



# DAILY BRIEF

For the 2018 Legislative Session

**From February 27, 2018**

## **LEGAL & JUDICIAL**

### **HB 623 & SB760 - Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments**

On Tuesday, February 27th, SB 760 by Senator Aaron Bean (R-Jacksonville) was laid on the table and substituted with HB 623, by Representative Cord Byrd (R-Jacksonville). HB 623 was read for a third time on the Senate floor and passed unanimously by a vote of 36 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 desk of the Governor.

**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.**

## ECONOMIC DEVELOPMENT

### SB 324 - Relating to Impact Fees

On Tuesday, February 27th, SB 324 by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Appropriations and passed.

During this committee stop, amendment 532634, offered by Senator Aaron Bean (R-Jacksonville) was adopted. This amendment strips the language in the bill relating to sector plans, providing that sector plans be treated in a similar fashion to other development projects when implementing impact fees. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition this amendment.**

The bill provides that an impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum, specify that the impact fee be collected no earlier than the issuance of the building permit for the property that is subject to the fee.

SB 324 will go on to the Senate floor to be heard.

**AIF supports legislation that ensures the same protections to sector plans against demanding payment or construction of facilities beyond those needed to service the development.**

## TAXATION

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

On Tuesday, February 27th, HJR 7001, by Representative Tom Leek (R-Daytona Beach) was heard by the Senate Committee on Appropriations and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

HJR 7001 was amended during its previous committee stop in the Senate Appropriations Subcommittee on Finance and Tax to reflect the provision of the Senate version of the bill. HJR 7001 proposes an amendment to the State Constitution requiring any law that imposes a new tax, increases the rate or amount of a tax, or expands a tax base, and that results in a net increase in state revenues, to be approved by three-fifths of the membership of each house of the Legislature.

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 specifically authorized by law for that purpose.

HJR 7001 will go on to the Senate floor for consideration.

**AIF supports this legislation requiring three-fifths 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.**

## CONSUMER PROTECTION

### HB 469 - Relating to Salvage of Pleasure Vessels

On Tuesday, February 27th, HB 469, by Representative Shawn Harrison (R-Tampa) was heard before the House Judiciary Committee and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood 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. To provide protections, the salvor is required to provide a verbal and written notice that the service is not covered by their towing contract, that federal law will apply and that the cost of the salvage could cost up to the value of the vessel.

HB 469 will move on to the House floor for consideration.

**AIF supports legislation that ensures price transparency and consumer protections.**