an insignificant negative impact on state government expenditures. In 2025, FDOT estimated a cost of $2,400 per designation for the appropriate markers, which provides for two signs per designation at $1,200 per sign.[1] Therefore, the bill has an estimated negative fiscal impact of $2,400 to the State Transportation Fund. This cost can be absorbed within existing FDOT resources

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Legislative Designation of Transportation Facilities

The Legislature may designate a transportation facility, such as a bridge or a portion of a road, for honorary or memorial purposes or to distinguish a particular facility. Legislative designations do not officially change the existing names of facilities and may not require local governments or private parties to change street signs, mailing addresses, or 911 emergency telephone number system listing.[2]

Transportation Facility Markers

[1] Email from Jack Rogers, Director of Legislative Affairs, Department of Transportation, RE: Road Designations Review (Feb. 13, 2025).
[2] S. 334.071(1), F.S.

Following a legislative designation, FDOT is required to place markers at the termini or intersections specified for each highway segment or bridge designated and may place other markers it deems as appropriate.[3] Before markers may be erected, the appropriate city or county commission must pass a resolution in support of the particular honorary designation. If the designated bridge or road segment is located in more than one city or county, there must be resolutions supporting the designation from each affected local government before markers may be erected.[4]

Unless specifically provided by law, public facilities such as roads, bridges, and other similar facilities may not be named for any living person.[5]

Charlie Kirk

Charlie Kirk was the founder of Turning Point USA, the largest conservative youth organization in America. Kirk was named to the Forbes "30 under 30" list and served as the opening speaker at the 2020 Republican National Convention.[6] Kirk was a #1 New York Times best-selling author and had an extremely large platform, with more than 1 million people per day listening, streaming, or watching the "Charlie Kirk Show."[7] He was assassinated while speaking at a public event at Utah Valley University on September 10, 2025.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Dallas
Commerce Committee				

[3] S. 334.071(2), F.S.
[4] S. 334.071(3), F.S.
[5] S. 267.062(1), F.S.
[6] Turning Point USA, *Our Founder*, https://tpusa.com/meetthefounder/ (last visited Jan. 30, 2026).
[7] *Id.*

A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Charlie Kirk Memorial Avenue designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.R. 985/S.W. 107th Avenue between S.W. 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County is designated as "Charlie Kirk Memorial Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Charlie Kirk Memorial Avenue as described in subsection (1).

Section 2. This act shall take effect July 1, 2026.

CODING: Words stricken are deletions; words underlined are additions.

Economic Infrastructure Subcommittee

HB 33 by Porras
Transportation Facility Designations

AMENDMENT SUMMARY
February 4, 2026

Amendment #198817 by Porras (line 17):

- Directs the Department of Transportation to erect suitable markers designating that portion of S.R. 870/Commercial Boulevard between W Tradewinds Avenue and the eastern terminus of Commercial Boulevard in Broward County as “President Donald J. Trump Boulevard.”

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	__	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Economic Infrastructure Subcommittee

Representative Porras offered the following:

Amendment (with title amendment)

Between lines 17 and 18, insert:

Section 2. President Donald J. Trump Boulevard designated; Department of Transportation to erect suitable markers.-

(2) That portion of S.R. 870/Commercial Boulevard between W Tradewinds Avenue and the eastern terminus of Commercial Boulevard in Broward County is designated as "President Donald J. Trump Boulevard."

(3) The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.

T I T L E A M E N D M E N T

Remove lines 3-4 and insert:
designations; providing honorary designations of certain transportation facilities in specified counties;

HB 53

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 53	**COMPANION BILL:** SB 1254 (Davis)
TITLE: Rapid Rail Transit Compact	**LINKED BILLS:** None
SPONSOR(S): Hinson	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Commerce

SUMMARY

Effect of the Bill:
The bill authorizes the Governor to enter into a Rapid Rail Transit Compact with Alabama, Louisiana, and Mississippi.

Fiscal or Economic Impact:
None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill authorizes the Governor to enter into a Rapid Rail Transit Compact (Compact) with Alabama, Louisiana, and Mississippi. The bill establishes the following terms of the Compact: (Section 1).

- The Compact's purpose is to study the feasibility of rapid rail transit service between Alabama, Florida, Louisiana, and Mississippi and to establish a joint interstate commission to assist in this effort.
- The Compact takes effect when a state has ratified it and Congress has consented. A state other than Alabama, Florida, Louisiana, and Mississippi may become a party to the Compact if it is contiguous to another party state and the legislature of the contiguous state becoming a party approves.
- The Southern Rail Commission (SRC) is the joint agency created by the parties under the Compact. SRC's membership consists of:
  - The Governor of each party state;
  - One representative from each party state's department of transportation; and
  - Five other citizens of each party state which are appointed by the respective Governor.
- Terms of membership in the SRC and quorum meeting requirements.
- The powers of SRC include the power to:
  - Hold hearings;
  - Conduct studies and surveys of all problems, benefits, and other associated matters;
  - Make reports;
  - Acquire moneys or property from local, state, federal, or private sources for its proper functioning;
  - Cooperate with public or private groups;
  - Formulate and execute plans and policies for emphasizing the purpose of the Compact before the U.S. Congress and other appropriate federal officers and agencies; and
  - Exercise other powers as it deems appropriate.
- Each party state agrees that its legislature may expend funds for the establishment and operation of SRC, provided that the legislature of a party state is not bound to appropriate a set amount of funds.
- Terms for withdrawal from SRC and authority and direction for SRC members to carry out the purpose of the Compact.

The bill has an effective date of July 1, 2026. (Section 2).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Southern Rail Commission (SRC)

Regional Rail Commissions (RRCs) are interstate compacts established by federal law that enable two or more contiguous states to jointly study and develop rail projects for their mutual, regional benefit.[1] The Southern Rail Commission (SRC) is an RRC created in 1982 to promote the safe, reliable, and efficient movement of people and goods to enhance economic development within party states. It is also SRC's objective to:

- Provide transportation choices;
- Engage local decision makers;
- Facilitate emergency evacuation routes;
- Pursue funding for planning and implementation; and
- Support state departments of transportation.[2]

Current members of SRC are Louisiana, Alabama, and Mississippi. In September 2023, the efforts of SRC and the Rail Passengers Association, among others, resulted in a $178 million federal grant for the restoration of passenger rail service from New Orleans, Louisiana, to Mobile, Alabama. On August 18, 2025, Amtrak passenger rail service began between New Orleans and Mobile, referred to as the "Mardi Gras Service". Other SRC passenger rail service projects include a route from Baton Rouge to New Orleans and a proposed I-20 Rail Corridor service that connects Dallas-Fort Worth, Northern Louisiana, and Atlanta.[3]

In 1993, SRC successfully negotiated the extension of the "Sunset Limited" Amtrak line from Los Angeles, California, to Jacksonville, Florida.[4] Sunset Limited was extended into Florida, with major stops in Orlando and Hialeah. However, Hurricane Katrina in 2005 permanently closed the line east of New Orleans, derailing passenger rail service which has not been restored since.[5]

Economic Impact

Proponents of the restoration of Gulf Coast passenger rail service claim there are many economic benefits, such as:

- Improved accessibility for residents between New Orleans and Orlando.
- Growth in tourism, the job market, health care, and higher education.
- Development of an evacuation route for Gulf Coast cities.
- Additional sales tax revenue from casino patrons, visitors, and tourists.[6]

[1] Regional Rail Commissions, *What are RRCs?*, https://www.aawa.us/impact/current-projects/regional-rail-commissions/ (last visited Jan. 8, 2026).
[2] Southern Rail Commission, *Our Mission*, https://www.southernrailcommission.org/mission (last visited Jan. 8, 2026).
[3] WLOX Staff, *Passenger trains rolling again as Amtrak returns to South Mississippi*, WLOX News (Aug. 18, 2025), https://www.wlox.com/2025/08/18/passenger-trains-rolling-again-amtrak-returns-south-mississippi/ (last visited Jan. 8, 2026).
[4] Sunset Limited became the first transcontinental rail line in American history. Southern Rail Commission, *History*, https://www.southernrailcommission.org/history (last visited Jan. 8, 2026).
[5] Amtrak Routes, *Amtrak Sunset Limited Train: Stops, Stations, Route, Schedule, & Booking Tips!*, https://amtrakroutes.com/sunset-limited-train/ (last visited Jan. 8, 2026).
[6] Southern Rail Commission, *Connecting the entire Gulf Coast with comprehensive passenger rail*, https://www.southernrailcommission.org/gulf-coast-rail (last visited Dec. 1, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Ray
Commerce Committee				

A bill to be entitled

An act relating to a rapid rail transit compact; creating s. 351.41, F.S.; authorizing the Governor to execute a rapid rail transit compact with specified states to join the Southern Rail Commission; providing the form of the compact; providing an effective date.

WHEREAS, North Florida has lacked passenger rail service since September 2005, when track damage from Hurricane Katrina led to the termination of Amtrak's Sunset Limited route, which ran from New Orleans to Pensacola, Tallahassee, Jacksonville, and Orlando, and

WHEREAS, the Southern Rail Commission (SRC), formed by the United States Congress in 1982, has evolved over time with a vision to "promote the safe, reliable, and efficient movement of people and goods to enhance economic development along rail corridors; provide transportation choices; and facilitate emergency evacuation routes," and

WHEREAS, the States of Alabama, Louisiana, and Mississippi are members of the SRC, and

WHEREAS, the SRC has been highly successful in collaborating with Amtrak and other partners to obtain federal funding for the restoration of passenger rail service in its member states, including $178 million in federal grant funding in September 2023 to restore passenger rail service from New

Orleans, Louisiana, to Mobile, Alabama, and

WHEREAS, the new route between New Orleans and Mobile, referred to as the "Mardi Gras Service," made its first run on August 18, 2025, and runs twice daily between New Orleans and Mobile, with stops in Bay St. Louis, Gulfport, Biloxi, and Pascagoula, Mississippi, and

WHEREAS, the SRC has also identified a project connecting the entire Gulf Coast with services from Baton Rouge to Orlando, called the Gulf Coast Passenger Rail route, and

WHEREAS, states such as Florida, which are contiguous to existing SRC member states, are eligible to become SRC members, and

WHEREAS, by joining the SRC, Florida can leverage the power of a multistate coalition to study, plan, and obtain federal funding for passenger rail initiatives that benefit its residents and businesses, without obligating this state to spend state funds on rail infrastructure, and

WHEREAS, passenger rail stimulates economic development by fostering tourism, attracting businesses, improving access to markets, promoting job creation, and spurring investment in local communities, and

WHEREAS, passenger rail enhances connectivity between communities, businesses, military bases, health care facilities, educational institutions, sports venues, and tourist attractions, fostering regional cooperation and cohesion among

diverse populations, and

WHEREAS, passenger rail can expand this state's capacity for emergency evacuation and disaster response during emergencies and provide another option for mobilizing emergency response personnel, particularly when roadways have reached capacity or have been damaged, and

WHEREAS, passenger rail provides an alternative mode of transportation, reducing traffic congestion on highways by alleviating the strain on existing road infrastructure, which increases safety and efficiency for all travelers, and

WHEREAS, accessible and convenient transportation options increase quality of life for residents by providing greater mobility, reducing travel times, and offering an alternative to driving, NOW, THEREFORE,

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

Section 1. Section 351.41, Florida Statutes, is created to read:

351.41 Rapid Rail Transit Compact.—The Governor, on behalf of this state, is hereby authorized to execute a compact, in substantially the following form, with the States of Alabama, Louisiana, and Mississippi, and the Legislature hereby signifies in advance its approval and ratification of such compact:

RAPID RAIL TRANSIT COMPACT

ARTICLE I

The purpose of this compact is to study the feasibility of rapid rail transit service between the states of Alabama, Florida, Louisiana, and Mississippi and to establish a joint interstate commission to assist in this effort.

ARTICLE II

This compact shall become effective immediately as to the states ratifying it whenever the States of Alabama, Florida, Louisiana, and Mississippi have ratified it and Congress has given consent thereto. Any state not mentioned in this article which is contiguous with any member state may become a party to this compact, subject to approval by the legislature of each of the member states.

ARTICLE III

The states which are parties to this compact, hereinafter referred to as party states, do hereby establish and create a joint agency which shall be known as the Southern Rail Commission, hereinafter referred to as the commission, or any successor name adopted by all members of the commission. The membership of such commission shall consist of the governor of each party state, one representative each from the Mississippi Energy and Transportation Board, or its successor, the Office of

Aviation and Public Transportation of the Louisiana Department of Transportation and Development, or its successor, the Alabama Department of Energy, or its successor, and the Florida Department of Transportation, or its successor, and five other citizens of each party state, to be appointed by the governor thereof. The appointed members of the commission shall serve for terms of 4 years each. Vacancies on the commission shall be filled by appointment by the governor for the unexpired portion of the term. The members of the commission shall not be compensated for service on the commission, but each of the appointed members shall be entitled to actual and reasonable expenses incurred in attending meetings, or incurred otherwise in the performance of his or her duties as a member of the commission. The members of the commission shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice chairman from among their members, and the chairmanship shall rotate each year among the party states in order of their acceptance of this compact. The commission shall adopt rules and regulations for the transaction of its business and a record shall be kept of all its business. It shall be the duty of the commission to study the feasibility of providing interstate rapid rail transit service between the party states. Toward this end, the commission shall have power to hold hearings; to conduct studies and surveys of all problems, benefits, and other matters

associated with such service, and to make reports thereon; to acquire, by gift, grant, or otherwise, from local, state, federal, or private sources, such money or property as may be provided for the proper performance of its functions, and to hold and dispose of same; to cooperate with other public or private groups, whether local, state, regional, or national, having an interest in such service; to formulate and execute plans and policies for emphasizing the purpose of this compact before the Congress of the United States and other appropriate officers and agencies of the United States; and to exercise such other powers as may be appropriate to enable it to accomplish its functions and duties and to carry out the purposes of this compact.

ARTICLE IV

Each party state agrees that its legislature may, in its discretion, from time to time make available and pay over to the commission funds for the establishment and operation of the commission. The contribution of each party state shall be in equal amounts, if possible, but nothing in this article shall be construed as binding the legislature of any state to make an appropriation of a set amount of funds at any particular time.

ARTICLE V

Nothing in this compact shall be construed so as to

conflict with any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state.

ARTICLE VI

(1) This compact shall continue in force and remain binding upon each party state until the legislature or governor of each or any state takes action to withdraw therefrom. However, any such withdrawal does not become effective until 6 months after the date of the action taken by the legislature or governor. Notice of such action shall be given to the other party state or states by the secretary of state of the party state which takes such action.

(2) There is hereby granted to the Governor, to the members of the commission for Alabama, Florida, Louisiana, and Mississippi, and to the compact administrator all the powers provided for in the compact and in this section. All officers of this state are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carrying out the purpose of the compact.

Section 2. This act shall take effect July 1, 2026.

HB 1217

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1217	**COMPANION BILL:** CS/SB 1628 (Avila)
TITLE: Prohibited Governmental Policies Regulating Greenhouse Gas Emissions	**LINKED BILLS:** None
SPONSOR(S): Snyder	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill provides a legislative finding that net zero policies, carbon taxes and assessments, and carbon emission trading programs are detrimental to the energy security and economic interest of the state; establishes certain prohibitions on a governmental entity adopting, implementing, using government funds to support, or imposing any tax or assessment to advance such policies; and defines terms related to such prohibitions.

Fiscal or Economic Impact:
The bill may have an indeterminate negative impact on state and local government revenues.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

Legislative Findings and Policy

The bill provides a legislative finding that net zero policies, carbon taxes and assessments, and carbon emission trading programs, commonly known as "cap-and-tax" or "cap-and-trade" programs, are detrimental to this state's energy security and economic interests. The bill also provides that it is state policy to prohibit the adoption or implementation of net zero policies by a governmental entity, including through government expenditures, taxes, assessments, or trading programs. (Section 1)

Net-Zero Policies

The bill defines the term "net-zero policies" to mean any target, threshold, initiative, action, framework, requirement, or policy associated with reducing the use of carbon-intensive products or activities, including a requirement imposed by a governmental entity that requires:

- The governmental entity to meet a statewide, regional, or geographically specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
- An individual or business activity, including any carbon-intensive activity, to:
  - Meet a specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
  - Meet any goal of the Paris Agreement, defined as the resolution adopted by the United Nations Framework Convention on Climate Change's 21st Conference of Parties in Paris, France, or any similar initiative adopted by the Federal Government or any geopolitical organization affiliated with the World Bank or World Economic Forum.

