



# WEEKLY UPDATE

For the 2018 Legislative Session

**From the Week of February 19-23, 2018**

## WEEKLY LEGISLATIVE UPDATE VIDEO

VIEW VIDEO AT <https://youtu.be/oFkgMKVLj00>

## TAXATION

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

On Tuesday, February 20th, HJR 7001, by Representative Tom Leek (R-Daytona Beach) was heard by the Senate Appropriations Subcommittee on Finance and Tax and passed by a vote of 4 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

After this joint resolution passed the House floor the Senate chamber referred the bill to the committee referenced above and the Senate Committee on Appropriations before being heard on the Senate floor.

During committee, HJR 7001 was amended 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 Committee on Appropriations to be heard.

**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 Thursday, February 22nd, HB 7087, by the House Ways and Means Committee and Representative Paul Renner (R-Palm Coast) and passed by a vote of 18 yeas to 7 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

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 \$331.3 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 will go on to the House floor for consideration.

**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.**

## **INSURANCE**

### **SB 1454-Relating to Florida Hurricane Catastrophe Fund**

On Tuesday, February 20th, SB 1454, by Senator Jeff Brandes (R-St. Petersburg) was heard by the Senate Committee on Banking and Insurance and passed by a vote of 8 yeas to 3 nays. **AIF stood in opposition of this bill.**

This bill eliminates the cash build-up factor for the Florida Hurricane Catastrophe Fund, depleting necessary reserves that protect Florida from devastating hurricanes.

SB 1454 will go on to the Senate Appropriations Subcommittee on General Government to be heard.

**AIF opposes this legislation as it risks depleting the cash build-up of the fund, making it more likely that Floridians and business owners could see another “hurricane tax” in the future.**

## **HEALTH CARE**

### **HB 21-Relating to Controlled Substances**

On Wednesday, February 21st, HB 21 by Representative Jim Boyd (R-Bradenton) was heard before the House Health and Human Services Committee and passed by a vote of 19 yeas and 0 nays. **AIF stood in support of this bill.**

This bill addresses opioid abuse by expanding the use of the Prescription Drug Monitoring Program (PDMP), increasing regulation of prescribers and dispensers, and aligning state criminal statutes with federal law. The bill limits the prescription for a Schedule II opioid to alleviate acute pain to a three-day supply, or a seven-day supply if deemed medically necessary by the prescriber.

The bill also requires the Department of Health (DOH) to adopt rules establishing guidelines for prescribing controlled substances for acute pain, similar to those for chronic pain. Additionally, the bill also requires a health care practitioner authorized to prescribe controlled substances to complete a board-approved 2-hour continuing education course on safely and effectively prescribing controlled substances, and to review a patient’s PDMP history prior to prescribing or dispensing a controlled substance.

HB 21 will go on to the House floor for consideration.

The Senate version of this bill has been amended to include provisions that prohibit the use of protocols such as prior authorization and step therapy, and for those reasons AIF is neutral on SB 8.

**AIF supports legislative efforts that aim to curb opioid abuse and addiction that is currently running rampant through the state affecting Florida’s families and businesses.**

### **SB 280-Relating to Telehealth**

On Thursday, February 22nd, SB 280 by Senator Aaron Bean (R-Jacksonville) was heard before the Senate Committee on Appropriations 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 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 floor for consideration.

**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**

### **HB 7043 & SB 1402 - State Assumption of Federal Section 404 Dredge and Fill Permitting Authority**

On Wednesday, February 21st, HB 7043 by the House Natural Resources and Public Lands Subcommittee and Representative Holly Raschein (R-Key Largo) was read for a third time on the House floor and passed by a vote of 112 yeas to 2 nays.

On Thursday, February 22nd, SB 1402 by Senator David Simmons (R-Longwood) was heard before the Senate Committee on Appropriations 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 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 Senate floor for consideration.

SB 1402 will go on to the Senate 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.**

## **CONSUMER PROTECTION**

### **HB 857-Relating to Deferred Presentment Transactions**

On Thursday, February 22nd, HB 857, by Representative James Grant (R-Tampa) was heard by the House Commerce Committee and passed by a vote of 24 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

The bill authorizes deferred presentment installment transactions under Florida law. Deferred presentment transactions made pursuant to HB 857 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 floor for consideration.

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

#### **SB 664-Relating to Salvage of Pleasure Vessels**

On Thursday, February 22nd, SB 664, by Senator Dana Young (R-Tampa) was heard before the Senate Committee on Rules and passed by a vote of 13 yeas to 0 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. 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.

SB 664 will move on to the Senate floor for consideration.

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

#### **ECONOMIC DEVELOPMENT**

##### **HB 961-Relating to Malt Beverages & SB 1224- Relating to Beverage Law**

On Thursday, February 22nd, HB 961 by Representative Joe Gruters (R- Sarasota) was heard before the House Commerce Committee and passed by a vote of 23 yeas to 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

On Thursday, February 22nd, SB 1224, by Senator Rob Bradley (R-Orange Park) was heard before the Senate Committee on Appropriations 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 this bill.**

Currently, vendors must purchase beer or malt beverage branded glassware from distributors for use in their establishments. This legislation allows for retailers to accept malt or beer beverage branded glassware from a wholesaler at no cost. Both bills were amended during their respective committee stops to change the amount of branded glassware a distributor may give to no more than 10 cases per calendar year.

HB 961 will go on to House floor for consideration.

SB 1224 will go on to the Senate floor for consideration.

**AIF SUPPORTS legislation that will reduce costs on Florida's businesses by allowing distributors to provide vendors, at no cost, glassware to use in their establishments.**

## REGULATION

### **HB 1033-Relating to Dockless Bicycle Sharing**

On Thursday, February 22nd, HB 1033 by Representative Jackie Toledo (R-Tampa) was heard by the House Commerce Committee and passed by a vote of 23 yeas to 0 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. HB 1033 creates a regulatory framework governing the operation of dockless and docked bicycle sharing companies in the state and would preempt local governments regulatory authority of bicycle sharing companies by giving this authority to the state.

HB 1033 will go on to the House floor for consideration.

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