

FHBA Sees Legislative Victories

The Florida Home Builders Association is pleased to report that four of your six 2009 Legislative Priorities passed in the Legislative Session, and the two remaining items saw partial victories. Specifically, impact fee burden-of-proof, growth management, workers' compensation insurance and property tax reform have fully passed the Florida Senate and House of Representatives and are headed to the Governor for his action.

Below is a brief synopsis of your FHBA legislative victories:

Impact Fee Burden-of-Proof – Members of the House and Senate approved long-sought legislation that codifies constitutional principles placing the ultimate impact fee burden-of-proof appropriately on government to prove the validity of the fee, based on case law standards, by a preponderance of evidence. Additionally, it will finally provide for the challenger to have a level playing field in court. A special thank you is extended to Rep. Gary Aubuchon, R-Cape Coral, for sponsoring HB 227, and Sen. Mike Haridopolos, R-Melbourne, for sponsoring the Senate companion.

Growth Management Reform – Lawmakers made favorable changes to the state's growth management laws. Two of the most significant improvements were made in transportation and school concurrency. FHBA thanks Sen. Mike Bennett, R-Bradenton for sponsoring SB 360. FHBA also thanks Rep. Dorothy Hukill, R-Port Orange, and Rep. Dave Murzin, R-Pensacola, for their leadership on this issue in the House.

Workers' Compensation – Lawmakers gave final approval to meaningful legislation that was necessary because of a recent Florida Supreme Court ruling. HB 903 by Rep. Anitere Flores, R-Miami, saw final passage in the Senate on a 22-16 vote. The legislation was strongly opposed by trial lawyers over the issue of attorney fees. Without this legislation, workers' comp rates were set to rise 6.4 percent this year and 18.6 percent over the next two years. A special thanks to Rep. Flores and to Sen. Garrett Richter, R-Naples, for championing this legislation to victory.

Property Tax Reform – Important property tax reform legislation, which provides a 25 percent property tax benefit to first time home buyers, passed. This measure also caps the annual increases in property taxes at 5 percent for commercial and residential rental properties. SJR 532 by Sen. Evelyn Lynne, R-Daytona Beach, also adds greater fairness to Florida's property tax system, and it will help jump-start the state's real estate market. FHBA also thanks Rep. Carl Domino, R-Juno Beach, for sponsoring the House companion.

Streamlining the Regulatory & Permitting Process – While we lost some of the elements included in this legislation, the most significant portion passed. The two-year extension for building permits, development orders and developer agreements was included in the Growth Management bill (SB 360).

Housing Stimulus – While this needs the approval of both the House and Senate next week when they vote on the budget, lawmakers have agreed to \$24 million in down payment assistance tied to the new \$8,000 Federal tax credit.

FHBA appreciates the strong grassroots support of members. Your phone calls, letters and emails made a significant impression with lawmakers and helped ensure our priorities were received favorably. We could not have done it without you.