- Support the goal of any regional governing authority or multistate entity that commits to a reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.
- Restrict any carbon-intensive activity of any individual or business that would otherwise not be restricted for the sole purpose of meeting net zero policies.
- Prohibit the use, sale, purchase, or exchange of any carbon-intensive product or carbon for the sole purpose of meeting net zero policies. (Section 1)

Restrictions on Government Actions

Prohibited Government Policies and Programs

The bill provides that a governmental entity may not adopt, or require any individual to adopt, net zero policies associated with the reduction of carbon-intensive products, including in any comprehensive plans, land development regulations, transportation plans, or any published or adopted government policy, program, or procedure. The prohibitions in the bill apply to any proposed action by a governmental entity on or after July 1, 2026, that is not otherwise permissible by general law. (Section 1)

The bill also prohibits a governmental entity from implementing, administering, or enforcing any program that has the effect of:

- Establishing a statewide, regional, or geographic limit or cap on the amount of greenhouse gas[1] emissions[2] that results from the use, production, or consumption of any carbon-intensive product or carbon-intensive activity.
- Providing for the allocation, auction, or transfer of emissions allowances or credits among pollutant sources as a means of compliance with greenhouse gas emission limits.
- Requiring a governmental entity or any individual in this state to participate in an emissions trading program. (Section 1)

Prohibited Use of Government Funds

The bill prohibits a governmental entity from using government funds in any manner that supports, implements, or advances net zero policies, including:

- Through purchasing or procurement preferences for products that are not carbon-intensive or for vehicles or equipment based solely on the fuel source.
- Using government funds to pay dues for any nongovernmental agency or organization, including any trade association or organization, that adopts or supports net zero policies. (Section 1)

Prohibited Taxes, Fees, and Charges

The bill prohibits a governmental entity from imposing a tax, fee, penalty, charge, offset, or assessment to advance net zero policies, including:

- The carbon content of a fuel;
- The emission of greenhouse gases that results from the use, production, or consumption of any good or service;
- Any carbon-intensive activity; or
- The use, sale, purchase, or exchange of any carbon-intensive product or carbon-intensive activity.

The bill requires each governmental entity to annually submit to the Department of Revenue an affidavit attesting to compliance with the prohibitions above. (Section 1)

[1] For purposes of the bill, the term "greenhouse gases" is defined to include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride.
[2] For purposes of the bill, the term "emissions" is defined to mean greenhouse gases released, by any individual or entity, into the atmosphere or air.

Definitions

The bill supplies definitions for terms used in the bill.

Business Activity
The bill provides that the term "business activity" means any activity, or series of activities, that:
- Involves the emission of a greenhouse gas, or a combination thereof.
- Forms a single undertaking or enterprise, taking into account any relevant circumstances. (Section 1)

Carbon-Intensive Activity
The bill provides that the term "carbon-intensive activity" means any business activity, or any other activity performed by any individual, which supports:
- The movement of individuals or goods through common methods of transportation, including automobiles, commercial vehicles, freight haulers, aircraft, vessels, pipelines, delivery devices, and other similar transportation methods. This includes the use of energy resources to power or operate such transportation methods.
- The creation or transmission of energy resources for the following commercial and residential uses: electricity; manufacturing; the sustainment of human life, including, but not limited to, refrigeration and cooling in enclosed or partially enclosed spaces; waste management; and the operation of manufacturing of appliances for human use.
- The performance of activities to support the production of any carbon-intensive product, including, but not limited to, farming, agriculture, hunting and gathering, or the taking of fish and wildlife to sustain human life.
- The use of traditional authorized methods to take fish and wildlife resources.
- The mining, exploration, or manufacturing of products to support the continued livelihood of mankind. (Section 1)

Carbon-Intensive Product
The bill provides that the term "carbon-intensive product" means any of the following products, including any product containing a component thereof:
- A product containing iron; steel; steel mill, including, but not limited to, pipes and tubes; aluminum; cement; glass, including, but not limited to, flat, container, or specialty glass, or fiberglass; oil; minerals; metals; pulp; and paper.
- Any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or animal consumption. This includes agricultural, aquacultural, horticultural, viticultural, and dairy products; livestock and the products thereof; the products of poultry and bee raising; the edible products of forestry; and all products raised or produced on farms, and processed or manufactured products thereof, transported or intended to be transported in interstate or foreign commerce. (Section 1)

Governmental Entity
The bill provides that the term "governmental entity" means:
- The state, and any political subdivision thereof, including the executive, legislative, and judicial branches of state government.
- A county; a municipality; a special district, including an independent community development district, a neighborhood improvement district, and an independent special district; and any authority, board, or commission of such governmental entities.
- A state agency, a county agency, or any other entity, however styled, that independently exercises any type of state or local governmental function, that is subject to ch. 377, F.S. (Section 1)

Government Funds
The bill provides that the term "government funds" means:

- State funds pursuant to s. 215.31, F.S.,[3] and any other moneys of the state.
- Funds of the judicial branch, including any moneys of all officers, employees, and offices of the Supreme Court, district courts of appeal, circuit courts, county courts, and the Judicial Qualifications Commission.
- Local government funds, including any moneys of a county, municipality, school district, special district, and any other political subdivision, including a consolidated government, metropolitan government, town, and village.
- Funds of public officials and constitutional officers.
- State university or Florida College System institution funds.
- Funds of any agency, board, bureau, commission, or institution of any of the foregoing. (Section 1)

The bill makes other conforming changes to limit the power of county or municipal governments in accordance with the provisions of the bill. (Sections 2, 3, and 4)

The bill provides an effective date of July 1, 2026. (Section 5)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate negative impact on state government revenues. The bill appears to limit the ability of state government and state agencies to impose taxes or fees on carbon-intensive products and activities that are otherwise subject to taxes or fees.

LOCAL GOVERNMENT:

The bill may have an indeterminate negative impact on local government revenues. The bill appears to limit the ability of local governments to impose taxes or fees on carbon-intensive products and activities that are otherwise subject to taxes or fees.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Greenhouse Gas

The term "greenhouse gas" (GHG) refers to a category of gases that trap heat in the atmosphere.[4] Some GHGs occur naturally, such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), while others, known as "fluorinated gases," are products primarily of household, commercial, and industrial applications and processes (hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride).[5] Each gas's effect on the earth's climate depends on several factors:

- How abundant the gas is in the atmosphere.
- How long the gas stays in the atmosphere.
- How strongly the gas impacts the atmosphere.[6]

The EPA estimated that in 2022, total GHG emissions in the U.S. were 17 percent below 2005 levels, after accounting for offsets from land management uses.[7]

[3] S. 215.31, F.S., addresses all revenue, including licenses, fees, imposts, or exactions collected or received under the authority of the laws of the state by each and every state official, office, employee, bureau, division, board, commission, institution, agency, or undertaking of the state or the judicial branch.
[4] United States Environmental Protection Agency (EPA), *Overview of Greenhouse Gases*, https://www.epa.gov/ghgemissions/overview-greenhouse-gases (last visited Feb. 2, 2026).
[5] *Id.*
[6] *Id.*

Carbon Dioxide
The most common GHG emitted through human activities, carbon dioxide (CO_2), is naturally present in the atmosphere as part of the earth's carbon cycle (the natural circulation of carbon among the atmosphere, oceans, soil, plants, and animals).[8] CO_2 is constantly exchanged among the atmosphere, ocean, and land surface as it is both produced and absorbed by many microorganisms, plants, and animals.[9] Emissions and removals of CO_2 by these natural processes tend to balance over time, absent effects related to human activity, such as the combustion of fossil fuels for energy and transportation.[10] Some activity, such as the management of forests and other natural and agricultural lands, acts as a net sink of CO_2, removing and storing in plants and trees more CO_2 from the atmosphere than is emitted.[11] Excluding offsets from land management uses, annual CO_2 emissions in the U.S. decreased by 1.5 percent between 1990 and 2022.[12]

Methane
Methane (CH_4) accounts for 12 percent of all U.S. GHG emissions from human activities, but most methane emission occurs naturally as a result of the normal digestive process of animals, including domestic livestock such as cattle, swine, sheep, and goats.[13] Human activity contributing to the emission of methane includes natural gas and petroleum systems, as well as waste management, landfills, and wastewater treatment.[14] Annual methane emissions in the U.S. decreased by 19 percent between 1990 and 2022.[15]

Nitrous Oxide
Nitrous oxide (N_2O) is naturally present in the atmosphere from a variety of natural sources, including as part of the earth's nitrogen cycle, the natural circulation of nitrogen among the atmosphere, plants, animals, and microorganisms that live in soil and water.[16] Human activities that contribute to nitrous oxide emissions include agriculture (especially the application of synthetic and organic fertilizers and other cropping practices), fuel combustion, wastewater management, and industrial processes.[17] In 2022, nitrous oxide accounted for 6 percent of all U.S. GHG emissions from human activities, and annual nitrous oxide emissions in the United States decreased by 3 percent between 1990 and 2022.

Fluorinated Gases
Unlike many other GHGs, fluorinated gases have no significant natural sources and come almost entirely from human-related activities.[18] Relative to other GHGs, fluorinated gases also have a higher potential to trap heat in the atmosphere, and last for much longer in the atmosphere.[19] In general, fluorinated gases are the most potent and longest lasting type of greenhouse gases emitted by human activities, and many fluorinated gases are removed from the atmosphere only when they are destroyed by sunlight in the upper atmosphere.[20]

There are four main categories of fluorinated gases:

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[7] EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks (last visited Feb. 2, 2026).
[8] EPA, *Carbon Dioxide Emissions*, https://www.epa.gov/ghgemissions/carbon-dioxide-emissions#CO2-references (last visited Feb. 2, 2026).
[9] *Id.*
[10] *Id.*
[11] *Id.*
[12] *Id.*
[13] EPA, *Methane Emissions*, https://www.epa.gov/ghgemissions/methane-emissions (last visited Feb. 2, 2026).
[14] *Id.*
[15] *Id.*
[16] EPA, *Nitrous Oxide Emissions*, https://www.epa.gov/ghgemissions/nitrous-oxide-emissions (last visited Feb. 2, 2026).
[17] *Id.*
[18] EPA, *Fluorinated Gas Emissions*, https://www.epa.gov/ghgemissions/fluorinated-gas-emissions (last visited Feb. 2, 2026).
[19] *Id.*
[20] *Id.*

- Hydrofluorocarbons (HFCs), which accounted for 90 percent of fluorinated gas emissions in 2022, are used as refrigerants, aerosol propellants, foam blowing agents, solvents, and fire retardants in products used by homes, businesses and industry. The major emissions source of these compounds is their use as refrigerants—for example, in air conditioning systems in both vehicles and buildings.
- Perfluorocarbons (PFCs) are produced as a byproduct of aluminum production and are used in the manufacturing of semiconductors.
- Sulfur hexafluoride (SF_6) is used in magnesium processing and semiconductor manufacturing, as well as a tracer gas for leak detection. Sulfur hexafluoride is also used as an insulating gas in electrical transmission equipment, including circuit breakers.
- Nitrogen trifluoride (NF_3) is used in semiconductor manufacturing.[21]

Fluorinated gas emissions in the U.S. increased by 105 percent between 1990 and 2022, with the increase primarily driven by a 349 percent increase in emissions of hydrofluorocarbons.[22]

Net-Zero Policies

"Net-zero" policies aim at achieving a balance between GHGs emitted from human activity and the amount of carbon dioxide (CO_2) removed from the atmosphere.[23] Human activities also emit other greenhouse gases, including methane, nitrous oxide, and fluorinated gases. To compare the climate impacts of different GHGs, their effects on the climate are commonly expressed relative to CO_2 using a metric known as "CO_2 equivalent."[24]

Net-zero GHG emissions means the combined net emissions of all greenhouse gases, expressed in CO_2 equivalents, equal zero.[25] Methods of CO_2 removal include natural absorption and storage in forests and other ecosystems as well as technological removal and storage.[26] However, because there are currently no commercially available methods to remove non-CO_2 GHGs from the atmosphere, achieving net-zero GHG emissions requires additional removal of CO_2 to counterbalance emissions of other GHGs.[27] Net-zero GHG emissions would therefore be achieved when total GHG emissions, measured in CO_2 equivalents, are offset by removal of CO_2 from the atmosphere.[28]

Carbon Control Policies

Examples of efforts to control GHG emissions released into the atmosphere include carbon taxation and carbon emission trading ("cap-and-trade") programs. A carbon tax directly sets a price per unit of emissions, requiring companies to pay a fee based on the amount of greenhouse gases they emit.[29] The price is usually expressed as a monetary unit per ton of CO_2 equivalent.[30]

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[21] *Id.*
[22] *Id.*
[23] Jonathan D. Haskett, U.S. Congressional Research Service (CRS), *Climate Change: What Are Net-Zero Emissions?*, 1 (Sep. 4, 2024), available at https://www.congress.gov/crs_external_products/IF/PDF/IF12753/IF12753.2.pdf (last visited Feb. 2, 2026).
[24] *Id.*
[25] *Id.*
[26] *Id.*
[27] *Id.*
[28] Haskett, *Climate Change: What Are Net-Zero Emissions?*, *supra* note 23 at 1.
[29] Noah Kaufman, World Research Institute, *Carbon Tax vs. Cap-and-Trade: What's a Better Policy to Cut Emissions*, (Mar. 1, 2016) https://www.wri.org/insights/carbon-tax-vs-cap-and-trade-whats-better-policy-cut-emissions (last visited Feb. 2, 2026).
[30] World Bank Group, *State and Trends of Carbon Pricing*, 15 (2024), available at https://openknowledge.worldbank.org/entities/publication/b0d66765-299c-4fb8-921f-61f6bb979087 (last visited Feb. 2, 2026).

In a cap-and-trade system, a governmental entity or other authority sets an emissions cap and issues a fixed quantity of emission allowances.[31] Covered entities must hold sufficient allowances to account for the greenhouse emissions they produce. These entities can buy and sell allowances from each other based on their need. This supply and demand dynamic establishes a market price for carbon.[32] Cap-and-trade programs have been implemented in several U.S. jurisdictions.[33] For example, the Regional Greenhouse Gas Initiative is a cooperative effort among several participating U.S. states to cap and reduce power sector CO_2 emissions.[34] The initiative establishes a regional CO_2 emissions cap, implemented through individual state CO_2 budget trading programs, and requires regulated fossil-fuel-fired power plants to hold allowances equal to their emissions. Allowances are distributed through quarterly regional auctions, with proceeds used by states to support energy efficiency, renewable energy, and other consumer benefit programs.[35]

There are 75 carbon tax and emissions trading schemes in operation worldwide, covering approximately 24 percent of global emissions.[36]

Environmental Regulations

Federal Activity Regulating Greenhouse Gas

The U.S. Congress originally passed the Clean Air Act (CAA) in 1970 to protect public health and welfare by requiring the U.S. Environmental Protection Agency (EPA) to establish national ambient air quality standards for certain common and widespread pollutants.[37] Under the CAA, the EPA has set air quality standards for six common pollutants: particulate matter (also known as particle pollution), ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide, and lead.[38] The CAA requires states to adopt enforceable plans to achieve and maintain air quality meeting the air quality standards.[39]

In 2009, the EPA issued a final order finding that then-current and projected concentrations of six GHGs—carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)—in the atmosphere threaten the public health and welfare.[40] The EPA also found that the combined emissions of these GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare.[41] On August 1, 2025, the EPA issued a proposed rule rescinding the 2009 findings, with a proposed finding that the CAA "does not authorize the EPA to prescribe emission

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[31] Michigan State University (MSU), *State Cap-and-Trade Programs*, 2 (Nov. 2023), available at https://www.canr.msu.edu/fccp/Uploads/Files/2b.%20Cap%20and%20Trade_FINAL_v2.pdf (last visited Feb. 2, 2026). *See, e.g.*, EPA, *What is Emissions Trading?*, https://www.epa.gov/emissions-trading/what-emissions-trading (last visited Feb. 2, 2026).

[32] *Id.*

[33] States with cap-and-trade programs include California, Oregon, Washington, and those states participating in the Regional Greenhouse Gas Initiative, namely Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. MSU, *State Cap-and-Trade Programs*, *supra* note 31, at 7-13.

[34] Regional Greenhouse Gas Initiative (RGGI), *Elements of RGGI*, https://www.rggi.org/program-overview-and-design/elements (last visited Feb. 2, 2026). Participating states include Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. *Id.*

[35] *Id.*

[36] World Bank Group, *State and Trends of Carbon Pricing*, *supra* note 30, at 9, 18, 22.

[37] EPA, *Clean Air Act Requirements and History*, https://www.epa.gov/clean-air-act-overview/clean-air-act-requirements-and-history (last visited Feb. 2, 2026).

[38] *Id.*

[39] *Id.*

[40] EPA, *Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act*, https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a (last visited Feb. 2, 2026).

