

CITY OF SANIBEL 2026 FLORIDA LEGISLATIVE SESSION SUMMARY

Below is a summary of legislation relevant to the City of Sanibel from the 2026 Florida Legislative Session. Where applicable, bill numbers are hyperlinked to the final enrolled text. Bill summaries are sourced from the final analyses prepared by the Florida House and Senate. Please don't hesitate to reach out if you would like additional information.

[CS/CS/CS/HB 399](#) — Land Use and Development Regulations by Representative Borrero

(SB 208 by Senator McClain)

Outcome: HB 399 Passed; Senate 27-11, House 73-27

The bill includes a variety of provisions related to land use and development regulations.

Specifically related to fees and compatibility, effective January 1, 2027, the bill:

- Requires local governments to charge development permit and development order application fees that reasonably relate to the costs associated with the review, processing, and final disposition of applications.
- Requires local governments' interlocal agreements with school districts to address reasonable access to public easements and rights-of-way necessary for public school facilities.
- Requires local government comprehensive plans and land development regulations to include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category.
- Requires land development regulations to incorporate objective design standards or other measures for mitigating or minimizing potential incompatibility.
- Requires local government staff to identify specific areas of incompatibility, and authorizes staff to recommend mitigation measures to applicants, before recommending denial of rezoning, subdivision, or site plan approval applications on compatibility grounds.
- Prohibits local governments from denying an application on compatibility grounds unless the denial includes written findings identifying areas of incompatibility and concluding that proposed mitigation measures are inadequate and no feasible mitigation measures exist.

- Provides for the placement of manufactured housing on any lot in a recreational vehicle park.
- Provides for parity in regulations for off-site constructed residential dwellings (compared to on-site construction) in local government zoning, land use, and development regulations.

The bill also:

- Requires local governments to approve an application, without a public hearing or further local action, for a minor special exception or variance submitted for the maintenance, modification, or refurbishment of certain structures on properties identified as “large destination resorts,” public lodging establishments comprised of 5 acres and 500 guest rooms with an average occupancy of at least 70 percent over the preceding 3 years. These provisions expire July 1, 2031.
- Prohibits a local government from conditioning a permit or other approval for a compost processing facility on a requirement to purchase additional property to expand a privately owned road, or revoking an existing permit for a compost processing facility regulated through and in compliance with regulations adopted as rules by a state department or statewide or regional water management plan.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

CS/SB 382 — Micromobility Device by Senator Truenow

(HB 243 by Representative Benarroch

Outcome: SB 382 Passed; Senate 37-0, House 112-0

The bill provides that a person operating an electric bicycle on certain shared pathways must yield to pedestrians and give an audible signal before overtaking and passing a pedestrian. It also provides that a person operating an electric bicycle on a sidewalk or other area designated for pedestrians may not operate the electric bicycle at a speed greater than 10 miles per hour if a pedestrian is within 50 feet of the electric bicycle. Failure to comply with these provisions is a noncriminal traffic infraction, punished as a nonmoving violation.

The bill creates the Micromobility Device Safety Task Force, adjunct to the Department of Highway Safety and Motor Vehicles (DHSMV), and provides the task force must submit a report

by October 1, 2026, to the Legislature and Governor that recommends improvements to state law and the regulatory framework governing micromobility devices. Additionally, the bill creates a micromobility crash data collection and reporting process for incidents through September 20, 2026, that requires law enforcement agencies to collect and submit specified information related to crashes involving micromobility devices to DHSMV, from which DHSMV is required to create a summary report due to the Legislature and the Governor by October 31, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

CS/CS/SB 1134 — Official Actions of Local Governments by Senator Yarborough

(HB 1001 by Representative Black)

Outcome: SB 1134 Passed; Senate 25-1, House 77-37

The bill prohibits counties and municipalities from funding, promoting, or taking official actions such as adopting ordinances, resolutions, rules, regulations, programs, or policies, related to diversity, equity, and inclusion (DEI). It also prohibits a county or municipality from expending any funds, regardless of the source, to establish, support, sustain, or staff a DEI office or officer.

The bill provides that a member of a county or municipal governing body acting in his or her official capacity who violates the prohibitions commits misfeasance or malfeasance in office. It also prohibits counties and municipalities from allowing their funds to be used by employees, contractors, and others to promote DEI initiatives.

