



WEEKLY UPDATE

For the 2018 Legislative Session

From the Week of February 12-16, 2018

WEEKLY LEGISLATIVE UPDATE VIDEO

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CONSUMER PROTECTION

HB 857 & SB 920-Relating to Deferred Presentment Transactions

On Tuesday, February 13th, HB 857, by Representative James Grant (R-Tampa) was heard by the House Government Operations and Technology Appropriations Subcommittee and passed by a vote of 9 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this bill.**

On Thursday, February 15th, SB 920, by Senator Rob Bradley (R-Orange Park) was heard by the Senate Committee on Appropriations and passed by a vote of 16 yeas to 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

The bills authorize deferred presentment installment transactions under Florida law. Deferred presentment transactions made pursuant to this legislation would be exempt from the underwriting requirement of the Consumer Finance Protection Bureau (CFPB) rule because such loans would be for a term longer than 30 days and would not be a longer-term balloon payment loan because the bill requires installment payment to be as equal as practicable.

Provisions of the CFPB rule relating to payment practices, lender reporting, and compliance will apply to deferred presentment installment transaction lenders that provide loans with a term longer than 45 days, with a cost of credit exceeding 36 percent per annum, and that have a leveraged payment mechanism.

HB 857 will go on to the House Commerce Committee for its next hearing.

SB 920 will go on to the Senate Committee on Rules for its next hearing.

AIF supports legislation that creates a new framework for deferred presentment transactions 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 Tuesday, February 13th, HB 469, by Representative Shawn Harrison (R-Tampa) was heard before the House Government Accountability Committee and passed by a vote of 21 yeas to 2 nays. **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. More specifically it requires that salvors must provide a customer or potential customer with a written disclosure statement and salvage work estimate for services. If a salvor's charges exceed the written estimate by more than 20 percent, the salvor is required to promptly notify the customer of the additional estimated charge and allow the customer to authorize, modify, or cancel the order for salvage.

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

AIF supports legislation that ensures price transparency and consumer protections.

REGULATION

SB 574-Relating to Tree and Timber Trimming, Removal and Harvesting

On Tuesday, February 13th, SB 574 by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Community Affairs and passed by a vote of 3 yeas to 2 nays. **AIF stood in support of this bill as amended.**

During the hearing, the sponsor of the bill offered a strike all amendment that narrowed the bill from complete preemption to the following:

- Provides that if a utility company communicates in writing to a local government on the need to prune or remove vegetation and the local government does not allow necessary pruning or removal, then the local government is liable for any cost associated with infrastructure damage.
- Provides that a local government may not prohibit a water management, 298 district or other districts responsible for management of rights-of-way for flood protection from removing, pruning or harvesting trees.
- Provides tree pruning, removal ordinances do not apply at single family residences during a declared emergency.

SB 574 will go on to the Senate Committee on Environmental Preservation and Conservation.

AIF supports legislation that allows Florida's businesses to take the proper precautions in the event of a disaster preventing further damage.

HEALTH CARE

HB 217-Relating to Payment of Healthcare Claims

On Wednesday, February 14th, HB 217, by Representative Bill Hager (R-Boca Raton) was heard before the House Appropriation Committee and passed by a vote of 21 yeas to 6 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill prohibits health insurers and health maintenance organizations (HMOs) from retroactively denying a claim during the relevant grace period, 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.

HB 217 will go on to the House Health and Human Services Committee for its next hearing.

AIF opposes legislation removing insurers ability to retroactively deny claims, even for 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.

SB 280-Relating to Telehealth

On Wednesday, February 14th, SB 280 by Senator Aaron Bean (R-Jacksonville) was heard before the Senate Appropriations Subcommittee on Health and Human Services and passed by a vote of 6 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

SB 280 provides specific authorization for the provision of health care services through telehealth. Telehealth is the provision of health care services using telecommunication technologies, which allows licensed practitioners in one location to diagnose and treat patients at a different location. The bill will remove regulatory ambiguity regarding the provision of health care services using this technology because it is not currently addressed in Florida Statutes.

SB 280 will go on to the Senate Committee on Appropriations for its next hearing.

AIF supports legislation that permits an unfettered role for telehealth services that will allow our citizens access to better quality care at lower costs.

ENVIRONMENT

SB 1402 - State Assumption of Federal Section 404 Dredge and Fill Permitting Authority

On Wednesday, February 14th, SB 1402 by Senator David Simmons (R-Longwood) was heard before the Senate Appropriations Subcommittee on the Environment and Natural Resources and passed by a vote of 6 yeas to 0 nays. **AIF stood in support of this legislation.**

This legislation would give authorization to the Florida Department of Environmental Protection to assume implementation of the federal dredge and fill permits.

SB 1402 will go on to its next committee stop in the Senate Committee on Appropriations.

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.

ENERGY

SB 462-Relating to Advanced Well Stimulation Treatment

On Wednesday, February 14th, SB 462 by Senator Dana Young (R-Tampa) was heard before the Senate Appropriations Subcommittee on the Environment and Natural Resources and passed by a vote of 5 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 Committee on Appropriations to be heard.

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.