[41] *Id.*

standards to address global climate change concerns" and, on that basis, proposed repealing all GHG emissions standards for vehicles.[42]

Florida Energy and Climate Regulations

Florida's state energy policy is to ensure an adequate, reliable, and cost-effective supply of energy for the state in a manner that promotes the health and welfare of the public and economic growth.[43] The Legislature intends that governance of the state's energy policy be efficiently directed toward achieving this purpose.[44] The state's energy policy is guided by the following goals:

- Ensuring a cost-effective and affordable energy supply.
- Ensuring adequate supply and capacity.
- Ensuring a secure, resilient, and reliable energy supply, with an emphasis on a diverse supply of domestic energy resources.
- Protecting public safety.
- Protecting the state's natural resources, including its coastlines, tributaries, and waterways.
- Supporting economic growth.[45]

In furtherance of these goals, it is the policy of the state to:

- Promote the cost-effective development and use of a diverse supply of domestic energy resources in the state and discourage energy waste.
- Promote the cost-effective development and maintenance of energy infrastructure that is resilient to natural and manmade threats to the security and reliability of the state's energy supply.
- Reduce reliance on foreign energy resources.
- Include energy reliability and security considerations in all state, regional, and local planning.
- Utilize and manage effectively energy resources used within state agencies.
- Encourage local governments to include energy considerations in all planning and to support their work in promoting energy management programs.
- Include the full participation of citizens in the development and implementation of energy programs.
- Consider in its decisions the energy needs of each economic sector, including residential, industrial, commercial, agricultural, and governmental uses, and reduce those needs whenever possible.
- Promote energy education and the public dissemination of information on energy and its impacts in relation to the state's energy goals.
- Encourage the research, development, demonstration, and application of domestic energy resources, including the use of renewable energy resources.
- Consider the impacts of energy-related activities on the state's energy goals, including the whole-life-cycle impacts of any potential energy use choices, so that detrimental effects of these activities are understood and minimized.
- Develop and maintain energy emergency preparedness plans to minimize the effects of an energy shortage within this state.[46]

Florida law includes a number of provisions addressing matters related to global climate change, greenhouse gases, and carbon offset programs. For example:

- Florida law preempts the authority of local governments to adopt policies aimed at restricting the ability of certain utility and energy entities to choose the types and fuel sources of energy production which may be used or supplied.[47] However, while a local government's ability to restrict others is preempted, Florida law

[42] EPA, *Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards*, 90 Fed. Reg. 146, Aug. 1, 2025, available at https://www.govinfo.gov/content/pkg/FR-2025-08-01/pdf/2025-14572.pdf (last visited Feb. 2, 2026).
[43] S. 377.701(1), F.S.
[44] *Id.*
[45] S. 377.601(2), F.S.
[46] *Id*.
[47] S. 366.032, F.S.

does not prevent a municipality or governmental entity which owns or operates and directly controls an electric or natural gas utility from passing rules, regulations, or policies governing the utility.[48]

- The Executive Office of the Governor may, in the state comprehensive plan, include goals, objectives, and policies related to global climate change.[49]
- The Division of State Lands,[50] in its annual work plan, must consider as a category for land conservation expenditures a climate-change category list of lands where acquisition or other conservation measures will address the challenges of global climate change, such as through protection, restoration, mitigation, and strengthening of Florida's land, water, and coastal resources.[51] This category includes lands that provide opportunities to sequester carbon, provide habitat, protect coastal lands or barrier islands, and otherwise mitigate and help adapt to the effects of sea-level rise and meet other objectives of the program.[52]
- The Board of Trustees of the Internal Improvement Trust Fund[53] must adopt rules that pertain to the use of state lands for carbon sequestration, carbon mitigation, or carbon offsets and that provide for climate-change-related benefits.[54]

Florida – Local Green Initiatives and Sustainability Plans

Some local governments in Florida have adopted plans aimed at reducing GHG emissions. For example:

- Leon County has adopted an Integrated Sustainability Action Plan with the goal of reducing "harmful GHG emissions stemming from [c]ounty operations that contribute to changing climate," with a target of achieving 30 percent reduction by 2030 from a 2015 baseline, primarily through energy efficiency in county buildings, fleet electrification and fuel efficiency, waste reduction, sustainable purchasing, and public education on energy efficiency.[55]
- The City of Doral's Citywide Integrated Sustainability Plan sets a goal of reducing GHG emissions by 10-15 percent by 2050 through preserving greenspaces, enhancing public transportation, and creating energy efficiency standards for buildings, transportation, and infrastructure.[56]
- Alachua County's Climate Action Plan includes a goal to reduce GHG emissions by 80 percent by 2050, from a 2009 baseline, with objectives targeting energy efficiency in private as well as county government buildings, renewable energy generation, education and public information, and intergovernmental and community collaboration.[57]

Other climate action plans are the product of collaborations between city, county, and non-profit entities. For example, the Southeast Florida Regional Climate Change Compact (SFRCCC) is led by Broward, Miami-Dade, Monroe, and Palm Beach Counties, in partnership with various stakeholders, including a climate-focused non-

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[48] S. 366.032(3), F.S.
[49] S. 186.007(3), F.S.
[50] The Florida Department of Environmental Protection's (FDEP) Division of State Lands is Florida's lead agency for environmental management and stewardship, administers the state's land acquisition program Florida Forever, and serves as staff to the Governor and Cabinet as they act in their role as the Board of Trustees of the Internal Improvement Trust Fund. *See* FDEP, *Division of State Lands*, https://floridadep.gov/lands (last visited Feb. 2, 2026); S. 216.0153, F.S.
[51] S. 259.105(17)(d), F.S.
[52] *Id.*
[53] The Internal Improvement Trust Fund is a fund into which is deposited revenues from the sale, use, or lease of state lands, and is to be used for the acquisition, management, administration, protection, and conservation of state-owned lands. S. 253.01, F.S.
[54] S. 259.105(5)(c), F.S.
[55] Leon County, *Integrated Sustainability Action Plan*, 5-24 (April 2019), *available at* https://cms.leoncountyfl.gov/Portals/0/DeptFiles/Sustain/Docs/isap.pdf (last visited Feb. 2, 2026).
[56] City of Doral, *Resolution No. 24-222*, Ex. A (July 2024), *available at* https://www.cityofdoral.com/files/assets/city/v/1/city-hall/city-clerk/resolutions-archived/2024/res.-no.-24-222-adoption-citywide-integrated-sustainability-plan-cisp.pdf (last visited Feb. 2, 2026).
[57] Alachua County, *Alachua County Climate Action Plan*, 2-3, 15-189 (2025), *available at* https://www.alachuacounty.us/Depts/epd/Documents/ADACompliant/Alachua-County-Climate-Action-Plan_Final_29Oct25.pdf (last visited Feb. 2, 2026).

profit[58] and certain planning councils, chambers of commerce, economic councils, and private companies.[59] SFRCCC adopted the Southeast Florida Priority Climate Action Plan, a regional GHG reduction plan establishing GHG emission reduction targets for participating counties and outlining strategies to achieve those targets.[60] These strategies include transitioning government fleets to electric alternatives, including work trucks, buses, and refuse vehicles; expanding publicly available electric vehicle charging infrastructure; increasing public transit ridership; leveraging existing residential programs that reduce greenhouse gas emissions through building improvements; promoting commercial equipment and building upgrades; and diverting organic waste from landfills, among other measures.[61] The plan is funded in part by the EPA's Climate Pollution Reduction Grants program, which in turn was funded by the Inflation Reduction Act passed by the U.S. Congress in 2022.[62]

International Climate Agreements

One example of an international agreement establishing goals for global temperature stabilization is the Paris Agreement. The Paris Agreement is an international treaty with a stated goal of strengthening the global response to the threat of climate change through a number of efforts, including the reduction of GHG emissions.[63] The Paris Agreement's goal is to hold the increase in the global average temperature to well below 2 degrees Celsius above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels.[64] The Agreement does not include mandatory targets or timetables for parties to reduce their emissions. Instead, parties to the Agreement submit nationally determined contributions (NDCs) every five years and pursue mitigation measures with the aim of achieving the objectives of such contributions.[65]

The Paris Agreement was adopted by 195 parties at the United Nations Climate Change Conference in Paris on December 12, 2015, and took effect on November 4, 2016.[66] The U.S. joined the Paris Agreement in September 2016[67] but subsequently withdrew.[68]

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[58] The Institute for Sustainable Communities (ISC) is a non-profit partner of the SFRCCC, and its stated mission is "to develop practical, lasting solutions that build climate-resilient communities in the U.S. and across the world." ISC, *About Us*, https://sustain.org/about-us/ (last visited Feb. 2, 2026).

[59] SFRCC, *Partners*, https://southeastfloridaclimatecompact.org/partners/ (last visited Feb. 2, 2026).

[60] SFRCC, *Southeast Florida Priority Climate Action Plan*, (March 2024), *available at* https://southeastfloridaclimatecompact.org/wp-content/uploads/2024/03/Southeast-Florida-Priority-Climate-Action-Plan_FinaL2024.pdf (last visited Feb. 2, 2026).

[61] *Id.* at 27-46.

[62] *See id.* at page v; Inflation Reduction Act of 2022, Pub. L. 117-169, 136 Stat. 1818 (Aug. 16, 2022).

[63] Paris Agreement to the United Nations Framework Convention on Climate Change (UNFCCC), art. 2 (Dec. 12, 2015), *available at* https://unfccc.int/sites/default/files/english_paris_agreement.pdf (last visited Feb. 2, 2026). The Paris Agreement is part of the UNFCCC, a framework established in 1992 for coordinated global action "to combat climate change and its impact on humanity and ecosystems." UN Climate Change (UNCC), *The Convention*, https://unfccc.int/resource/bigpicture/ (last visited Feb. 2, 2026).

[64] UNFCCC Paris Agreement, *supra* note 63, at art. 2.1.

[65] *Id.* at 4.2, 4.9. The United States, during its participation in the Paris Agreement, established an NDC with an economy-wide target of reducing its net greenhouse gas emissions by 61-66 percent below 2005 levels in 2035. *See* UNFCCC, *The United States of America—Nationally Determined* Contribution, 2 (2024), available at https://unfccc.int/sites/default/files/2024-12/United%20States%202035%20NDC.pdf (last visited Feb. 2, 2026).

[66] *See* UNCC, *The Paris Agreement*, https://unfccc.int/process-and-meetings/the-paris-agreement (last visited Feb. 2, 2026).

[67] UN Treaty Collection, Chapter XXVII: Environment, 7.d, Paris Agreement (Sept. 3, 2016), *available at* https://treaties.un.org/doc/Publication/CN/2016/CN.612.2016-Eng.pdf (last visited Feb. 2, 2026).

[68] On November 4, 2019, the U.S. formally notified the UN Secretary General of its withdrawal. Michael, R. Pompeo, U.S. Secretary of State, *On the U.S. Withdrawal from the Paris Agreement*, Nov. 4, 2019, available at https://2017-2021.state.gov/on-the-u-s-withdrawal-from-the-paris-agreement/ (last visited Feb. 2, 2026). The U.S. rejoined the Agreement on February 19, 2021. Antony J. Blinken, U.S. Secretary of State, *The United States Officially Rejoins the Paris Agreement*, https://2021-2025.state.gov/the-united-states-officially-rejoins-the-paris-agreement/ (last visited Feb. 2, 2026). On January 20, 2025, President Donald J. Trump issued an executive order directing the withdrawal from the Agreement. Putting America First in International Environmental Agreements, 90 Fed. Reg. 8455 (Jan. 20, 2025), also available at https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/ (last visited Feb. 2, 2026).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Rubottom
Intergovernmental Affairs Subcommittee				
Commerce Committee				

A bill to be entitled

An act relating to prohibited governmental policies regulating greenhouse gas emissions; creating s. 377.816, F.S.; providing legislative findings; providing definitions; prohibiting governmental entities from adopting certain net zero policies; prohibiting governmental entities from using government funds in any manner that supports, implements, or advances certain net zero policies; prohibiting governmental entities from imposing a tax, fee, penalty, charge, offset, or assessment to advance certain net zero policies; requiring each governmental entity to annually submit to the Department of Revenue a certain affidavit; prohibiting governmental entities from implementing, administering, or enforcing certain programs; providing applicability; amending ss. 125.01, 166.021, and 166.201, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 377.816, Florida Statutes, is created to read:

377.816 Prohibiting the adoption or implementation of net

CODING: Words stricken are deletions; words underlined are additions.

zero policies by governmental entities.—

(1)(a) The Legislature finds that net zero policies, carbon taxes and assessments, and carbon emission trading programs, commonly known as "cap-and-tax" or "cap-and-trade" programs, are detrimental to this state's energy security and economic interests.

(b) It is the policy of this state to adopt and promote energy policy goals consistent with the energy policy of this state, as set forth in s. 377.601, and to prohibit the adoption or implementation of net zero policies by a governmental entity, including through government expenditures, taxes, assessments, or trading programs.

(2) As used in this section:

(a) "Business activity" means any activity, or series of activities, that:

1. Involves the emission of a greenhouse gas, or a combination thereof.

2. Forms a single undertaking or enterprise, taking into account any relevant circumstances.

(b) "Carbon-intensive activity" means any business activity, or any other activity performed by any individual, which supports:

1. The movement of individuals or goods through common methods of transportation, including automobiles, commercial vehicles, freight haulers, aircraft, vessels, pipelines,

delivery devices, and other similar transportation methods. This includes the use of energy resources to power or operate such transportation methods.

2. The creation or transmission of energy resources for the following commercial and residential uses: electricity; manufacturing; the sustainment of human life, including, but not limited to, refrigeration and cooling in enclosed or partially enclosed spaces; waste management; and the operation of manufacturing of appliances for human use.

3. The performance of activities to support the production of any carbon-intensive product, including, but not limited to, farming, agriculture, hunting and gathering, or the taking of fish and wildlife to sustain human life.

4. The use of traditional authorized methods to take fish and wildlife resources.

5. The mining, exploration, or manufacturing of products to support the continued livelihood of mankind.

(c) "Carbon-intensive product" means any of the following products, including any product containing a component thereof:

1. A product containing iron; steel; steel mill, including, but not limited to, pipes and tubes; aluminum; cement; glass, including, but not limited to, flat, container, or specialty glass, or fiberglass; oil; minerals; metals; pulp; and paper.

2. Any agricultural commodity or product, whether raw or

processed, including any commodity or product derived from livestock that is marketed in the United States for human or animal consumption. This includes agricultural, aquacultural, horticultural, viticultural, and dairy products; livestock and the products thereof; the products of poultry and bee raising; the edible products of forestry; and all products raised or produced on farms, and processed or manufactured products thereof, transported or intended to be transported in interstate or foreign commerce.

(d) "Emissions" means greenhouse gases released, by any individual or entity, into the atmosphere or air.

(e) "Governmental entity" means:

1. The state, and any political subdivision thereof, including the executive, legislative, and judicial branches of state government.

2. A county; a municipality; a special district, including an independent community development district, a neighborhood improvement district, and an independent special district; and any authority, board, or commission of such governmental entities.

3. A state agency, a county agency, or any other entity, however styled, that independently exercises any type of state or local governmental function, that is subject to this chapter.

(f) "Government funds" means:

1. State funds pursuant to s. 215.31, and any other moneys

of the state.

2. Funds of the judicial branch, including any moneys of all officers, employees, and offices of the Supreme Court, district courts of appeal, circuit courts, county courts, and the Judicial Qualifications Commission.

3. Local government funds, including any moneys of a county, municipality, school district, special district, and any other political subdivision, including a consolidated government, metropolitan government, town, and village.

4. Funds of public officials and constitutional officers.

5. State university or Florida College System institution funds.

6. Funds of any agency, board, bureau, commission, or institution of any of the foregoing.

(g) "Greenhouse gases" means:

1. Carbon dioxide.

2. Methane.

3. Nitrous oxide.

4. Hydrofluorocarbons.

5. Perfluorocarbons.

6. Sulphur hexafluoride.

7. Nitrogen trifluoride.

(h) "Net zero policies" means any target, threshold, initiative, action, framework, requirement, or policy associated with reducing the use of carbon-intensive products or

activities, including a requirement imposed by a governmental entity that requires:

1. The governmental entity to meet a statewide, regional, or geographically specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.

2. An individual or business activity, including any carbon-intensive activity, to:

a. Meet a specific reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.

b. Meet any goal of the Paris Agreement, defined as the resolution adopted by the United Nations Framework Convention on Climate Change's 21st Conference of Parties in Paris, France, or any similar initiative adopted by the Federal Government or any geopolitical organization affiliated with the World Bank or World Economic Forum.

c. Support the goal of any regional governing authority or multistate entity that commits to a reduction in greenhouse gas emissions in an amount equal to zero, or when annual anthropogenic emissions of greenhouse gases into the atmosphere are balanced by removal over a specific period of time.

d. Restrict any carbon-intensive activity of any

individual or business that would otherwise not be restricted for the sole purpose of meeting net zero policies; however, this sub-subparagraph does not legalize any activity that would otherwise be considered illegal activity.

e. Prohibit the use, sale, purchase, or exchange of any carbon-intensive product or carbon for the sole purpose of meeting net zero policies; however, this sub-subparagraph does not legalize any activity that would otherwise be considered illegal activity.

(3) A governmental entity may not adopt, or require any individual to adopt, net zero policies. This prohibition includes, but is not limited to, references to, or the inclusion of, such policies in comprehensive plans, land development regulations, transportation plans, or any published or adopted government policy, program, or procedure.

(4) A governmental entity may not use government funds in any manner that supports, implements, or advances net zero policies, including, but not limited to:

(a) Providing procurement or purchasing preferences for products that are not carbon-intensive products.

(b) Providing purchasing preferences for passenger vehicles, commercial vehicles, or heavy equipment based solely on the fuel source.

(c) Using government funds to pay dues for any nongovernmental agency or organization, including any trade

association or organization, that adopts or supports net zero policies.

(5)(a) A governmental entity may not impose a tax, fee, penalty, charge, offset, or assessment to advance net zero policies, including, but not limited to:

1. The carbon content of a fuel;

2. The emission of greenhouse gases that results from the use, production, or consumption of any good or service;

3. Any carbon-intensive activity; or

4. The use, sale, purchase, or exchange of any carbon-intensive product or carbon-intensive activity.

(b) Each governmental entity shall annually submit to the Department of Revenue an affidavit, signed under penalty of perjury by an authorized official of the governmental entity, attesting to compliance with this paragraph (a).

(6) A governmental entity may not implement, administer, or enforce any program that has the effect of:

(a) Establishing a statewide, regional, or geographic limit or cap on the amount of greenhouse gas emissions that results from the use, production, or consumption of any carbon-intensive product or carbon-intensive activity.

(b) Providing for the allocation, auction, or transfer of emissions allowances or credits among pollutant sources as a means of compliance with greenhouse gas emission limits.

