



DAILY BRIEF

For the 2018 Legislative Session

From March 5, 2018

On Saturday, March 3rd, of this past weekend, the Senate held session for purpose of discussing the bills regarding gun, school and public safety in the aftermath of the shooting in Parkland. Along with those discussions, they passed two bills that AIF has taken action on over the course of this session, they are reviewed below.

CONSUMER PROTECTION

SB 920-Relating to Deferred Presentment Transactions

On Saturday, March 3rd, SB 920, by Senator Rob Bradley (R-Orange Park) was read for a third time on the Senate floor and passed by a vote of 31 yeas to 5 nays.

The bill authorizes deferred presentment installment transactions under Florida law. A deferred presentment installment transaction must be fully amortizing (the balance due will be entirely paid after the last payment is made) and repayable in consecutive installments, which must be as equal as mathematically practicable. The term of a deferred presentment installment transaction may not be less than 60 days or more than 90 days and the time between installment payments must be at least 13 days but not greater than 1 calendar month.

The maximum face amount of a check taken for a deferred presentment installment transaction may not exceed \$1,000, exclusive of fees. The maximum fees that may be charged on a deferred presentment installment transaction are 8 percent of the outstanding transaction balance on a biweekly basis. The bill retains current law in s. 560.404(19), F.S., prohibiting a provider from entering into a deferred presentment transaction with any person who has an outstanding deferred presentment transaction or whose previous transaction has been terminated for less than 24 hours.

SB 920 is in House messages.

AIF supports legislation that creates a new framework that conforms with the federal guidelines while also retaining the choices Florida consumers need and deserve.

HB 469 - Relating to Salvage of Pleasure Vessels

On Monday, March 5th, HB 469, by Representative Shawn Harrison (R-Tampa) was read for a third time on the House floor and passed by a vote of 105 yeas to 8 nays.

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 is in Senate messages.

AIF supports legislation that ensures price transparency and consumer protections.

HEALTH CARE

SB 162-Relating to Payment of Healthcare Claims

On Saturday, March 3rd, **SB 162**, by Senator Greg Steube (R-Sarasota) was read for a third time on the Senate floor after being temporarily postponed multiple times, and passed by a vote of 37 yeas to 0 nays.

This bill prohibits health insurers and health maintenance organizations (HMOs) from retroactively denying a claim at any time if the insurer or HMO verified the eligibility of an insured or subscriber at the time of treatment and provided an authorization number, regardless of if the insured has paid their premiums prior to that claim rendering them ineligible for coverage.

SB 162 is in House messages.

AIF opposes legislation removing insurers ability to retroactively deny claims, even those that have not paid their premiums. This legislation would raise costs on employers who would be required to pay health care expenses of people who are no longer employees, and consumers would bear the burden of paying the high costs of fraud, waste and abuse that would occur in the system.

TAXATION

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

On Monday, March 5th, **HJR 7001**, by Representative Tom Leek (R-Daytona Beach) was read for a third time on the Senate floor and passed by a vote of 25 yeas to 13 nays.

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 two-thirds 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 desk of the Governor.

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.

HB 7087-Relating to Taxation

On Monday, March 5th, **HB 7087**, by the House Ways and Means Committee and Representative Paul Renner (R-Palm Coast) was read for a third time on the House floor and passed by a vote of 75 yeas to 35 nays.

The bill provides for a wide range of tax reductions designed to directly impact both families and businesses. The total impact for the fiscal year of 2018 and 2019 is approximately \$319.9 million in reductions.

The bill contains several provisions related to sales tax that include priorities important to AIF and its members. Specifically, it includes:

- Tax rate reduction for tax on commercial rentals (business rent tax) from 5.8% to 5.5%.
- New, extended, or expanded sales tax exemptions for:
 - Certain generators for nursing homes and assisted living facilities;
 - Certain purchases of agriculture related fencing materials and building materials for repair of storm damage from Hurricane Irma;
- Sales tax holidays:
 - A ten-day “back-to-school” holiday for clothing, footwear, school supplies, and computers;
 - Three seven-day “disaster preparedness” holiday for sales of specified items related to disaster preparedness.

Also added to the tax package this year, is language that prevents local governments from banning the sale of anything subject to the state sales tax. This will streamline regulation of business in the state and prevent municipalities from hindering business with local ordinances.

HB 7087 is in Senate messages.

AIF supports tax cuts for Florida's families and businesses that aid in relief after the events of a disastrous hurricane season. AIF supports incremental reductions of the business rent tax to make Florida more attractive to business.