An action may be brought by a resident against a county or municipality that violates the bill's provisions. The bill does not prohibit official action required for compliance with general or federal law, and includes a series of exceptions, including, but not limited to, for operating and maintaining federal monuments and memorials located in this state or recognizing individuals or groups honored by state monuments, memorials, or museums authorized in state law.

The bill also requires the potential recipients of a county or municipal contract or grant to certify that they do not and will not use local government funds to require employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials related to DEI.

The statute created by the bill applies to any contract between a county or municipality and a diversity, equity, and inclusion officer which is in existence on January 1, 2027. With respect to all other contracts, the statute applies to contracts executed or renewed after January 1, 2027.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on January 1, 2027.

CS/CS/HB 1329 — Local Government Finances by Representative Benarroch

(SB 1566 by Senator DiCeglie)

Outcome: HB 1329 Passed; *Senate 34-0, House 87-19*

The bill provides that the act may be cited as the “Local Government Financial Transparency and Accountability Act.”

The bill requires county and municipal tentative, adopted tentative, and final budgets, be posted on their official websites in PDF or similar downloadable form. Posted budgets must include minimum data specified under the bill, including, among other things, a budget overview and summaries of expenses by fund, department, and program, as well as expenditures related to debt obligations and capital projects.

The bill revises timeframes for posting budget information and noticing public budget hearings. Tentative budgets and proposed budget amendments must be posted 5 days, rather than 2 days under current law, before the hearing. Final budgets and adopted amendments must be posted for 5 years, rather than 2 years, following adoption. Counties and municipalities are also required to conduct a budget reduction strategy workshop and post quarterly employee compensation summaries and a budget development calendar.

The bill implements new requirements for local governments seeking to increase impact fee rates beyond the ordinary phase-in limitations due to extraordinary circumstances. Under the bill, the demonstrated-need study required to show extraordinary circumstances justifying an impact fee rate increase must specify the standards used to support the existence of such extraordinary circumstances and be accompanied by a declaration of the method and timeframe by which the impact fee increase will increase capacity.

The bill also prohibits a local government, including a school or special district, from increasing an impact fee rate utilizing the extraordinary circumstances provisions by more than 100 percent in a 4-year period. The bill provides for procedures related to impact fee payor requests for refunds and for the expiry of certain interlocal agreements.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on January 1, 2027.

CS/HB 4047 – Lee County Tourist Development Council, Lee County by Representative Giallombardo

Outcome: HB 4047 Passed; House 116-0, Senator 36-0

The bill revises the composition of the Lee County Tourist Development Council (Council), a nine-member tourist development council appointed as an advisory committee to the Lee County Board of County Commissioners,¹ to increase the number of seats on the Council from nine to 11. The bill increases the number of Council members who are involved in the tourism industry from six to seven. Of these seven members, the bill requires between three and five to be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county.

The bill increases the number of seats that are filled by municipal elected officials from two to three, and provides the following requirements for the three municipal officials:

- One official must be from the most populous municipality.
- One official must be from the municipality that generated the highest revenues from the tourist development tax in the most recent fiscal year.
- One official must be from the other municipalities and serves a one-year term.

If the municipality that generated the highest revenues from the tourist development tax in the most recent fiscal year is also the most populous municipality, the bill provides that the municipal official representing the municipality with the highest tourist development tax revenue in the recent fiscal year must come from the municipality that generated the second highest revenues from the tourist tax in the most recent fiscal year. The bill also removes the provision that the elected officials serve two-year terms.

The changes in the composition of the membership of the Council take effect on July 1, 2026.

HB 145 — Suits Against the Government by Representative McFarland

(SB 1366 by Senators Brodeur and Rouson)

Outcome: HB 145 Passed; Senate 36-0, House 108-1

The bill revises the state’s statutory waiver of sovereign immunity to increase the limits on amounts that the state, its agencies, and political subdivision may pay for tort claims without further action by the Legislature. The bill also changes the statute of limitations applicable to different types of tort actions against a government entity. Absent the state’s statutory waiver of sovereign immunity, which is immunity from lawsuits, lawsuits against the state would be barred.

The specific changes by the bill:

- Increase the statutory caps on payment of claims or the collectability of judgments against the state or its agencies or subdivisions, from \$200,000 per person and \$300,000 per incident, to \$350,000 per person and \$500,000 per incident.
- Revise certain statutes of limitation and presuit procedures for certain types of claims against government entities, including claims for negligence, contribution, medical malpractice, wrongful death, and sexual battery on victims under 16 years of age.