(c) Requiring a governmental entity or any individual in

this state to participate in an emissions trading program.

(7) This section applies to any proposed action by a governmental entity on or after July 1, 2026, that is not otherwise permissible by general law.

Section 2. Paragraphs (g), (h), and (r) of subsection (1) of section 125.01, Florida Statutes, are amended to read:

125.01 Powers and duties.—

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not inconsistent with general or special law, this power includes, but is not restricted to, the power to:

(g) Prepare and enforce comprehensive plans for the development of the county, to the extent such plans do not contain the prohibitions in s. 377.816.

(h) Establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public, to the extent such zoning and business regulations do not include the prohibitions in s. 377.816.

(r) Levy and collect taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit, and special assessments; borrow and expend money; and issue bonds, revenue certificates, and other obligations of indebtedness, excluding the prohibitions in s. 377.816, which power shall be exercised in such manner, and subject to such limitations, as may be provided by general law.

A ~~There shall be no~~ referendum is not required for the levy by a county of ad valorem taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit.

1. Notwithstanding any other provision of law, a county may not levy special assessments on lands classified as agricultural lands under s. 193.461 unless the revenue from such assessments has been pledged for debt service and is necessary to meet obligations of bonds or certificates issued by the county which remain outstanding on July 1, 2023, including refundings thereof for debt service savings where the maturity of the debt is not extended. For bonds or certificates issued after July 1, 2023, special assessments securing such bonds may not be levied on lands classified as agricultural under s. 193.461.

2. ~~The provisions of~~ Subparagraph 1. does ~~do~~ not apply to residential structures and their curtilage.

Section 3. Subsection (2) of section 166.021, Florida Statutes, is amended to read:

166.021 Powers.—

(2) "Municipal purpose" means any activity or power which may be exercised by the state or its political subdivisions. The term does not include any activity or power exercised relating to the prohibitions in s. 377.816.

Section 4. Section 166.201, Florida Statutes, is amended

to read:

166.201 Taxes and charges.—Subject to the prohibitions in s. 377.816, a municipality may raise, by taxation and licenses authorized by the constitution or general law, or by user charges or fees authorized by ordinance, amounts of money which are necessary for the conduct of municipal government and may enforce their receipt and collection in the manner prescribed by ordinance not inconsistent with law.

Section 5. This act shall take effect July 1, 2026.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1323	**COMPANION BILL:** SB 1310 (Rodriguez)
TITLE: Railroad Crossing Safety	**LINKED BILLS:** None
SPONSOR(S): Tuck	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Transportation & Economic Development Budget ➤ Commerce

SUMMARY

Effect of the Bill:
The bill requires railroad crossings constructed after July 1, 2026, to include advanced detection and monitoring systems and defines the requirements for such systems. The bill also requires existing railroad crossings to incorporate these systems during upgrades or significant modifications. The bill directs the Florida Department of Transportation to develop and assist in implementing standards for deployment of these systems and to identify priority crossings for immediate upgrades or significant modifications. The bill requires periodic reports on the performance and effectiveness of these systems.

Fiscal or Economic Impact:
The bill appears to have an indeterminate negative impact on state and local government expenditures associated with purchasing, installing, and maintaining the required advanced detection and monitoring systems.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill provides legislative findings that:

- Improving safety at railroad crossings is critical to protecting the lives of pedestrians, motorists, and railway workers.
- Advanced detection and monitoring systems utilizing cutting-edge technology provide a reliable and effective means to prevent collisions and enhance situational awareness.
- The Legislature intends to minimize accidents, save lives, and promote public safety by requiring railroad crossings to include or integrate advanced detection and monitoring systems. (Section 1)

The bill requires railroad crossings constructed after July 1, 2026, to include advanced detection and monitoring systems capable of providing hazard assessment[1], generating real-time alerts[2], and capability to integrate with existing and future railroad protocols, including positive train control systems. As defined in the bill, an advanced detection and monitoring system is a system capable of detecting and classifying objects such as pedestrians, vehicles, and wildlife at railroad crossings and their approaches using technologies such as LiDAR sensors, high-resolution cameras, and artificial intelligence-driven analytics. (Section 1)

[1] The bill defines "hazard assessment" to mean the process of analyzing detected objects to determine whether a safety risk exists based on predefined criteria.
[2] The bill defines "real-time alerts" to mean automated notifications generated to warn train crews, operations centers, or other stakeholders of safety hazards.

The bill also requires that any upgrade or significant modification to an existing railroad crossing after July 1, 2026, must integrate an advanced detection and monitoring system. (Section 1)

The bill directs the Florida Department of Transportation (FDOT) to:

- Develop standards for employing advanced detection and monitoring systems at railroad crossings.
- Identify priority existing railroad crossings for immediate upgrades based on risk assessments and traffic volume.
- Provide technical assistance to rail operators in implementing advanced detection systems. (Section 1)

The bill authorizes funding assistance for the implementation of advanced detection and monitoring systems through grants, state infrastructure funds, or public-private partnerships. The bill further provides that rail operators who install advanced detection and monitoring systems at priority existing railroad crossings may qualify for a tax credit or other financial incentive, though the bill does not create any such credit or incentive or specify an existing credit or incentive mechanism that may apply. (Section 1)

The bill requires rail operators to provide an annual report to FDOT detailing the performance of these advanced detection and monitoring systems beginning July 1, 2027. Beginning July 1, 2028, FDOT must evaluate the effectiveness of these systems for railroad safety and provide a report every other year to the Governor, the President of the Senate, and the Speaker of the House of Representatives. (Section 1)

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill appears to have an indeterminate negative impact on state government expenditures associated with purchasing, installing, and maintaining the required advanced detection and monitoring systems.

LOCAL GOVERNMENT:

The bill appears to have an indeterminate negative impact on local government expenditures associated with purchasing, installing, and maintaining the required advanced detection and monitoring systems.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Department of Transportation (FDOT)

FDOT's mission is to provide a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.[3]

Florida Rail Safety Coalition

The Florida Rail Safety Coalition (FRSC) was established by FDOT in 2024 to enhance public rail safety across the state. FRSC consists of rail industry partners at local, state, and federal levels, including but not limited to subject matter experts and FDOT team members.[4] Driver and pedestrian behavior was determined to be the most critical and urgent rail safety issue by FRSC at its formation.[5] In response, FRSC and FDOT have started campaigns such as

[3] FDOT, *About DOT*, https://www.fdot.gov/agencyresources/aboutfdot.shtm (last visited Jan. 28, 2026).
[4] FDOT, Florida Rail Safety Coalition, https://www.fdot.gov/rail/programs/florida-rail-safety-coalition (last visited Jan. 29, 2026).
[5] FDOT, *Florida Rail Safety Coalition Presentation*, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/rail/programs/florida-rail-safety-coalition/frsc-presentation_2024-11-14.pdf?sfvrsn=d9e88546_1 (last visited Jan. 29, 2026).

the Be Rail Smart initiative, which focuses on accident prevention and educating the public about rail crossing safety awareness and proper procedure.[6] According to data gathered by FDOT, 88% of Highway-Rail Grade Crossing accidents between 2013-2022 involved stopping on the crossing, going around gates, not stopping, stopping then proceeding, or going through gates.[7] A large portion of the Be Rail Smart initiative focuses on teaching citizens to avoid these preventable behaviors.

Positive Train Control Systems

Positive Train Control (PTC) systems are designed to prevent train-to-train collisions, over-speed derailments, incursions into established work zones, and movement of trains through switches left in the wrong position.[8] PTCs utilize computer technology to actively prevent rail accidents before they happen.[9] Some features of these systems include the prevention of radio message interference between trains[10] and failsafe measures to remotely stop trains prior to collision.[11] On December 29, 2020, the Federal Railroad Administration announced that PTC technology is in operation on all 41 railroads currently subject to the Rail Safety Improvement Act of 2008.[12]

AI Analytics & High-Resolution Cameras

The use of artificial intelligence and data analytics in railway safety is creating new possibilities for proactive and predictive safety management, as opposed to traditional reactive protocols. A Deloitte 2024 study found that AI-enabled predictive maintenance can reduce accident risks by up to 25% while potentially saving millions in operational costs annually.[13] AI algorithms can analyze data provided by high-resolution sensors and cameras to forecast equipment failures before they occur.[14] Analytics models can also help railway managers prioritize safety investment in high-risk areas and increase response times in comparison to manual oversight alone.[15]

LiDAR Sensors

LiDAR, which stands for Light Detection and Ranging, is a remote sensing method that uses light in the form of a pulse laser to measure ranges of the Earth.[16] This information generates precise, three-dimensional information about the shape of the Earth and its surface characteristics.[17] These sensors are an innovative method of collecting geospatial data identifying the geographic location and characteristics of natural or manmade features on Earth.[18]

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[6] FDOT, Be Rail Smart, https://www.fdot.gov/agencyresources/be-rail-smart/ (last visited Jan. 29, 2026).
[7] FDOT, Florida Rail Safety Coalition, https://www.fdot.gov/rail/programs/florida-rail-safety-coalition (last visited Jan. 29, 2026).
[8] Federal Railroad Administration, *Positive Train Control (PTC): Overview*, https://railroads.dot.gov/research-development/program-areas/train-control/ptc/positive-train-control-ptc (last visited Feb. 2, 2026).
[9] *Id*.
[10] Federal Railroad Administration, *Positive Train Control (PTC): Incremental Train Control System*, https://railroads.dot.gov/research-development/program-areas/train-control/ptc/positive-train-control-ptc (last visited Feb. 2, 2026).
[11] Federal Railroad Administration, *Positive Train Control (PTC): Positive Train Control (PTC) Development*, https://railroads.dot.gov/research-development/program-areas/train-control/ptc/positive-train-control-ptc (last visited Feb. 2, 2026).
[12] Federal Railroad Administration, *Positive Train Control (PTC): Overview*, https://railroads.dot.gov/research-development/program-areas/train-control/ptc/positive-train-control-ptc (last visited Feb. 2, 2026).
[13] Railway Academy, *How AI and Data Analytics are Redefining Safety in Rail Operations*, https://railwayacademy.org/how-ai-and-data-analytics-are-redefining-safety-in-rail-operations/ (last visited Feb. 2, 2026).
[14] *Id*.
[15] *Id*.
[16] Florida Geographic Information Office, *LiDAR Resources*, https://www.floridagio.gov/pages/lidar-resources (last visited Jan. 29, 2026).
[17] *Id*.
[18] Advanced Navigation, *Geospatial Data*, https://www.advancednavigation.com/glossary/geospatial-data/ (last visited Jan. 29, 2026).

This data is tied to specific coordinates such as latitude, longitude, and altitude, allowing for analysis of spatial patterns, relationships, and trends.[19]

Public-private Partnerships

Public-private partnerships (P3s) are contractual arrangements between public entities and private sector entities[20] that facilitate increased private sector involvement in the funding and execution of public building and infrastructure projects.[21] These agreements enable the collaboration of skills and assets from both public and private sectors to provide services or facilities for the benefit of the general public.

Responsible public entities (RPEs)[22] may engage in P3 projects aimed at developing an extensive array of public-use facilities or projects that fulfill a public purpose. Examples of qualifying projects[23] include those for mass transit, vehicle parking, airports or seaports, educational facilities, and public sector buildings or complexes such as courthouses or city halls. RPEs must adhere to specific requirements, including protocols for reviewing and approving proposals

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Dallas
Transportation & Economic Development Budget Subcommittee				
Commerce Committee				

[19] *Id.*
[20] "Private entity" means any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other private business entity. S. 255.065(1)(g), F.S.
[21] S. 255.065(2)(b), F.S.
[22] "Responsible public entity" means a county, municipality, school district, special district, or any other political subdivision of the state; a public body corporate and politic; or a regional entity that serves a public purpose and is authorized to develop or operate a qualifying project. S. 255.065(1)(j), F.S.
[23] "Qualifying project" means a facility or project that serves a public purpose; an improvement, including equipment, of a building that will be principally used by a public entity or the public at large or that supports a service delivery system in the public sector; a water, wastewater, or surface water management facility or other related infrastructure; or projects that involve a facility owned or operated by the governing board of a county, district, or municipal hospital or health care system, or projects that involve a facility owned or operated by a municipal electric utility, only those projects that the governing board designates as qualifying projects. S. 255.065(1)(i), F.S.

A bill to be entitled

An act relating to railroad crossing safety; creating s. 351.38, F.S.; providing legislative findings and intent; providing definitions; requiring a railroad crossing constructed after a specified date to include an advanced detection and monitoring system; providing requirements for such system; requiring an existing railroad crossing upgrade or significant modification occurring after a specified date to incorporate such system; requiring the Department of Transportation, in consultation with rail operators and safety experts, to develop certain standards, identify priority existing railroad crossings, and provide technical assistance to rail operators; authorizing funding assistance, tax credits, and other financial incentives; providing reporting requirements; providing an effective date.

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

Section 1. Section 351.38, Florida Statutes, is created to read:

351.38 Railroad crossing safety.—

(1) The Legislature finds that improving safety at railroad crossings is critical to protecting the lives of

CODING: Words stricken are deletions; words underlined are additions.

pedestrians, motorists, and railway workers. Advanced detection and monitoring systems utilizing cutting-edge technology, such as LiDAR sensors, high-resolution cameras, and artificial intelligence-driven analytics, provide a reliable and effective means to prevent collisions and enhance situational awareness. The Legislature intends to minimize accidents, save lives, and promote public safety by requiring railroad crossings to include or integrate advanced detection and monitoring systems.

(2) As used in this section, the term:

(a) "Advanced detection and monitoring system" means a system capable of detecting and classifying objects such as pedestrians, vehicles, and wildlife at railroad crossings and their approaches using technologies such as LiDAR sensors, high-resolution cameras, and artificial intelligence-driven analytics.

(b) "Hazard assessment" means the process of analyzing detected objects to determine whether a safety risk exists based on predefined criteria.

(c) "Real-time alerts" means automated notifications generated to warn train crews, operations centers, or other stakeholders of safety hazards.

(3)(a) A railroad crossing constructed after July 1, 2026, must include an advanced detection and monitoring system capable of:

1. Providing hazard assessment.

2. Generating real-time alerts.

3. Providing integration capability with existing and future rail operation protocols, including positive train control systems.

(b) An upgrade to or a significant modification of an existing railroad crossing occurring after July 1, 2026, must integrate an advanced detection and monitoring system as described in paragraph (a).

(4) The Department of Transportation, in consultation with rail operators and safety experts, shall:

(a) Develop standards and specifications for the deployment of advanced detection and monitoring systems at railroad crossings.

(b) Identify priority existing railroad crossings for immediate upgrades or significant modifications based on risk assessments and traffic volume.

(c) Provide technical assistance to rail operators in implementing advanced detection and monitoring systems.

(5)(a) Funding assistance for implementing advanced detection and monitoring systems may be provided through grants, state infrastructure funds, or public-private partnerships.

(b) Rail operators may qualify for tax credits or other financial incentives for the timely installation of advanced detection and monitoring systems at priority existing railroad crossings.

(6)(a) By July 1, 2027, and annually thereafter, rail operators must provide a report to the Department of Transportation detailing the performance of advanced detection and monitoring systems, including data on hazard assessment and detection, real-time alerts issued, and incidents prevented.

(b) By July 1, 2028, and biennially thereafter, the Department of Transportation shall evaluate the effectiveness of the advanced detection and monitoring systems and provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 2. This act shall take effect July 1, 2026.

Economic Infrastructure Subcommittee

HB 1323 by Rep. Tuck
Railroad Crossings

AMENDMENT SUMMARY
February 4, 2026

Amendment #132927 by Rep. Tuck (strike-all):

- Removes provisions of the bill that:
  - Require newly constructed, upgraded, or significantly modified railroad crossings to use advanced detection and monitoring systems subject to standards and specifications set by the Florida Department of Transportation (FDOT);
  - Require FDOT to identify priority crossings for immediate upgrades or modifications; and
  - Provide for specified methods of funding assistance and incentives.
- Directs FDOT to conduct a statewide study on the potential use of advanced detection and monitoring systems at public railroad-highway grade crossings and specifies matters that the study must address and entities with which FDOT must consult.
- Requires FDOT to submit a report of its findings and recommendations to the Governor, President of the Senate, and Speaker of the House of Representatives by December 1, 2026.

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	____	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Economic Infrastructure Subcommittee

Representative Tuck offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 351.38, Florida Statutes, is created to read:

351.38 Railroad crossing safety technology study.—

(1) The Legislature finds that improving safety at railroad crossings is critical to protecting the lives of pedestrians, motorists, railway workers, and the general public. Advanced detection and monitoring systems utilizing technologies such as sensors, high-resolution cameras, and data analytics may provide a reliable means to enhance situational awareness and reduce collisions at railroad crossings. The Legislature further

finds that additional analysis is necessary to evaluate the effectiveness, feasibility, costs, and implementation of such systems. It is the intent of the Legislature to direct the Department of Transportation to study these technologies before considering any statewide requirements for their deployment.

(2) As used in this section, the term:

(a) "Advanced detection and monitoring system" means a system capable of detecting and classifying objects such as pedestrians, vehicles, or other obstructions at or approaching a railroad crossing using technologies including, but not limited to, sensors, high-resolution cameras, and data analytics.

(b) "Public railroad-highway grade crossing" has the same meaning as in s. 335.141(1)(b).

