



DAILY BRIEF

For the 2019 Legislative Session

From March 21, 2019

LEGAL & JUDICIAL

HB 3 – Relating to Preemption of Local Regulations

On Thursday, March 21, **HB 3** by Representative Michael Grant (R-Port Charlotte) was heard in the House Commerce Committee. and was reported favorably with 18 yeas and 5 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill aims to preempt authority to the state and away from local governments when it comes to business regulations. Both big and small businesses must abide by the rules and regulations set in place by their local governments, regardless of if that rule or regulation differs from city to city, or county to county. This circumstance causes those who conduct business in multiple cities or counties throughout the state to abide by a myriad of rules that are inconsistent and must be complied with in order to continue their business. AIF believes that preempting business regulation to the state will allow for a streamlined system that businesses, (old and new, small and large) can easily follow when conducting business across the State of Florida.

HB 3 will now be heard on the House floor.

AIF supports legislation that will streamline business regulation throughout the state.

HB 261 – Relating to Beverage Law

On Thursday, March 21, **HB 261** by Representative Josie Tomkow (R-Auburndale) was heard in the House Commerce Committee and was reported favorably with 21 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Florida's Tied House Evil Law prohibits a manufacturer or distributor of alcoholic beverages from having a financial interest in the establishment of a licensed vendor, and prohibits a

manufacturer or distributor from giving gifts, loans, property, or rebates to retail vendors. This bill amends and clarifies certain exemptions granting manufacturers the right to partner with vendors, so long as the manufacturer's agreement does not impose on sales of other manufacturers' brands.

HB 261 will now be heard on the House floor.

AIF supports legislative efforts to clean up laws imposing burdens and restrictions on manufacturer and vendor partnerships.

HB 355 – Relating to Dangerous Instrumentality Doctrine

On Thursday, March 21, **HB 355** by Representative Tom Leek (R-Daytona Beach) was heard in the House Judiciary Committee and was reported favorably with 12 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Florida's Dangerous Instrumentality Doctrine (DID) was created in the early 20th century, a time where automobiles began traveling on public roads. The doctrine has been expanded far beyond the borders of its original intent and now applies to off-highway vehicles such as golf carts, tractors, and construction equipment. The doctrine holds owners or lessors liable for the harm caused by an operator, even when the lessor is not in control of the equipment or vehicle at the time of the incident. Florida is the only state in the country where DID is applied in this manner.

HB 355 will now be heard on the House floor.

AIF supports the protection of owners and lessors from vicarious liability which is harmful to Florida's business community.

Proposed Committee Bill COM 19-01 – Relating to Property Development

On Thursday, March 21, **PCB COM 19-01**, sponsored and heard by the House Commerce Committee, was reported favorably with 21 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Property development in Florida is governed in part by both the Community Planning Act and the Florida Building Code. Before a building permit can be issued, plans review and inspections must be conducted by the local building official or a private provider to ensure work complies with the building code. Private providers are licensed building code administrators, licensed

engineers, and licensed architects that property owners can hire to review building plans and perform building inspections. This bill makes changes to property development regulations by:

- Restricting counties and municipalities from adopting or imposing certain mandatory affordable housing ordinances;
- Establishing time limits for a county or municipality to review a development order or permit application;
- Expanding the scope of a private provider by allowing services involving the review of site plans and site work engineering plans;
- Reducing the time period building departments have to review a permit application when a private provider approves the plans, from 30 business days to 5 business days;
- Limiting the building department's authority to audit a private provider to four times annually;
- Prohibiting a building official from replicating plan reviews or inspections performed by a private provider;
- Allowing a person who hires a private provider to petition the court for a writ of injunctive or other equitable relief if the person believes the building department is not complying with the law.

AIF supports legislation that streamlines the permitting process and reduces property development burdens for all Floridians.