The changes made by the bill apply to causes of action accruing on or after October 1, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on October 1, 2026.

HB 103 – Local Business Taxes by Representative Botana

(SB 122 by Senator Truenow)

Outcome: Died in Senate Messages

As passed off of the House floor, the bill repeals Chapter 205, F.S., removing the authority for local governments to levy a local business tax; however, certain local business taxes may continue to be levied notwithstanding the repeal of Chapter 205, F.S.

The bill allows for the continued levy of a tax on merchants measured by the gross receipts from the sale of merchandise, services, or both that is collected by certain municipalities pursuant to the current s. 205.044, F.S.

The bill also allows for the continued levy of an additional business tax up to 50 percent of the county business tax rate collected pursuant to the current s. 205.033(6), F.S. The bill provides that a county may continue to levy the additional business tax only if it levied the tax under current law on January 1, 2026. Proceeds from the additional business tax must continue to be placed in a separate account and distributed to the entity designated by the governing body of the county, as of January 1, 2026, to oversee and implement a comprehensive economic development strategy. A county authorized to levy this additional business tax may choose to repeal the tax by ordinance at any time; however, the authority to levy the additional business tax expires once the tax is repealed.

The bill provides an effective date of July 1, 2026.

CS/CS/HJR 203 – Elimination of Non-school Property for Homesteads

Outcome: Died in Senate Messages

CS/CS/HJR 203, one of seven property tax-related proposals filed by the House, proposed a constitutional amendment that would exempt homestead property from all ad valorem property taxes except school district levies beginning January 1, 2027. It prohibits local governments from reducing total funding for law enforcement, firefighters, and other first responders below the level budgeted in either FY 2025-26 or FY 2026-27 (whichever is higher), even if property tax revenues decline. The amendment would be placed on the ballot in November, requiring at least 60% approval.

SB 354 – Blue Ribbon Projects by Senator McClain

(HB 299 by Representative Melo)

Outcome: Died after being temporarily postponed on Third Reading in the Senate

As filed, SB 354 creates a framework for “Blue Ribbon Projects,” large scale development projects which trade state preemption over local governments’ comprehensive planning and land use

regulations in exchange for a certain amount of “reserve area.” Such projects must include at least 10,000 acres of land, with at least 60 percent reserved for uses such as environmental protection, agriculture, recreation, and utilities sites, while the remainder may be developed over 50 years into towns and cities regardless of underlying comprehensive planning and land use allocations.

The bill provides the requirements under which a plan for such a project must be crafted and administratively approved by a local government. The bill also provides for an appeal procedure for a denied applicant or an individual impacted by an approval.

SB 240 – Auxiliary Containers by Senator Garcia

(HB 575 by Representative Weinberger)

Outcome: Died in Appropriations Committee on Agriculture, Environment, and General Government

As filed, SB 240 directs the Department of Environmental Protection (DEP) to develop a uniform ordinance for the use and disposal of single-use, nonrecyclable auxiliary containers which may be adopted and enforced by local governments. The uniform ordinance must include measures to limit the distribution and use of such auxiliary containers through bans, fees, or deposit systems; promote recyclable, compostable, or reusable containers; establish waste reduction and collection programs; and create enforcement mechanisms for noncompliance. To develop the ordinance, DEP must collaborate with a broad range of stakeholders and hold at least three public workshops in different regions of the state. The bill directs DEP to begin workshops no later than October 1, 2026, and finalize the uniform ordinance by October 1, 2027.

The bill prohibits local governments from enacting rules, regulations, or ordinances regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers that are inconsistent with this bill. The bill does not prohibit rules, regulations, or ordinances that restrict:

- The use of glass auxiliary containers on public property.
- The use, sale, or distribution of single-use plastic auxiliary containers on public property.
- The use, sale, or distribution of auxiliary containers under rules, regulations, or ordinances enacted before January 1, 2026.

Within state parks, the bill prohibits the sale or distribution of single-use plastic auxiliary containers and the use, sale, or distribution of polystyrene foam containers.

The bill also directs DEP to develop a statewide Marine Debris Reduction Plan by December 31, 2026. The bill specifies the minimum requirements for the plan.