(3) The Department of Transportation shall conduct a statewide study on the potential use of advanced detection and monitoring systems at public railroad-highway grade crossings in this state. The study must include, but is not limited to, an analysis of:

(a) Available and emerging advanced detection and monitoring technologies applicable to railroad crossings.

(b) The effectiveness of such technologies in improving safety outcomes, including collision prevention and hazard mitigation, based on available data from pilot programs, deployments in other jurisdictions, or academic research.

(c) Technical and operational considerations, including interoperability with existing railroad safety systems and operating protocols.

(d) Costs associated with the deployment of advanced detection and monitoring systems, including installation, operation, maintenance, and long-term lifecycle costs.

(e) Potential funding mechanisms, including federal funds, state funds, grants, or public-private partnerships.

(f) Criteria for identifying higher-risk railroad crossings where such technologies may provide the greatest safety benefit.

(g) Legal, regulatory, and operational considerations related to the deployment and oversight of advanced detection and monitoring systems.

(h) The respective roles of this state, local governments, and railroad owners in the potential implementation of such systems.

(4) In conducting the study, the Department of Transportation shall consult with, as appropriate:

(a) Railroad owners and railroad industry representatives.

(b) Local governments with jurisdiction over public railroad-highway grade crossings.

(c) Transportation safety experts and academic institutions.

(d) Federal agencies or national organizations with expertise in railroad safety.

(5) By December 1, 2026, the Department of Transportation shall submit a report of its findings and any recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report may include potential policy options for legislative consideration but may not recommend mandatory installation or upgrade of railroad crossings.

Section 2. This act shall take effect July 1, 2026.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to railroad crossing safety; creating s. 351.38, F.S.; providing legislative findings and intent; providing definitions; requiring the Department of Transportation to conduct a statewide study on advanced detection and monitoring systems at railroad crossings; specifying the scope of the study; authorizing the department to consult with specified entities; requiring a report to the Governor and Legislature by a specified date; providing an effective date.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1451	**COMPANION BILL:** SB 1724 (Martin)
TITLE: Utility Services	**LINKED BILLS:** None
SPONSOR(S): Busatta	**RELATED BILLS:** None

Committee References

Economic Infrastructure ➤ Intergovernmental Affairs ➤ Commerce

SUMMARY

Effect of the Bill:
The bill requires certain public meetings and reporting for municipalities that provide utility service or intend to provide utility service in areas outside of their municipal boundaries. The bill also limits the portion of municipal utility revenues earned from providing service in such areas that may be used to fund or finance general government functions.

Fiscal or Economic Impact:
The bill may have an indeterminate negative impact on local government expenditures.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill establishes terms related to the provision of municipal utility services in areas outside a municipality's boundaries.

Extension of Utility Service

Under the bill, a municipality that intends to offer retail electric, natural gas, water, or sewer utility service in another municipality or unincorporated area outside of the municipality's boundaries must hold a public meeting in conjunction with the governing body of each municipality or unincorporated area to be served. The public meeting must take place before a new agreement to provide such service, or a renewal, extension, or material amendment of an existing agreement, may take effect. The public meeting must be held within each municipality and unincorporated area to be served for the purpose of providing information and soliciting public input on each of the following:

- The nature of the service to be provided or changes to the service being provided.
- The rates, fees, and charges to be imposed for the services provided or intended to be provided, including:
  - Any differential with the rates, fees, and charges imposed for the same service on customers located within the boundaries of the serving municipality;
  - The basis for the differential; and
  - The length of time that the differential is expected to exist.
- The extent to which revenues generated from the provision of the service will be used to fund or finance non-utility government functions or services.
- Any other matters deemed relevant by the parties to the agreement. (Section 1)

Further, the bill requires that a new agreement to provide these utility services beyond a municipality's boundaries, or an extension, renewal, or material amendment to an existing agreement, must be in writing. (Section 1)

The bill requires that an appointed representative[1] of each municipality providing utility service in another municipality or unincorporated area outside of the municipality's boundaries must conduct an annual customer meeting in conjunction with the governing body of each municipality and unincorporated area in which it provides service. The purpose of this meeting is to receive public input on utility-related matters, including rates and service. The bill provides that this meeting does not need to be a separate public meeting conducted specifically for this purpose. (Section 1)

Use of Revenues

Under the bill, a municipality may not transfer more than 10 percent of the gross revenues it generates from electric, natural gas, water, or sewer service provided to customers outside its municipal boundaries to fund or finance general government functions. Further, the bill requires that revenues remaining after payment of the municipal utility's costs to provide service must be reinvested into the municipal utility or returned to customers who received service at locations beyond the municipality's corporate limits. (Section 1)

Reporting

The bill requires that by January 1, 2027, and annually thereafter, each municipality that provides utility service outside its municipal boundaries must report to the Public Service Commission (PSC), for each type of utility service it provides outside of municipal boundaries, the following information:

- The number and percentage of customers that receive utility service provided by the municipality at a location outside the boundaries of the municipality;
- The volume and percentage of sales made to such customers, and the gross revenues generated from such sales; and
- Whether the rates, fees, and charges imposed on customers that receive service at a location outside the municipality's boundaries are different than the rates, fees, and charges imposed on customers within the boundaries of the municipality, and, if so, the amount and percentage of the differential. (Section 2)

The bill requires the PSC to compile this information and report it to the Speaker of the House of Representatives, the Senate President, and the Governor by March 31, 2027, and annually thereafter. The bill provides that it does not modify or extend the authority of the PSC otherwise provided by law with respect to any municipal utility that must report this information. (Section 2)

The effective date for these reporting provisions is July 1, 2026. (Section 2)

The bill provides an effective date of July 1, 2027, for all other provisions of the bill. (Section 3)

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

The bill may have an indeterminate negative impact on local government expenditures associated with the public meeting and reporting requirements for municipalities that provide utility service in areas outside of their municipal boundaries. The bill limits the ability of municipal utilities to transfer certain utility service revenues to fund and finance general government functions.

[1] The appointed representative must be an executive-level leadership employee of the municipality, or the municipality's utility authority, board, or commission, specifically appointed by the governing body of the municipality to serve as its representative for the purpose of the meeting.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Municipal Utility Service

Pursuant to s. 2(b), Art. VIII of the State Constitution, municipalities have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services. Municipalities may exercise any power for municipal purposes, except when expressly prohibited by law.[2] The legislative body of each municipality has the power to enact legislation on any subject upon which the state Legislature may act with certain exceptions.[3] Under their home rule power and as otherwise provided or limited by law or agreement, municipalities may provide utilities to citizens and entities within the municipality's corporate boundaries, in unincorporated areas, and even in other municipalities.

Many municipalities own and operate electric utilities and natural gas utilities and govern the operation of those utilities through ordinance, code, or policies. Currently, there are 35 municipal electric utilities in the state and 27 municipally owned natural gas utilities.[4] Municipal electric and natural gas utility rates are not directly regulated by the Florida Public Service Commission (PSC), however, the PSC does have jurisdiction over municipal electric utilities for matters related to rate structure, power plant transmission line site certification, general reporting jurisdiction, service territory and territory disputes, energy efficiency reporting, ten-year site plans, reporting on system hardening and resiliency, reporting on net metering, audits related to regulatory assessment fees, monitoring renewable energy, reporting on facilities inspection and vegetation management, and ensuring a reliable, coordinated power grid.[5] Many of these utilities provide service to customers located outside of the municipality's boundaries.

Municipalities are authorized by general law to provide water and sewer utility services.[6] With respect to public works projects, including water and sewer utility services,[7] municipalities may extend and execute their corporate powers outside of their corporate limits as "desirable or necessary for the promotion of the public health, safety and welfare."[8] A municipality may not extend or apply these corporate powers within the corporate limits of another municipality.[9] In general, however, local governments may enter into mutually advantageous agreements to provide services or facilities to other localities.[10] Further, the law specifically authorizes a municipality to permit any other municipality and the owners of lands outside its corporate limits or within the limits of another municipality to connect with its water and sewer utility facilities and use its services upon agreed terms and conditions.[11] Municipal water and sewer utility systems are exempt from PSC jurisdiction.[12]

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[2] Section 166.021(2), F.S., provides that any activity or power which may be exercised by the state or its political subdivisions is considered a municipal purpose.

[3] Pursuant to section 166.021(3), F.S., a municipality may not enact legislation on the following: the subjects of annexation, merger, and exercise of extraterritorial power, which require general law or special law; any subject expressly prohibited by the constitution; any subject expressly preempted to state or county government by the constitution or by general law; and any subject preempted to a county pursuant to a county charter adopted under the authority of the State constitution.

[4] Florida Public Service Commission, *Facts & Figures of the Florida Utility Industry* (2025), p, 1, 12, available at https://www.psc.state.fl.us/reports (last visited Feb. 2, 2026).

[5] Presentation on *Florida Public Power*, Florida Municipal Electric Association (Feb. 9, 2023), slide 3, available at https://www.flhouse.gov/Sections/Documents/publications.aspx?CommitteeId=3226&PublicationType=Committees&DocumentType=All&SessionId=99 (last visited Feb. 2, 2026).

[6] Pursuant to s. 180.06, F.S., a municipality may "provide water and alternative water supplies;" "provide for the collection and disposal of sewage, including wastewater reuse, and other liquid wastes;" and "construct reservoirs, sewerage systems, trunk sewers, intercepting sewers, pumping stations, wells, siphons, intakes, pipelines, distribution systems, purification works, collection systems, treatment and disposal works" to accomplish these purposes.

[7] Other public works projects authorized under s. 180.06, F.S., include alternative water supplies, maintenance of water flow and bodies of water for sanitary purposes, garbage collection and disposal, airports, hospitals, jails, golf courses, gas plants and distribution systems, and related facilities.

[8] S. 180.02(2), F.S.

[9] *Id.*

[10] *See* s. 163.01, F.S.

[11] S. 180.19, F.S.

Rates for Municipal Water and Sewer Service

A municipality that operates a water or sewer utility outside of its municipal boundaries may impose higher rates, fees, and charges on customers receiving service outside of its corporate boundaries as compared to the rates, fees, and charges imposed on customers within its boundaries. The municipality can accomplish this in two ways:

- First, for customers outside of its boundaries, it may add a surcharge of up to 25 percent of the rates, fees, and charges imposed on customers within its boundaries. This mechanism does not require a public hearing.[13]
- Second, it may set separate rates, fees, and charges for customers outside its boundaries based on the same factors used to set rates for customers within its boundaries. It may add a surcharge of up to 25 percent of these charges, provided that the total of all such rates, fees, and charges for service to customers outside its boundaries may not exceed the total charges to customers within its boundaries by more than 50 percent for corresponding service. Rates set in this manner require a public hearing at which all users served or to be served by the water or sewer utilities and all other interested persons will have an opportunity to be heard concerning the proposed rates.[14]

There is no central repository for information concerning municipal water or sewer service rates that identifies municipalities that impose higher rates on customers outside of the municipal boundaries, the specific mechanism used by such municipalities to establish such rates, or the level of any additional charge or surcharge imposed.

Transfers of Municipal Utility Revenues

Current law authorizes municipalities to raise amounts of money which are necessary for the conduct of the municipal government. A municipality may do so by taxation and licenses authorized by Florida's constitution or general law, or by user charges or fees authorized by ordinance.[15] Municipalities routinely transfer a portion of their utility earnings to their general funds for non-utility purposes, though the amounts and percentages may vary widely among municipalities.[16] These transfers may be limited in some circumstances by ordinance, but they are not governed by state law.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/*SENATE* SPONSOR(S)	OTHER INFORMATION
2025	CS/CS/HB 1523 - Utility Services	Busatta	Died in Senate

[12] S. 376.022(2), F.S.
[13] S. 180.191(1)(a), F.S.
[14] S. 180.191(1)(b), F.S.
[15] S. 166.201, F.S.
[16] Presentation on *Florida Public Power*, Florida Municipal Electric Association *supra* n. 5, slide 6.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee			Keating	Rubottom
Intergovernmental Affairs Subcommittee				
Commerce Committee				

A bill to be entitled

An act relating to utility services; amending s. 180.19, F.S.; requiring certain public meetings as a condition precedent to the effectiveness of a new or an extended agreement under which a municipality will provide specified utility services in other municipalities or unincorporated areas; specifying the matters to be addressed at such public meetings; requiring such agreements to be written; requiring annual public customer meetings; defining the terms "appointed representative" and "governing body"; limiting the portion of certain utility revenues that a municipality may use to fund or finance general government functions; requiring excess revenues to be reinvested into the municipal utility or returned to customers; creating s. 180.192, F.S.; requiring municipalities that provide specified utility services to report certain information by a specified date, and annually thereafter, to the Florida Public Service Commission; requiring the commission to compile such information and submit a report by a specified date, and annually thereafter, to the Governor and the Legislature; providing construction; providing effective dates.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

Section 1. Section 180.19, Florida Statutes, is amended to read:

180.19 Use by other municipalities and by individuals outside corporate limits.—

(1) A municipality which constructs any works as are authorized by this chapter, may permit any other municipality and the owners or association of owners of lots or lands outside of its corporate limits or within the limits of any other municipality, to connect with or use the utilities mentioned in this chapter upon such terms and conditions as may be agreed between such municipalities, and the owners or association of owners of such outside lots or lands.

(2) Any private company or corporation organized to accomplish the purposes set forth in this chapter, which has been granted a privilege or franchise by a municipality, may permit the owners or association of owners of lots or lands outside of the boundaries of said municipality granting said privilege or franchise, or other municipality, to connect with and use the utility operated by the said private company or corporation upon such terms as may be agreed between the said private company or corporation and the owners or association of owners of said lots or lands or the said municipality.

(3)(a) A new agreement, or an extension, renewal, or

material amendment of an existing agreement, to provide electric, natural gas, water, or sewer utility service at retail pursuant to subsection (1) must be written and may not become effective before an appointed representative of the municipality that provides service or intends to provide the service, in conjunction with the governing body of each municipality and unincorporated area served or to be served, has participated in a public meeting, which is not required to be a separate public meeting, within each municipality and unincorporated area served or to be served for purposes of providing information and soliciting public input on:

1. The nature of the services to be provided or changes to the services being provided.

2. The rates, fees, and charges to be imposed for the services provided or intended to be provided, including any differential with the rates, fees, and charges imposed for the same services on customers located within the boundaries of the serving municipality, the basis for the differential, and the length of time that the differential is expected to exist.

3. The extent to which revenues generated from the provision of the services will be used to fund or finance nonutility government functions or services.

4. Any other matters deemed relevant by the parties to the agreement.

(b) Rates, fees, and charges imposed for water or sewer

utility services provided pursuant to subsection (1) shall comply with s. 180.191.

(c) A representative of each municipality that provides electric, natural gas, water, or sewer utility services pursuant to subsection (1), in conjunction with the governing body of each municipality and unincorporated area in which it provides services, must annually conduct a public customer meeting, which is not required to be a separate public meeting, within each municipality and unincorporated area for purposes of soliciting public input on utility-related matters, including fees, rates, charges, and services.

(d) For purposes of this subsection, the term:

1. "Appointed representative" means an executive-level leadership employee of a municipality, or such municipality's related and separate utility authority, board, or commission, specifically appointed by the governing body to serve as its representative for purposes of this subsection.

2. "Governing body" means a:

a. Governing body of a municipality in which services are provided or proposed to be extended.

b. Board of county commissioners of a county in which services are provided or proposed to be extended, if services are provided or proposed to be extended in an unincorporated area within the county.

(4) A municipality that generates revenue from the

provision of electric, natural gas, water, or sewer utility services to locations beyond its corporate limits may not use more than 10 percent of the gross revenues generated from such services to fund or finance general government functions. After the transfer of such revenues to fund or finance general government functions, if any revenues generated from such services remain after payment of the municipal utility's costs to provide services, these excess revenues must be reinvested into the municipal utility or returned to customers who received service at locations beyond the municipality's corporate limits.

Section 2. Effective July 1, 2026, section 180.192, Florida Statutes, is created to read:

180.192 Reporting requirements related to municipal utility service.—

(1) By January 1, 2027, and annually thereafter, each municipality that provides electric, natural gas, water, or sewer utility services pursuant to s. 180.191(1) must provide a report to the Florida Public Service Commission that identifies, for each type of utility service provided by the municipality:

(a) The number and percentage of customers that receive utility services provided by the municipality at a location outside the boundaries of the municipality.

(b) The volume and percentage of sales made to such customers, and the gross revenues generated from such sales.

(c) Whether the rates, fees, and charges imposed on

customers that receive services at a location outside the municipality's boundaries are different than the rates, fees, and charges imposed on customers within the boundaries of the municipality, and, if so, the amount and percentage of the differential.

(2) By March 31, 2027, and annually thereafter, the commission shall compile the information provided pursuant to subsection (1) and submit a report containing this information to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(3) This section does not modify or extend the authority of the commission otherwise provided by law with respect to any municipal utility that is required to comply with subsection (1).

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2027.

