



DAILY BRIEF

For the 2018 Legislative Session

From January 10, 2018

LEGAL & JUDICIAL

SB 90-Relating to Use of Wireless Communications Devices While Driving

On Wednesday, January 10th, SB 90 by Senator Keith Perry (R-Gainesville) was heard by the Senate Committee on Transportation and passed by a vote of 5 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Currently, Florida law prohibits a person from texting, emailing, and instant messaging while driving, however, enforcement of this is a secondary offense, which means a law enforcement officer must detain a driver for another traffic offense in order to cite the driver for texting while driving. The bill would change the current enforcement of the ban on texting while driving from a secondary offense to a primary offense, allowing law enforcement officers to stop a vehicle solely for texting while driving. This legislation also specifies that the enforcement officer who has made the stop must inform the driver that they have the right to decline a search of their wireless communication device. Additionally, the bill requires that all fees collected for this offense be remitted to the Department of Revenue to then be deposited into the Emergency Medical Services Trust Fund of the Department of Health. The main goal of this legislation is to eliminate a component that severely contributes to distracted driving on Florida's roadways.

SB 90 will go on to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development for its next hearing.

AIF supports legislation that addresses the issue of distracted driving and will ensure public safety for all on Florida's roadways.

SB 822- Relating to Beverage Law

On Wednesday, January 10th, SB 822 by Senator Travis Hutson (R-Palm Coast) was heard before the Senate Committee on Regulated Industries and passed by a vote of 7 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

Florida's "Tied House Evil Law," s. 561.42, F.S., prohibits a manufacturer or distributor of alcoholic beverages from having a financial interest, directly or indirectly, in the establishment or business of a

licensed vendor, and prohibits a manufacturer or distributor from giving gifts, loans, property, or rebates to retail vendors.

The bill exempts a written agreement between a manufacturer or importer of malt beverages and an alcoholic beverage vendor for brand naming rights, including the right to advertise cooperatively from the “tied house evil” prohibitions, and then agreement must be negotiated at arm’s length for no more than fair market value.

SB 822 will move on to the Senate Committee on Commerce and Tourism for its next hearing.

AIF SUPPORTS legislation that removes burdensome regulations on Florida’s businesses.

HEALTH CARE

HB 21-Relating to Controlled Substances

On Wednesday, January 10th, HB 21 by Representative Jim Boyd (R-Bradenton) was heard before the House Health Quality Subcommittee and passed. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This bill addresses opioid abuse by expanding the use of the Prescription Drug Monitoring Program (PDMP), increasing regulation of prescribers and dispensers, and aligning state criminal statutes with federal law. HB 21 limits the prescription for a Schedule II opioid to alleviate acute pain to a three-day supply, or a seven-day supply if deemed medically necessary by the prescriber.

The bill also requires the Department of Health (DOH) to adopt rules establishing guidelines for prescribing controlled substances for acute pain, similar to those for chronic pain. Additionally, the bill requires a health care practitioner authorized to prescribe controlled substances to complete a board approved 2-hour continuing education course on safely and effectively prescribing controlled substances, and to review a patient’s PDMP history prior to prescribing or dispensing a controlled substance.

HB 21 will go on to the House Appropriations Committee to be heard.

AIF supports legislative efforts that aim to curb opioid abuse and addiction that is currently running rampant through the state effecting Florida’s families and businesses.