



# WEEKLY UPDATE

For the 2018 Legislative Session

## From the Week of February 5-9, 2018

### ENERGY

#### **SB 462-Relating to Advanced Well Stimulation Treatment**

On Monday, February 5th, SB 462 by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Environmental Preservation and Conservation and passed by a vote of 10 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this bill.**

This bill prohibits the performance of advanced well stimulation treatments on oil or gas wells in the state. The bill defines the term "advanced well stimulation treatment" to include all stages of well intervention performed by injecting fluids into a rock formation.

SB 462 will go on to the Senate Appropriations Subcommittee on the Environment and Natural Resources.

**AIF opposes the prohibition of advanced well stimulation treatments as it could cause a deficit when it comes to meeting the energy needs of the state.**

### LEGAL & JUDICIAL

#### **SB 822- Relating to Beverage Law**

On Tuesday, February 6th, SB 822 by Senator Travis Hutson (R-Palm Coast) was heard before the Senate Committee on Commerce and Tourism and passed by a vote of 4 yeas to 1 yea. **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. The agreement must then be negotiated at arm’s length for no more than fair market value.

SB 822 will move on to the Senate Committee on Rules for its next hearing.

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

### **SB 1412-Relating to Office of the Judges of Compensation Claims**

On Thursday, February 8th, SB 1412 by Senator David Simmons (R-Longwood) was heard before the Senate Appropriations Subcommittee on General Government and passed by a vote of 10 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 Committee on Appropriations 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.**

## **REGULATION**

### **SB 1304-Relating to Dockless Bicycle Sharing**

On Tuesday, February 6th, SB 1304 by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Banking and Insurance and passed by a vote of 8 yeas to 2 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

Bicycle sharing is a relatively new venture making its way across the country. Currently, the regulation of bicycle sharing companies is left up to local jurisdictions. This legislation creates uniformity of laws governing the operation of dockless bicycle sharing companies in the state.

SB 1304 will go on to the Senate Committee on Community Affairs to be heard.

**AIF supports legislation that implements uniformity of laws across municipal policies that create price competition, promote consumer choice, enhance customer experience, create jobs and remove anti-competitive local regulations.**

## INSURANCE

### SB 1168-Relating to Insurance

On Tuesday, February 6th, SB 1168 by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Judiciary and passed by a vote of 7 yeas to 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this bill.**

Senator Steube initially offered an amendment that weakened the definition of catastrophic ground cover collapse, which would have thrown Florida's marketplace back into the sinkhole crisis and repopulated Citizens. However, Senator Perry Thurston (D-Fort Lauderdale) offered a substitute amendment without that language. Ultimately, after the amendatory process ended, the bill was changed in two major ways (1) the provision prohibiting attorney fees from being included in rate was removed and (2) the timeframe in which an assignment of benefit vendor must provide a copy of their agreement to an insurer was shortened from 7 to 5 days. Unfortunately, this represents only nominal improvement, and still fails to address the heart of the AOB problem: no-risk attorney's fees.

SB 1168 will go on to its next committee stop in the Senate Committee on Rules to be heard.

**AIF opposes legislation that does not adequately protect consumers against the abuses of one-way attorney fees, which is the only way to truly fix the assignment of benefits problem.**

## ECONOMIC DEVELOPMENT

### HB 697-Relating to Impact Fees

On Thursday, February 8th, HB 697 by Representative Mike Miller (R- Orlando) was heard before the House Government Accountability Committee and passed by a vote of 20 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of the bill as amended.**

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. Impact fees are enacted by local ordinance that were created to pay the cost of additional infrastructure necessitated by new development.

AIF supported an amendment offered by Representative Stan McClain (R-Ocala) that was adopted and relates to the sector planning process. The amendment makes clear that if a governmental entity wishes to impose a condition on a development order which implements a sector plan--such as the contribution of land/right of way, extension of public utilities, construction of parks, etc. - then the government must have ordinances in place to treat developments outside of sector plans in a similar fashion, and sets a time standard for local governments to process and act upon applications for implementing a sector plan.

HB 697 will go on to the House floor for consideration.

**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.**

## **ENVIRONMENT**

### **HB 7043 - State Assumption of Federal Section 404 Dredge and Fill Permitting Authority**

On Thursday, February 8th, HB 7043 by the House Natural Resources and Public Lands Subcommittee and Representative Holly Raschein (R-Key Largo) was heard by the House Government Accountability Committee and passed by a vote of 19 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This legislation would give authorization to FDEP to assume implementation of the federal dredge and fill permits.

HB 7043 will go on to the House floor for consideration.

**AIF supports the state assumption of the 404 program which will help create a more efficient and predictable process for businesses to navigate the wetland permitting process in a timely manner.**

## **INFORMATION TECHNOLOGY**

### **5201-Relating to Information Technology**

On Thursday, February 8th, HB 5201 by the House Government Operations and Technology Appropriations Subcommittee and Representative Blaise Ingoglia (R-Spring Hill) was read for a third time on the House floor and passed by a vote of 111 yeas to 0 nays.

This bill implements a "cloud first" policy for the state, requiring each state agency to first consider cloud computing solutions when sourcing their technology. The bill also moves part of the financial management responsibility of the Agency for State Technology to the Department of Management Services and designates the Department of Environmental Protection as the state coordinating agency for Geographic Information Systems. Further, the bill increases the minimum qualification requirements for the State Chief Information Officer position which would be effective in 2019.

HB 5201 will go on to the Senate floor for consideration, and the House requests that the Senate pass the bill as passed by the House or agree to include the bill in Budget Conference.

**AIF supports the adoption and implementation of a formal cloud-first strategy, resulting in more efficient and effective IT solutions for Florida.**