Economic Infrastructure Subcommittee

HB 1451 by Rep. Busatta
Utility Services

AMENDMENT SUMMARY
February 4, 2026

Amendment #547041 by Rep. Busatta (line 100):

- Removes a provision of the bill related to limitations on the use and transfer of utility revenues.
- Limits the rates, fees, and charges that a municipal water or sewer utility may impose on customers outside the boundaries of the municipality to no more than 25 percent in excess of the those imposed on customers within the boundaries.
- Establishes a penalty for failure to file the annual report required by the bill.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Economic Infrastructure Subcommittee

Representative Busatta offered the following:

Amendment (with title amendment)

Remove lines 100-119 and insert:

Section 2. Subsection (1) of section 180.191, Florida Statutes, is amended to read:

180.191 Limitation on rates charged consumer outside city limits.—

(1) Any municipality within the state operating a water or sewer utility outside of the boundaries of such municipality shall charge consumers outside the boundaries rates, fees, and charges determined in one of the following manners:

(a) It may charge the same rates, fees, and charges as consumers inside the municipal boundaries. ~~However, in addition~~

~~thereto, the municipality may add a surcharge of not more than 25 percent of such rates, fees, and charges to consumers outside the boundaries.~~ Fixing of such rates, fees, and charges in this manner shall not require a public hearing except as may be provided for service to consumers inside the municipality.

(b) It may charge rates, fees, and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees, and charges for consumers inside the municipal boundaries. ~~In addition thereto, the municipality may add a surcharge not to exceed 25 percent of such rates, fees, and charges for said services to consumers outside the boundaries. However, the total of all~~ Such rates, fees, and charges for the services to consumers outside the boundaries may ~~shall~~ not be more than 25 ~~50~~ percent in excess of the rates, fees, and charges ~~total amount~~ the municipality charges consumers served within the municipality for corresponding service. No such rates, fees, and charges shall be fixed until after a public hearing at which all of the users of the water or sewer systems; owners, tenants, or occupants of property served or to be served thereby; and all others interested shall have an opportunity to be heard concerning the proposed rates, fees, and charges. Any change or revision of such rates, fees, or charges may be made in the same manner as such rates, fees, or charges were originally established, but if such change or revision is to be made substantially pro rata as to all classes of service,

both inside and outside the municipality, no hearing or notice shall be required.

Section 3. Effective July 1, 2026, section 180.192, Florida Statutes, is created to read:

180.192 Reporting requirements related to municipal utility service.—

(1) By January 1, 2027, and annually thereafter, each municipality that provides electric, natural gas, water, or sewer utility services pursuant to s. 180.191(1) must provide a report to the Florida Public Service Commission. A municipality that fails to file the report required by this subsection shall be subject to the penalties provided in s. 366.095. The report must identify, for each type of utility service provided by the municipality:

T I T L E A M E N D M E N T

Remove lines 12-20 and insert:

amending s. 180.191, F.S.; revising provisions relating to permissible rates, fees, and charges imposed by municipal water and sewer utilities on customers located outside the municipal boundaries; creating s. 180.192, F.S.; requiring municipalities that provide specified utility services to report certain information by a specified date, and annually

thereafter, to the Florida Public Service Commission; establishing a penalty; requiring the commission to compile such

PCS for HB 1233

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: PCS for HB 1233	**COMPANION BILL:** SB 1220 (Massullo)
TITLE: Transportation	**LINKED BILLS:** None
SPONSOR(S): Economic Infrastructure Subcommittee	**RELATED BILLS:** None

Committee References

Orig. Comm.: Economic Infrastructure

SUMMARY

Effect of the Bill:

The bill addresses several matters related to state transportation policy, including:

- Duties of the Florida Greenways and Trails Council;
- Seaport planning, and expansion of Florida's maritime industrial base;
- Expansion of the areas within which personal delivery devices may operate;
- Impact of drone delivery services on minimum parking space requirements on commercial property;
- Clarification regarding the use of paratransit services;
- Airport investments, security, and planning;
- Expansion of the Florida Department of Transportation's powers, duties, and responsibilities related to advanced air mobility corridor connection points, promotion of development opportunities and advanced air mobility, review of local government applications for federal funding, operation and maintenance of research facilities, and LiDAR procurement and cost sharing; and
- Limitations on the consideration of nonpecuniary factors in taxpayer-funded project development and environmental studies.

The bill also makes shooting or throwing a dangerous projectile into an occupied or unoccupied autonomous vehicle a second-degree felony and makes the willful or malicious defacement of, injury to, or damage to an autonomous vehicle a third-degree felony in certain circumstances.

Fiscal or Economic Impact:

None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill addresses several areas related to state transportation policy.

Florida Greenways and Trails Council

The bill requires the Florida Greenways and Trails Council[1] to meet within 90 days after the Florida Department of Transportation (FDOT) submits its report summarizing the status of the Florida Shared-Use Nonmotorized Trail

[1] The Florida Greenways and Trails Council is a body tasked with advising the Florida Department of Environmental Protection (FDEP) on greenway and trail related issues, promoting intergovernmental cooperation and private partnerships for developing the greenways and trails system, recommending priorities for critical links in the system, and providing funding recommendations for developing and managing the system. FDEP, *Florida Greenways and Trails Council*,

Network[2] and to update its recommendations for prioritization of regionally significant trails within the network. (Section 1)

Seaports

Seaport Planning

The bill requires Florida's public seaports to provide strategies for obtaining and maintaining critical infrastructure resources[3] for the port and its tenants. The bill requires that such strategies must include long-term contracts, rights of first refusal regarding the sale or lease of property storing such resources, and contingency plans for obtaining such resources. (Section 2)

Seaport Maritime Industrial Base

The bill requires FDOT to coordinate with the Florida Department of Commerce, Florida's public seaports, the U.S. Department of Commerce, and the U.S. Department of War to identify and prioritize key maritime components of the supply chain essential to strengthening and expanding Florida's maritime industrial base. The bill also requires Florida's seaports to support projects evaluated by FDOT that directly support the construction, maintenance, and modernization of commercial and military vessels. The bill requires that projects be evaluated based on the return on invested capital, job creation, contribution to the economic competitiveness of the state, and support for the national security interests of the U.S., as well as anticipated enhancements of the state's commercial maritime abilities. (Section 3)

Vehicle Regulation

Personal Delivery Devices

The bill expands the definition of personal delivery devices (PDDs) to include devices that operate at a maximum speed of 20 miles per hour on bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities.[4] The bill also makes conforming changes to clarify that PDDs may be operated in such areas. (Sections 4, 5, and 6)

Commercial Drone Delivery

The bill clarifies that, except as otherwise expressly provided, a political subdivision may not withhold any conditional use approval to a drone delivery service on a commercial property or enact or enforce an ordinance or resolution that prohibits a drone delivery service's operation. (Section 7)

The bill also provides that the addition of a drone delivery service within the parking area of a commercial property does not reduce the number of parking spaces for the purpose of meeting applicable minimum parking requirements.[5] (Section 7)

Paratransit Services

The bill clarifies that paratransit services provided pursuant to a contract with FDOT are for persons with disabilities. (Section 14)

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https://floridadep.gov/parks/ogt/content/florida-greenways-and-trails-council (last visited Feb. 2, 2026). *See also*, S. 260.0142, F.S.

[2] S. 339.81(8), F.S., requires FDOT, in coordination with FDEP, to submit a report every three years.

[3] For purposes of the bill, the term "critical infrastructure resources" includes, but is not limited to, access to electricity, fuel, and water resources.

[4] Florida law defines "limited access facility" to mean a street or highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. S. 334.03(12), F.S.

[5] Authority over minimum parking requirements is a power generally left to local governments and municipalities. *See* Art. VIII, s. 2(b); s. 166.021, F.S. However, local governments must adhere to the requirements and limitations of applicable law, such as the requirements for accessible parking spaces for persons with disabilities provided in Florida law and the federa Americans with Disabilities Act (ADA). *See* s. 553.5041, F.S.

Commercial Service Airports

Airport Investments
The bill authorizes FDOT to plan and direct investments in airport systems in the state to facilitate the efficient movement of passengers and cargo and to continuously improve the experience for the flying public and the supply chain of this state's businesses. (Section 8)

Airport Security
The bill requires FDOT to coordinate with commercial service airports in this state to review U.S. Transportation Security Administration policies and programs to increase the efficiency of passenger screening and the overall customer service experience of the flying public. (Section 9)

Airport Duties
The bill requires commercial service airports to provide methods for obtaining and maintaining critical infrastructure resources[6] for the airport, its tenants, and the traveling public. Such strategies must include long-term contracts and rights of first refusal regarding the sale of and contingency plans for such resources. (Section 10)

FDOT Powers and Authority

The bill revises the powers and duties granted to FDOT. Specifically, the bill authorizes FDOT to:

- Designate land areas and transportation facilities as advanced air mobility corridor connection points[7];
- Acquire promotional items, as part of public information and education campaigns, for transportation economic development opportunities and for advanced air mobility. The bill removes authority for FDOT to acquire such promotional items for electric vehicle charging stations.
- Operate and maintain research facilities designated by FDOT and to conduct and enter into contracts and agreements for compensation for conducting research by FDOT and private entities.
- Conduct and enter into contracts and agreements for research and demonstration projects relative to innovative transportation technologies.
- Coordinate with local governments to review and develop applications for federal funding to ensure that each project will have the maximum benefit to the state transportation system, contributing to congestion relief and infrastructure improvements.
- Serve as the point of contact for statewide topographical aerial light detection and ranging (LiDAR) procurement and cost sharing related to statewide geographic information systems and geospatial data sharing. (Sections 11 and 12)

FDOT Project Development and Environment Studies

The bill establishes a state policy that nonpecuniary factors are not considerations in FDOT's taxpayer-funded project development and environmental studies. For purposes of the bill, the term "nonpecuniary factor" includes any of the following:

- Considerations related to social justice, including diversity, equity, and inclusion or the placement of highways or transportation facilities having a disproportionate effect or impact on a specific demographic;
- Considerations related to environmental justice, including the social or cultural environment being impacted by the actions;
- Sociocultural effect evaluations; or

[6] *See* definition of "critical infrastructure resources," *supra* note 3.
[7] The bill defines the term "advanced air mobility corridor connection point" to mean any land area or transportation facility, including any airspace, designated by the department as suitable to support the efficient movement of people and goods by use as a connection point for advanced air mobility.

- Additional considerations related to climate alarmism, including any benchmark, standard, threshold, goal, or requirement related to emissions, motor vehicle fuel sources, decarbonization, and net-zero policies.[8] (Section 13)

The bill requires that, to the extent that consideration of nonpecuniary factors is a requirement of federal law or is a condition of receipt of federal transportation funding, a governmental entity[9] must include the following in any publication, document, report, presentation, webpage, or digital application:

- A written statement that federal law requires such considerations as part of the project development and environmental study in question and a reference to such federal law.
- The amount of taxpayer funding required to make such considerations, including the approximate increase in costs related to nonpecuniary factors.
- The estimated cost increase for all project phases for the overall recommended project when nonpecuniary factors are considered. (Section 13)

Criminal Violations

The bill provides that it is a second-degree felony to wantonly or maliciously shoot, or to throw any hard substance which would produce death or great bodily harm, at, within, or into any occupied or unoccupied autonomous vehicle. (Section 15)

The bill provides that anyone who willfully or maliciously defaces, injures, or damages any autonomous vehicle[10] commits a third-degree felony of criminal mischief, if the damage to the autonomous vehicle is greater than $200. (Section 16)

The bill makes conforming changes to the offense severity ranking chart. (Section 17)

The bill provides an effective date of July 1, 2026. (Section 18)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Department of Transportation

The Florida Department of Transportation (FDOT) is an executive agency responsible for providing a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.[11]

[8] For purposes of the bill, the term "net-zero policies" means achieving a balance between the total amount of greenhouse gases released into the atmosphere and the amount removed, but the term does not include standard reviews related to section 4(f) requirements in federal law, which protect park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation development. *See* Federal Highway Administration, *Section 4(f) Tutorial*, https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/overview.aspx?h=e#h (last visited Jan. 30, 2026).

[9] The term "governmental entity" is defined to mean a unit of government, or any officially designated public agency or authority of a unit of government, that has the responsibility for planning, construction, operation, or maintenance or jurisdiction over transportation facilities; the term includes the Federal Government, the state government, a county, an incorporated municipality, a metropolitan planning organization, an expressway or transportation authority, a road and bridge district, a special road and bridge district, and a regional governmental unit. S. 334.03(11), F.S.

[10] The bill defines the term "autonomous vehicle" by cross-reference to s. 316.003, F.S., which defines it to mean any vehicle equipped with an automated driving system. S. 316.003(3)(a), F.S.

[11] S. 20.23, F.S.; FDOT, *About FDOT*, https://www.fdot.gov/agencyresources/aboutfdot.shtm (last visited Jan. 31, 2026).

FDOT Research Facilities

Florida law grants FDOT the power to conduct research studies, research and demonstration projects, and to collect data necessary for the improvement of the state transportation system.[12] FDOT's Research Center Office oversees the agency's research program and contracts with state universities and other research service providers to conduct research in all areas of transportation.[13] The Research Center also participates in pooled fund studies with other state transportation agencies and contributes to national studies on subjects of benefit to Florida. FDOT's research program contributes to increasing the safety, reliability, capacity, and efficiency of Florida's transportation system.

Additionally, FDOT operates the SunTrax Transportation Testing Center, a facility located in Polk County dedicated to the research, development and testing of emerging transportation technologies in safe and controlled environments.[14] SunTrax serves as a premier facility for advancing transportation technology through comprehensive vehicle testing, research, and industry engagement.[15] Through SunTrax, FDOT is also investing in facilities to test and develop advanced air mobility (AAM) technology.[16]

FDOT Project Development and Environment Studies

FDOT conducts project development and environment (PD&E) studies to determine the location and conceptual design of feasible build alternatives for roadway improvement projects as well as their social, economic, and environmental effects.[17] Throughout each study, a no-build alternative, where roads are left in their present state with routine maintenance, remains a viable alternative. A PD&E study is finalized when the Federal Highway Administration reviews the study's documentation and recommendations and provides a Location and Design Concept Acceptance.[18] Florida law requires that PD&E studies for capacity improvement projects on limited access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.[19] Additionally, PD&E studies for new alignment projects and capacity improvement projects must be completed to the maximum extent possible within 18 months after the date of commencement.[20]

Under Florida law, FDOT has the power to assume the responsibilities of the U.S. Department of Transportation with respect to highway projects within the state under the National Environmental Policy Act[21] (NEPA) and with respect to related responsibilities for environmental review, consultation, or other action required under any federal environmental law pertaining to review or approval of a highway project within the state.[22] FDOT maintains a Project Development and Environment Manual as its procedure for complying with NEPA and other applicable federal and state laws and regulations.[23] FDOT's PD&E studies satisfy federal NEPA requirements, but even if a project does not use federal funds, FDOT policy requires a PD&E study to meet similar state requirements and to maintain eligibility for potential federal funding.[24]

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[12] S. 334.044(20)-(21), F.S.
[13] FDOT, *Research Center*, https://www.fdot.gov/research/default.shtm (last visited Jan. 31, 2026).
[14] ITS Florida, *SunTrax*, Dec. 11, 2018, https://www.itsflorida.org/suntrax (last visited Jan. 31, 2026).
[15] SunTrax, *Facility Usage*, https://suntraxfl.com/about-us/facility-usage/ (last visited Jan. 31, 2026).
[16] SunTrax, *SunTrax Air*, https://suntraxfl.com/suntrax-air/ (last visited Jan. 31, 2026).
[17] FDOT District 7, *What is a PD&E Study?,* https://www.fdotd7studies.com/projects/what-is-a-pde-study/, (last visited Jan. 31, 2026).
[18] *Id.*
[19] S. 334.63(1), F.S.
[20] S. 334.63(2), F.S.
[21] National Environmental Policy Act of 1969, U.S.C. § 4321 et. seq (2025). NEPA was the first major environmental law in the United States. It establishes a national policy for the environment, and it requires federal agencies to assess the environmental effects of proposed actions prior to making decisions. *See* NEPA.gov, *Homepage*, https://ceq.doe.gov/index.html (last visited Jan. 31, 2026).
[22] S. 334.044(34), F.S. *See also*, FDOT, Office of Environmental Management, *NEPA Assignment*, https://www.fdot.gov/environment/oem-divisions/qa-qc/nepa-assignment. (last visited Jan. 30, 2026).
[23] FDOT, *Project Development and Environment (PD&E) Manual*, https://www.fdot.gov/environment/pde-manual/pdeman-current (last visited Jan. 31, 2026).
[24] DOT District 7, *What is a PD&E Study?*, *supra* note 17; FDOT, *Frequently Asked Questions for the Local Agency Program*, https://www.fdot.gov/programmanagement/lap/faq.shtm (last visited Jan. 31, 2026).

Recent Federal Activity Related to NEPA and Environmental Studies

There have been recent shifts related to NEPA interpretation and implementation as a consequence of executive, regulatory, and judicial decisions.

