



DAILY BRIEF

For the 2018 Legislative Session

From January 25, 2018

LEGAL & JUDICIAL

HB 33- Relating to Texting while Driving

On Tuesday, January 9th, HB 33, by Representative Jackie Toledo (R-Tampa) and Representative Emily Slosberg (D-Delray Beach) was heard by the House Transportation and Infrastructure Subcommittee and passed. **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. The main goal of this legislation is to eliminate a component that contributes to distracted driving on Florida's roadways.

HB 33 will go on to the House Judiciary committee 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 1412-Relating to Office of the Judges of Compensation Claims

On Thursday, January 25th, SB 1412 by Senator David Simmons (R-Longwood) was heard before the Senate Committee on Judiciary and passed by a vote of 9 yeas to 0 nays. **AIF stood in support of this bill.**

This bill increases the initial term of judges of compensation claims to 6 years, which is 2 more than under current law, and provides that they "shall receive a salary equal to that of a county court judge."

SB 1412 will go on to the Senate Appropriations Subcommittee on General Government to be heard.

AIF supports legislation that increases the salary of judges of compensation claims, in order to attract the talent that is needed to handle the increasing amount of claims files due to the court rulings on workers' compensation.

HB 623-Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments

On Thursday, January 25th, HB 623, by Representative Cord Byrd (R-Jacksonville) read for a third time on the House floor and passed unanimously by a vote of 107 yeas to 0 nays.

This legislation amends the Uniform Out-Of-Country Foreign Money - Judgment Recognition Act, codified in chapter 55 F.S., to add two additional permissive grounds for nonrecognition of a foreign money judgment by a Florida court. The Act currently provides three mandatory grounds for nonrecognition and eight permissive grounds for nonrecognition of a foreign judgment. Of the mandatory grounds that are similar to those in the bill, the Act requires nonrecognition where the foreign country's court system is systematically unfair, failing to provide impartial tribunals and compatible due process of law.

This bill adds two permissive grounds for when a Florida court may decline to recognize a foreign judgment on more individualized due process grounds:

- There is "substantial doubt" about the "integrity" of the particular foreign court that rendered the judgment.
- The particular foreign court that rendered the judgment failed to afford due process in the proceedings.

HB 623 will go on to the Senate floor for consideration.

AIF SUPPORTS legislation to clarify existing law and protect Florida businesses from foreign judgments that are not compatible with the requirements of due process of law.

CONSUMER PROTECTION

SB 664-Relating to Salvage of Pleasure Vessels

On Thursday, January 25th, SB 664, by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Transportation and passed by a vote of 5 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this bill.**

This legislation creates the "Florida Salvage of Pleasure Vessels Act" (act) to provide certain consumer protections for salvage work performed on pleasure vessels. During this committee stop, an amendment offered by the sponsor, was adopted to change the requirement that salvors must provide a customer or potential customer with a written work estimate for services, to requiring the salvor to provide a verbal and written notice that the service is not covered by their towing contract.

SB 664 will move on to its next hearing in the Senate Committee on Rules.

AIF supports legislation that ensures price transparency and consumer protections.

TRANSPORTATION

SB 712-Relating to Autonomous Vehicles

On Thursday, January 25th, SB 712, by Senator Jeff Brandes (R-St. Petersburg) was heard before the Senate Committee on Transportation and passed unanimously by a vote of 7 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This bill authorizes the use of vehicles in autonomous mode in the state. The autonomous technology would be considered the human operator of the motor vehicle and provides that various provisions of law regarding motor vehicles such as rendering aid in the event of a crash do not apply to vehicles in autonomous mode where a human operator is not physically present as long as the vehicle owner promptly contacts law enforcement. The bill also addresses the applicability of laws regarding unattended motor vehicles and passenger restraint requirements as

they relate to vehicles operating in autonomous mode where a human operator is not physically present in the vehicle.

SB 712 will now move on to the Senate Committee on Banking and Insurance to be heard.

AIF SUPPORTS legislation that modernizes state law to accommodate for self-driving technologies and open the door for safe, reliable modes of autonomous vehicles in a competitive marketplace.

TAXATION

HJR 7001-Relating to Supermajority Vote for State Taxes and Fees

On Thursday, January 25th, HJR 7001, by Representative Tom Leek (R-Daytona Beach) was read for a third time on the House floor and passed by a vote of 80 yeas to 29 nays.

This joint resolution proposes an amendment to the state Constitution that would provide that no state tax or fee may be imposed, authorized, or raised by the legislature, or authorized by the legislature to be raised except through legislation approved by two-thirds of the membership of each house of the legislature.

The joint resolution requires that any proposed state tax or fee imposition, authorization or increase must be contained in a separate bill that contains no other subject. The joint resolution also specifies that the proposed amendment does not authorize the imposition of any state tax or fee otherwise prohibited by the state Constitution and does not apply to any tax or fee imposed by, or authorized to be imposed by, a county, municipality, school board, or special district.

The amendment proposed in the joint resolution will take effect on January 8, 2019, if approved by sixty percent of the voters during the 2018 general election or earlier special election. The joint resolution is not subject to the governor's veto powers.

HJR 7001 will go to the Senate floor for consideration.

AIF supports this legislation requiring two-thirds vote from each house of the legislature to pass tax increases in the state. This action would that would make it more difficult to raise taxes, leaving more money in the pockets of Florida's families and business.