The Council on Environmental Quality (CEQ) was established by NEPA in 1970 and is housed within the Executive Office of the President to consult and coordinate with federal agencies, provide guidance on the implementation of NEPA to ensure timely environmental review and permitting processes across the federal government, and to advise and assist the President on policies that promote the improvement of environmental quality, while supporting the economic prosperity and energy security of the American people.[25] Historically, the CEQ issued guidance and regulations outlining how federal agencies can comply with NEPA.[26] CEQ's regulations were treated as carrying the force of agency rulemaking and binding on federal agencies, influencing the rulemaking decisions of other agencies.[27] Agencies adopted their own NEPA implementation procedures and submitted them to CEQ for review.[28]

During the Obama and Biden presidencies, executive orders and CEQ regulations expanded the scope of NEPA analyses conducted by federal agencies to prioritize consideration of greenhouse gas emissions and the effect of climate change; require consideration of direct, indirect, and cumulative environmental impacts; and to promote environmental justice as a goal in NEPA implementation.[29] In President Trump's terms, executive orders and CEQ guidance rescinded those Obama- and Biden-era directives in an effort to reduce NEPA's regulatory and fiscal burdens and to promote efficiency and economic growth.[30]

Additionally, two recent federal court decisions have altered the landscape of NEPA regulations. First, in 2024, the U.S. Court of Appeals for the District of Columbia found that the CEQ had no lawful authority to promulgate binding regulations and called into question whether agency rules issued to comply with such CEQ rules were a permissible exercise of rulemaking authority.[31] As a result of this decision, on January 8, 2026, the CEQ issued a final rule rescinding all NEPA-implementing regulations, finding that neither NEPA nor any other federal statute gives the CEQ power to issue binding NEPA regulations, much less legislative rules with the force of law.[32]

In a second federal court case, decided in 2025, the U.S. Supreme Court found that judicial review of NEPA cases had, over the years, imposed additional substantive requirements on federal agencies to comply with NEPA, stating that "[a] 1970 legislative acorn has grown over the years into a judicial oak that has hindered infrastructure development 'under the guise' of just a little more process," and finding that "[a] course correction of sorts is appropriate to bring judicial review under NEPA back in line with the statutory text and common sense."[33] The court found that NEPA grants agencies discretion to weigh environmental consequences of a proposed action as the agency reasonably sees fit under its governing statute and applicable laws, and that the role of the courts in

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[25] The White House, *Council on Environmental Quality*, https://www.whitehouse.gov/ceq/ (last visited Jan. 31, 2026).
[26] Harvard Law School, Envtl. & Energy Law Program, *NEPA Environmental Review Requirements*, https://eelp.law.harvard.edu/tracker/nepa-environmental-review-requirements/ updated Jan. 21, 2026 (last visited Jan. 31, 2026).
[27] *Marin Audubon Society v. FAA*, 121 F. 4th 902, 910-14 (D.C. Cir. 2024);
[28] *Id.*
[29] *See* Harvard Law School, *NEPA Environmental Review Requirements*, *supra* note 26; Dr. Jalonne L. White-Newsome, *A New Environmental Justice Playbook for Federal Agencies*, Nov. 3, 2023, available at https://bidenwhitehouse.archives.gov/ceq/news-updates/2023/11/03/a-new-environmental-justice-playbook-for-federal-agencies/ (last visited Jan. 31, 2026).
[30] Harvard Law School, *NEPA Environmental Review Requirements*, *supra* note 26.
[31] *Marin Audubon Society v. FAA*, 121 F. 4th at 914-15.
[32] Removal of National Environmental Policy Act Implementing Regulations, 91 Fed. Reg. 618 (Jan. 8, 2026) (to be codified at 40 C.F.R. parts 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, and 1508).
[33] *Seven Cty. Infrastructure Coal. v. Eagle Cty, Colo.*, 605 U.S. 168, 184 (2025).

judicial review is to show deference to the agency's decision as to the scope and contents of its environmental study.[34]

Commercial Seaport Activity

Florida Seaports

Florida has 16 publicly owned seaports located around the state.[35] The governing board of each seaport is a government entity, either a county or city department, an independent special district, or an independent port authority. Florida law establishes the Florida Seaport Transportation and Economic Development (FSTED) Council, comprised of the port directors of each of Florida's sixteen seaports, along with representatives from FDOT and the Department of Commerce.[36]

Maritime Industrial Base

The term "maritime industrial base" refers to the commercial infrastructure and resources supporting the nation's shipbuilding and repair industry both for commercial as well as military purposes. In 2024, the Maritime Industrial Base (MIB) Program was created within the U.S. Navy with a mission to ensure the nation's industrial base is prepared, capable, and resilient enough to meet the Navy's long-term fleet requirements across submarines, surface combatants, and the full spectrum of maritime platforms.[37] In the MIB Program, the U.S. Navy coordinates with industry and state-level partners to invest in surface shipbuilding and munitions production, bringing together necessary suppliers, technologies, and workforce partners to create a unified effort to modernize and grow the nation's shipbuilding capacity, preparedness, and resilience.[38] In 2025, the MIB Program's supply chain expansion and stabilization efforts managed 169 projects totaling $648 million across 32 states and engaged over 40,000 K-12 students through MIB-aligned education programs across 30 states.[39]

On April 1, 2025, President Donald J. Trump issued an executive order outlining a policy and plan to revitalize and rebuild domestic maritime industries and workforce to promote national security and economic prosperity.[40] The order required various federal agencies, including Transportation, Commerce, Treasury, Homeland Security, and the military, to coordinate on a plan to encourage and support workforce development and infrastructure investment aimed at revitalizing U.S. shipbuilding-related industries.[41]

Commercial Service Airport Security

Commercial Service Airports

Florida law defines the term "commercial service airport" to mean an airport providing commercial service, including large, medium, small, and nonhub airports as classified by the Federal Aviation Administration (FAA),

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[34] *Id.* at 173, 179-80, 192; *Id.* at 169 (holding that "courts should afford substantial deference and should not micromanage those agency choices so long as they fall within a broad zone of reasonableness").

[35] Florida's sixteen seaports are Port of Pensacola, Port Panama City, Port of Port St. Joe, Port Citrus, Port Tampa Bay, Port St. Pete, Seaport Manatee, Port of Key West, PortMiami, Port Everglades, Port of Palm Beach, Port of Fort Pierce, Port Canaveral, Port Putnam, Jaxport, and Port of Fernandina. Florida Seaport Transportation and Economic Development Council, *2025-2029 Seaport Mission Plan*, at page 6, available at https://flaports.org/wp-content/uploads/2025_SeaportMissionPlan.pdf (last visited Jan. 14, 2026).

[36] *Id.* at page 3.; *see also* s. 311.09(1), F.S.

[37] U.S. Navy, Maritime Industrial Base, *2025 Maritime Industrial Base Program: Year in Review*, at page 4. https://www.secnav.navy.mil/rda/mib/Documents/2025%20Year%20in%20Review%20Report.pdf (last visited Jan. 31, 2026).

[38] *Id.* at 4-5.

[39] *Id.* at 7-9.

[40] White House, Executive Order, *Restoring America's Maritime Dominance*, Apr. 9, 2025, https://www.whitehouse.gov/presidential-actions/2025/04/restoring-americas-maritime-dominance/ (last visited Jan. 31, 2026).

[41] *Id.*

and the term includes all public airports with at least 2,500 passenger boardings each year and receiving scheduled passenger aircraft service.[42]

As of 2025, Florida had 20 commercial service airports.[43] These airports are St Pete-Clearwater International, in Clearwater; Daytona Beach International, in Daytona Beach; Fort Lauderdale/Hollywood International and Fort Lauderdale Exec, in Fort Lauderdale; Southwest Florida International, in Fort Myers; Gainesville Regional, in Gainesville; Jacksonville International, in Jacksonville; Key West International, in Key West; Melbourne Orlando International, in Melbourne; Miami International, in Miami; Orlando International, in Orlando; Northwest Florida Beaches International, in Panama City; Pensacola International, in Pensacola; Punta Gorda Airport, in Punta Gorda; Orlando Sanford International, in Sanford; Sarasota-Bradenton International, in Sarasota; Tallahassee International, in Tallahassee; Tampa International, in Tampa; Eglin AFB/Destin-Ft Walton Beach, in Valparaiso; Vero Beach Regional, in Vero Beach; and Palm Beach International, in West Palm Beach.[44]

U.S. Transportation Security Administration (TSA)
The U.S. Transportation Security Administration (TSA) was created in the wake of the September 11, 2001, terrorist attacks in New York, Pennsylvania, and Virginia.[45] The TSA's mission is to protect the nation's transportation systems to ensure freedom of movement for people and commerce.[46] TSA conducts security screening services at commercial airports, now screening all passengers into, out of, and within the United States.[47] However, TSA maintains a Screening Partnership Program (SPP) under which airport operators can apply to receive security screening services from a qualified private company operating under a contract with TSA and in compliance with applicable TSA security screening procedures.[48]

Currently, there are three Florida airports receiving security screening services from private providers under the TSA's SPP program: Orlando Sanford International, in Sanford; Punta Gorda Airport, in Punta Gorda; and Sarasota-Bradenton International, in Sarasota.[49]

Vehicle Regulation

Personal Delivery Devices
Under current Florida law, a personal delivery device (PDD) is an electrically powered device that:
- Is operated on sidewalks and crosswalks and intended primarily for transporting property;
- Has a weight that does not exceed the maximum weight established by FDOT rule;
- Has a maximum speed of 10 miles per hour; and
- Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.[50]

PDDs are not considered vehicles unless expressly defined by law as such.[51] PDDs do not have any dimensional requirements under current Florida law. A PDD may operate on sidewalks and crosswalks where it has all the

[42] S. 332.0075(1)(a), F.S.; 47 U.S.C. § 47102(7). The FAA classifies airports as commercial, reliever, and general aviation airports. *See* FAA, *Airport Categories*, https://www.faa.gov/airports/planning_capacity/categories (last visited Jan. 30, 2026).
[43] FAA, *National Plan of Integrated Airport Systems (2025-2029) – Appendix A: List of NPIAS Airports*, available at https://www.faa.gov/sites/faa.gov/files/airports/planning_capacity/npias/current/ARP-NPIAS-2025-2029-Appendix-A.pdf (last visited Jan. 30, 2026).
[44] *Id.*
[45] TSA, *Mission*, https://www.tsa.gov/about/tsa-mission (last visited Jan. 31, 2026).
[46] *Id.*
[47] U.S. Dep't of Homeland Security, *Transportation Security*, https://www.dhs.gov/topics/transportation-security (last visited Jan. 31, 2026).
[48] TSA, *Screening Partnership Program*, https://www.tsa.gov/for-industry/screening-partnerships (last visited Jan. 31, 2026).
[49] *Id.*
[50] S. 316.003(59), F.S.
[51] *Id.*

rights and duties applicable to a pedestrian, except that a PDD may not unreasonably interfere with pedestrians or traffic and must yield the right-of-way to pedestrians on the sidewalk or crosswalk.[52]

A PDD must obey all official traffic and pedestrian control signals and devices, display identifying information, and be equipped with a braking system.[53] Under current Florida law, a PDD may not:

- Operate on a public highway except to the extent necessary to cross a crosswalk;
- Operate on a sidewalk or crosswalk unless the PDD operator is actively controlling or monitoring its navigation and operation; or
- Transport hazardous materials.[54]

Advanced Air Mobility

Advanced air mobility (AAM) is an umbrella term for aircraft that are typically highly automated, electrically powered, and have vertical take-off and landing capability.[55]

Numerous uses for AAM are being explored, including air taxi, air cargo, or public services. Air taxi uses feature passenger transportation within and around urban and regional areas, including routes connecting city centers to airports or to neighboring city centers. Air cargo uses feature cargo transportation supporting the middle-mile of logistics, generally seen as from the cargo port to the distribution center. Public service uses, such as search and rescue, disaster relief, and air ambulance operations are other catalysts for innovation in AAM.

FDOT is currently laying the groundwork to build an intercity AAM "Aerial Highway Network" to connect major metropolitan areas across Florida.[56] In addition to performing research and development at its SunTrax test facility to accelerate operational viability, FDOT is developing custom curriculums to establish unique requirements for licensing to safely operate within the AAM Network.[57]

SunTrax, located in Polk County, has been designated as the research and development testing hub of the Florida's AAM program.[58] Early development phases of vertiport demonstration will consist of a passenger terminal, at-grade vertiports, access roads with vehicle staging, eVTOL[59] parking positions and charging station, and research and development hangar.[60]

Criminal Violations

Shooting or Throwing Into Dwellings, Buildings, and Vehicles

Florida law provides that it is a second-degree felony to wantonly or maliciously shoot, or to throw any hard substance which would produce death or great bodily harm, at, within, or in:

- Any public or private building, whether occupied or unoccupied;

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[52] S. 316.008(7), F.S.
[53] S. 316.2071, F.S.
[54] *Id.*
[55] Federal Aviation Administration, *Advanced Air Mobility: Air Taxis*, https://www.faa.gov/air-taxis (last visited Feb. 3, 2026).
[56] FDOT, *From the Ground to the Skies: Florida's Aerial Highway Network*, November 2025, available at https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/aviation/aam/fdot-2025-advanced-mobility_strategy.pdf?sfvrsn=19eb551c_1 (last visited Feb. 3, 2026).
[57] *Id*.
[58] Central Florida Development Council, *SunTrax Named Florida's Home for Advanced Air Mobility, Positioning Polk as Statewide Innovation Leader*, Nov. 18, 2025, https://www.cfdc.org/suntrax-named-floridas-home-for-advanced-air-mobility-positioning-polk-as-statewide-innovation-leader/ (last visited Feb. 3, 2026).
[59] The term "eVTOL" refers to electric-powered aircraft that vertically take off and land, typically designed to carry two to six people, including a pilot. *See* Matthew Urwin, *What are eVTOLs? Are They the Future of Aviation? Electricity-powered Flying Taxis are Almost Ready for Liftoff*, updated Sep. 12, 2025, available at https://builtin.com/articles/evtol-aircraft (last visited Feb. 2, 2026).
[60] SunTrax, SunTrax Air, https://suntraxfl.com/suntrax-air/ (last visited Feb. 3, 2026).

- Any vehicle of any kind which is being used or occupied by any person;
- Any boat, vessel, ship, or barge lying in or plying the waters of this state; or
- Any aircraft flying through the airspace of the state.[61]

Criminal Mischief

A person commits criminal mischief by willfully and maliciously injuring or damaging any real or personal property of another, including by vandalism or graffiti.[62] If the damage is $200 or less, the offense is a second-degree misdemeanor; if it is between $200 and $1000, the offense is a first-degree misdemeanor; if the damage is $1,000 or greater, or if it causes interruption or impairment of a business operation or any public service which costs $1,000 or more in labor and supplies to restore, the offense is a third-degree felony.[63] An offender with a previous criminal mischief convictions who commits a subsequent violation is charged with a third-degree felony, regardless of the amount of damage.[64]

Additionally, certain violations are also enhanced to the level of a third-degree felony, including when a person damages a:

- Church, synagogue, mosque, or other place of worship, or a religious article therein, if the damage to the property is greater than $200.[65]
- A memorial[66] or historic property,[67] if the damage is valued at greater than $200.[68]
- Public telephone, under certain circumstances, regardless of the value of the damage.[69]
- Sexually violent predator[70] detention or commitment facility, if the damage is valued at greater than $200.[71]

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Orig. Comm.: Economic Infrastructure Subcommittee			Keating	Rubottom

[61] S. 790.17, F.S.
[62] S. 806.13(1)(a), F.S.
[63] S. 806.13(1)(b), F.S.
[64] *Id.*
[65] S. 806.13(2), F.S.
[66] "Memorial" means a plaque, statue, marker, flag, banner, cenotaph, religious symbol, painting, seal, tombstone, structure name, or display that is constructed and located with the intent of being permanently displayed or perpetually maintained; is dedicated to a historical person, an entity, an event, or a series of events; and honors or recounts the military service of any past or present United States Armed Forces military personnel, or the past or present public service of a resident of the geographical area comprising the state or the United States. The term includes, but is not limited to, certain memorials established under ch. 265, F.S. S. 806.135(1)(b), F.S.
[67] "Historic property" means any building, structure, site, or object that has been officially designated as a historic building, historic structure, historic site, or historic object through a federal, state, or local designation program. S. 806.135(1)(a), F.S.
[68] S. 806.13(3), F.S.
[69] S. 806.13(5), F.S.
[70] The term "sexually violent predator" means any person who (a) has been convicted of a sexually violent offense; and (b) suffers from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment. S. 394.912(10), F.S.
[71] S. 806.13(6), F.S.

A bill to be entitled

An act relating to transportation; amending s. 260.0142, F.S.; requiring the Florida Greenways and Trails Council to meet within a specified time to update specified recommendations; amending s. 311.14, F.S.; requiring each seaport to include specified strategies for obtaining and maintaining critical infrastructure resources as part of a 10-year strategic plan; creating s. 311.26, F.S.; requiring the Department of Transportation to coordinate with certain entities for a specified purpose; amending s. 316.003, F.S.; revising the definition of the term "personal delivery device"; amending s. 316.008, F.S.; authorizing a personal delivery device to be operated in specified areas; providing an exception; amending s. 316.2071, F.S.; authorizing a personal delivery device to operate in specified areas; providing an exception; prohibiting a personal delivery device or mobile carrier from interfering with bicyclists and motor vehicles; prohibiting a personal delivery device or mobile carrier from operating in specified areas unless certain conditions are met; authorizing the department to adopt rules; amending s. 330.41, F.S.; prohibiting a political subdivision from taking certain actions against a drone delivery service on a

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commercial property; removing a limitation relating to drone ports; providing that the addition of a drone delivery service within the parking area of a commercial property does not reduce the number of parking spaces for a specified purpose; amending s. 332.001, F.S.; revising powers and duties of the department with respect to airport systems in this state; amending s. 332.006, F.S.; requiring the department to coordinate with certain airports for a specified purpose; amending s. 332.0075, F.S.; requiring commercial service airports to provide methods for obtaining and maintaining critical infrastructure resources; amending s. 334.03, F.S.; creating and modifying definitions for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; providing and revising powers and duties of the department; amending s. 334.63, F.S.; providing state policy; requiring a governmental entity to include certain information in specified publications; defining the terms "nonpecuniary factor" and "net-zero policies"; amending s. 341.041, F.S.; providing that certain provisions relating to paratransit services apply only to persons with disabilities; amending s. 790.19, F.S.; providing penalties for shooting into or throwing deadly missiles into an occupied or

unoccupied autonomous vehicle; amending s. 806.13, F.S.; providing penalties for defacing, injuring, or damaging an autonomous vehicle; amending s. 921.0022, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Paragraph (h) of subsection (4) of section 260.0142, Florida Statutes, is amended to read:

260.0142 Florida Greenways and Trails Council; composition; powers and duties.—

(4) The duties of the council include the following:

(h) Make recommendations for updating and revising the implementation plan for the Florida Greenways and Trails System, including, but not limited to, recommendations for prioritization of regionally significant trails within the Florida Shared-Use Nonmotorized Trail Network. The council shall meet within 90 days after the Department of Transportation submits its report pursuant to s. 339.81(8) to update its recommendations for prioritization of regionally significant trails within the network.

Section 2. Paragraph (b) of subsection (2) of section 311.14, Florida Statutes, is amended to read:

311.14 Seaport planning.—

(2) Each port shall develop a strategic plan with a 10-year horizon. Each plan must include the following:

(b) An infrastructure development and improvement component that identifies all projected infrastructure improvements within the plan area which require improvement, expansion, or development in order for a port to attain a strategic advantage for competition with national and international competitors. This component must provide strategies for obtaining and maintaining critical infrastructure resources for the port and its tenants. Such strategies must include long-term contracts, rights of first refusal regarding the sale or lease of property storing such resources, and contingency plans for obtaining such resources. For purposes of this paragraph, the term "critical infrastructure resources," includes, but is not limited to, access to electricity, fuel, and water resources.

To the extent feasible, the port strategic plan must be consistent with the local government comprehensive plans of the units of local government in which the port is located. Upon approval of a plan by the port's board, the plan shall be submitted to the Florida Seaport Transportation and Economic Development Council.

Section 3. Section 311.26, Florida Statutes, is created to read:

311.26 Florida Seaport Maritime Industrial Base.—The Department of Transportation shall coordinate with the Department of Commerce and the ports listed in s. 311.09, the United States Department of Commerce, and the United States Department of War to identify and prioritize key maritime components in the supply chain which are essential to strengthening and expanding this state's maritime industrial base. The ports listed in s. 311.09 shall support projects evaluated by the Department of Transportation, which shall directly support the construction, maintenance, and modernization of both commercial vessels, including cargo vessels, and vessels designed for national defense. Projects shall be evaluated based on the return on invested capital, job creation, and contribution to the economic competitiveness of this state and based on support for the national security interests of the United States. Additional considerations shall include the anticipated enhancement of this state's commercial maritime capabilities.

Section 4. Subsection (59) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(59) PERSONAL DELIVERY DEVICE.—An electrically powered

device that:

(a) Is operated on sidewalks, ~~and~~ crosswalks, bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities, and intended primarily for transporting property;

(b) Has a weight that does not exceed the maximum weight established by Department of Transportation rule;

(c) Operates at ~~Has~~ a maximum speed of 10 miles per hour on sidewalks and crosswalks and 20 miles per hour on bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities; and

(d) Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.

A personal delivery device is not considered a vehicle unless expressly defined by law as a vehicle. A mobile carrier is not considered a personal delivery device. The Department of Transportation may adopt rules to implement this subsection.

Section 5. Paragraph (b) of subsection (7) of section 316.008, Florida Statutes, is amended to read:

316.008 Powers of local authorities.—

(7)

(b)1. Except as provided in subparagraph 2., a personal delivery device may be operated on sidewalks, crosswalks,

bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities, and a mobile carrier may be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law. This paragraph does not restrict a county or municipality from otherwise adopting regulations for the safe operation of personal delivery devices and mobile carriers.

2. A personal delivery device may not be operated on the Florida Shared-Use Nonmotorized Trail Network created under s. 339.81 or components of the Florida Greenways and Trails System created under chapter 260.

Section 6. Subsections (1) and (3) of section 316.2071, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

316.2071 Personal delivery devices and mobile carriers.—

(1) Notwithstanding any provision of law to the contrary, a personal delivery device may operate on sidewalks, crosswalks, bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities, and a ~~or~~ mobile carrier may operate on sidewalks and crosswalks, subject to s. 316.008(7)(b). Such ~~A~~ personal delivery device or mobile carrier ~~operating on a sidewalk or crosswalk~~ has all the rights and duties applicable to a pedestrian under the same circumstances. A~~, except that the~~ personal delivery device or mobile carrier may ~~must~~ not unreasonably interfere with

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pedestrians, bicyclists, and motor vehicles ~~or traffic~~ and must yield the right-of-way to pedestrians ~~on the sidewalk or crosswalk~~.

(3) A personal delivery device and a mobile carrier may not:

(a) Operate on a sidewalk, crosswalk, bicycle lane, or shoulder on a street, roadway, or highway, excluding a limited access facility, unless the personal delivery device or mobile carrier meets minimum criteria established by the Department of Transportation ~~public highway except to the extent necessary to cross a crosswalk~~.

(b) Operate on a sidewalk, ~~or~~ crosswalk, bicycle lane, bicycle path, or shoulder on a street, roadway, or highway, excluding a limited access facility, unless a human who is an agent of the personal delivery device operator is capable of ~~actively~~ controlling and ~~or~~ monitoring the navigation and operation of the personal delivery device or a mobile carrier owner remains within 25 feet of the mobile carrier.

(c) Transport hazardous materials as defined in s. 316.003.

(d) For mobile carriers, transport persons or animals.

(5) The Department of Transportation may adopt rules to implement this section.

Section 7. Paragraph (c) of subsection (3) of section 330.41, Florida Statutes, is amended, and a new paragraph (e) is

added to that subsection, to read:

330.41 Unmanned Aircraft Systems Act.—

(3) REGULATION.—

(c) Except as otherwise expressly provided, a political subdivision may not withhold issuance of a business tax receipt, development permit, or other conditional use approval to a drone delivery service on a commercial property or enact or enforce an ordinance or resolution that prohibits a drone delivery service's operation ~~based on the location of its drone port~~, notwithstanding part II of chapter 163 and chapter 205. A political subdivision may enforce minimum setback and landscaping regulations that are generally applicable to permitted uses in the drone port site's zoning district. This paragraph may not be construed to authorize a political subdivision to require additional landscaping as a condition of approval ~~of a drone port~~.

(e) The addition of a drone delivery service within the parking area of a commercial property does not reduce the number of parking spaces for the purpose of meeting applicable minimum parking requirements.

Section 8. Subsection (1) of section 332.001, Florida Statutes, is amended to read:

332.001 Aviation; powers and duties of the Department of Transportation.—

(1) It shall be the duty, function, and responsibility of

the Department of Transportation to plan and direct investments in airport systems in this state to facilitate the efficient movement of passengers and cargo and to continuously improve the experience for the flying public and the supply chain of this state's businesses. In carrying out this duty and responsibility, the department may assist and advise, cooperate, and coordinate with the federal, state, local, or private organizations and individuals in planning such systems of airports.

Section 9. Subsection (10) is added to section 332.006, Florida Statutes, to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided to the department:

(10) Coordinate with commercial service airports in this state to review United States Transportation Security Administration policies and programs, including programs for veterans and active duty members of the United States Armed Forces and their families to increase the efficiency of passenger screening and the overall customer service experience of the flying public.

Section 10. Subsections (4), (5), and (6) of section 332.0075, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and subsection (4) is added to that section, to read:

332.0075 Commercial service airports; transparency and accountability; penalty.—

(4) Notwithstanding any other provision of law, commercial service airports must provide methods for obtaining and maintaining critical infrastructure resources for the airport, its tenants, and the traveling public. Such strategies must include long-term contracts and rights of first refusal regarding the sale of and contingency plans for such resources. For purposes of this paragraph, the term "critical infrastructure resources," includes, but is not limited to, access to electricity, fuel, and water resources.

Section 11. Subsections (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (35), (36), and (37) of section 334.03, Florida Statutes, are renumbered as subsections (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (35), (36), (37), and (38), respectively, renumbered subsection (30) is amended, and subsection (1) is added to that section, to read:

334.03 Definitions.—When used in the Florida Transportation Code, the term:

(1) "Advanced air mobility corridor connection point"

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means any land area or transportation facility, including any airspace, designated by the department as suitable to support the efficient movement of people and goods by use as a connection point for advanced air mobility.

(30) ~~(29)~~ "Transportation corridor" means any advanced air mobility corridor connection point or any land area designated by the state, a county, or a municipality which is between two geographic points and which area is used or suitable for the movement of people and goods by one or more modes of transportation, including areas necessary for management of access and securing applicable approvals and permits. Transportation corridors, other than advanced air mobility corridor connection points, shall contain, but are not limited to, the following:

(a) Existing publicly owned rights-of-way;

(b) All property or property interests necessary for future transportation facilities, including rights of access, air, view, and light, whether public or private, for the purpose of securing and utilizing future transportation rights-of-way, including, but not limited to, any lands reasonably necessary now or in the future for securing applicable approvals and permits, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access could be impaired due to the construction of a future facility, and replacement rights-of-way for relocation of rail and utility

facilities.

Section 12. Subsections (5), (20), and (21) of section 334.044, Florida Statutes, are amended, and subsections (40) through (42) are added to that section, to read:

334.044 Powers and duties of the department.—The department shall have the following general powers and duties:

(5) To purchase, lease, or otherwise acquire property and materials, including the purchase of promotional items as part of public information and education campaigns for the promotion of environmental management, scenic highways, traffic and train safety awareness, commercial motor vehicle safety, workforce development, transportation economic development opportunities ~~electric vehicle use and charging stations~~, autonomous vehicles, advanced air mobility, and context classification for electric vehicles and autonomous vehicles; to purchase, lease, or otherwise acquire equipment and supplies; and to sell, exchange, or otherwise dispose of any property that is no longer needed by the department.

(20) To operate and maintain research facilities designated by the department, to conduct and enter into contracts and agreements for compensation for conducting research by the department and private entities ~~studies~~, and to collect data necessary for the improvement of the state transportation system.

(21) To conduct and enter into contracts and agreements

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for research and demonstration projects relative to innovative transportation technologies.

(40) To coordinate with local governments and municipalities to review federal funding grant applications that impact or may impact state-owned rights-of-way, roads, bridges, and limited access facilities to the department for review and approval before submission to the Federal Government or the Federal Highway Administration.

(41) To coordinate with local governments to review and develop applications for federal funding to ensure that each project will have the maximum benefit to this state transportation system, contributing to congestion relief and infrastructure improvements.

(42) Notwithstanding s. 20.255(9), to serve as the point of contact for statewide topographic aerial light detection and ranging (LiDAR) procurement and cost sharing related to statewide geographic information systems and geospatial data sharing. The department may provide these services to other state and local agencies by entering into an interagency agreement consistent with chapter 216. Notwithstanding any other law, including any charter provision, ordinance, statute, or special law, all state and local agencies conducting programs or exercising powers relating to topographic aerial LiDAR may enter into interagency agreements consistent with chapter 216 with the department for the provision by the department of topographic

aerial LiDAR procurement and cost-sharing services, and to delegate such authority to conduct programs or exercise powers relating to topographic aerial LiDAR procurement and cost-sharing services to the department pursuant to such interagency agreements. The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

Section 13. Subsection (3) is added to section 334.63, Florida Statutes, to read:

334.63 Project concept studies and project development and environment studies.—

(3)(a) It is the policy of this state that nonpecuniary factors are not considerations in taxpayer-funded project development and environmental studies. To the extent such nonpecuniary factors are a requirement of federal law or as a condition of receipt of federal transportation funding, a governmental entity must include the following in any publication, document, report, presentation, webpage, or digital application:

1. A written statement that federal law requires such considerations as part of the project development and environmental study in question and a reference to such federal law.

2. The amount of taxpayer funding required to make such considerations, including the approximate increase in costs related to nonpecuniary factors.

3. The estimated cost increase for all project phases for the overall recommended project when nonpecuniary factors are considered.

(b) For purposes of this subsection, the term "nonpecuniary factor" includes any of the following:

1. Considerations related to social justice, including diversity, equity, and inclusion or the placement of highways or transportation facilities having a disproportionate effect or impact on a specific demographic;

2. Considerations related to environmental justice, including the social or cultural environment being impacted by the actions;

3. Sociocultural effect evaluations; or

4. Additional considerations related to climate alarmism, including any benchmark, standard, threshold, goal, or requirement related to emissions, motor vehicle fuel sources, decarbonization, and net-zero policies. For purposes of this subparagraph, the term "net-zero policies" means achieving a balance between the total amount of greenhouse gases released into the atmosphere and the amount removed. The term does not include standard reviews related to section 4(f) requirements outlined in 49 U.S.C. s. 303 and 23 U.S.C. s. 138.

Section 14. Subsection (16) of section 341.041, Florida Statutes, is amended to read:

341.041 Transit responsibilities of the department.—The

department shall, within the resources provided pursuant to chapter 216:

(16) Unless otherwise provided by state or federal law, ensure that all grants and agreements between the department and entities providing paratransit services to persons with disabilities include, at a minimum, the following provisions:

(a) Performance requirements for the delivery of services, including clear penalties for repeated or continuing violations;

(b) Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged, as defined in s. 427.011(1), through the contracted vendor or subcontractor thereof;

(c) Complaint and grievance processes for users of paratransit services for persons with disabilities ~~users~~, including a requirement that all reported complaints, grievances, and resolutions be reported to the department on a quarterly basis; and

(d) A requirement that the provisions of paragraphs (a), (b), and (c) must be included in any agreement between an entity receiving a grant or an agreement from the department and such entity's contractors or subcontractors that provide paratransit services for persons with disabilities.

Section 15. Section 790.19, Florida Statutes, is amended to read:

790.19 Shooting into or throwing deadly missiles into

occupied or unoccupied ~~dwellings,~~ public or private buildings, ~~occupied or not occupied;~~ vessels, aircraft, public or private buses, railroad cars, streetcars, or other vehicles.—Any person who ~~Whoever,~~ wantonly or maliciously~~,~~ shoots at, within, or into, or throws any missile or hurls or projects a stone or other hard substance which would produce death or great bodily harm~~,~~ at, within, or into, ~~in~~ any occupied or unoccupied public or private building; any~~, occupied or unoccupied, or~~ public or private bus; ~~or~~ any train, locomotive, railway car, caboose, cable railway car, street railway car, monorail car, or vehicle of any kind which is being used or occupied by any person; any occupied or unoccupied autonomous vehicle;~~, or~~ any boat, vessel, ship, or barge lying in or plying the waters of this state;~~,~~ or any aircraft flying through the airspace of this state commits ~~shall be guilty of~~ a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 16. Subsections (2) through (12) of section 806.13, Florida Statutes, are renumbered as subsections (3) through (13), respectively, present subsection (11) is amended, and a new subsection (2) is added to that section, to read:

806.13 Criminal mischief; penalties; penalty for minor.—

(2) Any person who willfully or maliciously defaces, injures, or damages by any means any autonomous vehicle, as defined in s. 316.003(3), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084,

if the damage to the autonomous vehicle is greater than $200.

(12)~~(11)~~ A minor whose driver license or driving privilege is revoked, suspended, or withheld under subsection (11) ~~(10)~~ may elect to reduce the period of revocation, suspension, or withholding by performing community service at the rate of 1 day for each hour of community service performed. In addition, if the court determines that due to a family hardship, the minor's driver license or driving privilege is necessary for employment or medical purposes of the minor or a member of the minor's family, the court shall order the minor to perform community service and reduce the period of revocation, suspension, or withholding at the rate of 1 day for each hour of community service performed. As used in this subsection, the term "community service" means cleaning graffiti from public property.

Section 17. Paragraph (b) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description

365.172 (14)(b)1.	3rd	Misuse of emergency communications system causing great bodily harm, permanent disfigurement, or permanent disability.
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(6)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.

590.28(1)	3rd	Intentional burning of lands.
784.03(3)	3rd	Battery during a riot or an aggravated riot.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd	Criminal mischief; damage $1,000 or more to public communication or any other public service.
806.13(4) ~~806.13(3)~~	3rd	Criminal mischief; damage of $200 or more to a memorial or historic property.
810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling;

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			facilitating or furthering burglary.
485			
	810.09(2)(d)	3rd	Trespassing on posted commercial horticulture property.
486			
	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; $750 or more but less than $5,000.
487			
	812.014(2)(d)1.	3rd	Grand theft, 3rd degree; $40 or more but less than $750, taken from dwelling or its unenclosed curtilage.
488			
	812.014(2)(e)2.	3rd	Petit theft, 1st degree; less than $40 taken from dwelling or its unenclosed curtilage with one prior theft conviction.
489			
	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
490			

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817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over $300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over $100 or more within 6 months.

826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.

832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
836.13(3)	3rd	Soliciting an altered sexual depiction of an identifiable person without consent.
843.01(2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
843.08	3rd	False personation.
843.19(3)	3rd	Touch or strike police, fire, SAR canine or police horse.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs other than cannabis.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.

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Section 18. This act shall take effect July 1, 2026.

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