



DAILY BRIEF

For the 2019 Legislative Session

From April 18, 2019

LEGAL & JUDICIAL

HB 7111 – Relating to Constitutional Amendments

On Thursday, April 18, **HB 7111**, sponsored by the House Judiciary Committee, was heard in the House State Affairs Committee and was reported favorably with 15 yeas and 8 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill changes the process for amending the constitution by citizen initiative by:

- Requiring that a petition-gatherer:
 - Register with the Secretary of State prior to obtaining signatures.
 - Not be paid based on the number of petitions gathered.
- Requiring the Secretary of State to publish on its website position statements on proposed amendments received from interested persons.
- Directing the Financial Impact Estimating Conference (FIEC) to:
 - Estimate the amendment's impact on the state and local economy.
- Requiring the ballot summary to include:
 - The name of the initiative's sponsor and the percentage of contributions received by the sponsor from in-state donors;
 - If the amendment will cost money or have an indeterminate impact; and
 - A Supreme Court determination as to whether the proposed policy can be implemented by the Legislature without the need for a constitutional amendment.
- Directing the Attorney General, when seeking Supreme Court review of an amendment, to ask the Court to:
 - Address whether the proposed policy can be implemented by the Legislature; and
 - Identify any undefined terms in the amendment that will have a substantive impact; and
 - Address whether the amendment creates any constitutional issues.

HB 7111 will now move to the House floor.

AIF supports legislation that adds transparency and accountability to amending the Florida constitution by citizen initiative.

ENERGY

HB 797 – Relating to Public Utility Storm Protection Plans

On Thursday, April 18, **HB 797** by Representative Randy Fine (R-Palm Bay) was heard in the House Commerce Committee and was reported favorably with 21 yeas and 0 nays. **AIF stood in support of this legislation.**

This bill aims to harden Florida’s utilities grid against tropical storm and hurricane damage with proposed under-grounding of electric infrastructure. The bill would require public utility companies (Florida Power and Light, Duke Energy Florida, Gulf Power Company, Tampa Electric Company, and the Florida Public Utilities Corporation) to submit a transmission and distribution storm protection plan to the Public Services Commission, with updates required at least every three years. Data collected after Hurricane Irma showed that underground lines suffered minimal outages during storms.

HB 797 will now move to the House floor.

AIF supports actively seeking ways to harden our state’s infrastructure and more effectively prepare for hurricanes and tropical storms to ensure that power is quickly restored.

INSURANCE

SB 714 – Relating to Insurance

On Thursday, April 18, **SB 714** by Senator Jeff Brandes (R-Saint Petersburg) was heard in the Senate Appropriations Committee and was reported favorably with 18 yeas and 1 nay.. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill amends several insurance-related statutes, specifically:

- Requires the Florida Hurricane Catastrophe Fund (FHCF) to reimburse a covered insurer’s loss adjustment expenses at 10 percent of the insurer’s loss reimbursement, instead of 5 percent as under current law;
- Authorizes insurers to transfer title of totaled motor vehicles or mobile homes to the Department of Highway Safety and Motor Vehicles electronically as well as through regular mail;

- Provides that workers compensation insurance applicants and their agents are no longer required to have their sworn statements notarized;
- Allows an insurer to offer and give insureds goods or services of any value for the purposes of loss control or loss mitigation related to covered risks. Currently it is an unfair insurance trade practice to provide items or services to an insured valued at more than \$100 per year;
- Allows a property, casualty, or surety insurer to offer a premium discount for a policy if another policy has been purchased from a different insurer that:
 - Has a joint marketing arrangement with the insurer offering the discount;
 - Issued the policy pursuant to the Citizens clearinghouse program if the same agent is servicing both policies; or
 - Has its policy serviced by the same agent who is servicing the discounted policy.
- Requires a premium discount offered by a property, casualty, or surety insurer to be actuarially sound.

SB 714 will now move to the Senate floor.

AIF supports legislative efforts to reduce insurance rates to maintain Florida's business friendly climate.

ECONOMIC DEVELOPMENT

SB 770 – Relating to Workforce Education

On Thursday, April 18, **SB 770** by Senator Travis Hutson (R-Palm Coast) was heard in the Senate Appropriations Committee and was reported favorably with 17 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill promotes career education and readiness opportunities for students in public schools by creating an alternative pathway, namely the career and technical education (CTE) graduation pathway option, for students to earn a standard high school diploma, and specifies related requirements. Specifically, the bill:

- Requires students to successfully complete at least 18 credits to receive a standard high school diploma under the CTE graduation pathway option;
- Modifies the 24-credit pathway for earning a standard high school diploma by revising computer science credit substitution for mathematics or science credits;
- Revises the acceleration mechanism component for the school grade calculation for high schools by specifying that dual enrollment courses include career clock-hour dual enrollment courses;
- Creates the Florida Pathways to Career Opportunities Grant Program to enable high school and Florida College System institutions to offer applied learning opportunities for students in high-demand career pathways linked to occupations that will provide students with mid-level and high-level wages;

- Requires district school boards to declare a “College and Career Decision Day” to recognize high school seniors and encourage them to prepare for college and pursue advanced career pathways.

SB 770 will now move to the Senate floor.

AIF supports efforts to grow the talent pipeline to maintain the competitive edge Florida businesses have come to expect in the state.

ENVIRONMENTAL

SB 816 – Relating to Environmental Regulation

On Thursday, April 18, **SB 816** by Senator Keith Perry (R-Gainesville) was heard in the Senate Appropriations Committee and was reported favorably with 18 yeas and 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill requires local governments to work with residential recycling collectors and material recovery facilities to reduce contamination of curbside recycling. As Florida continues to move toward the statewide 75% recycling goal, this legislation is specifically designed to improve the capture rate of clean recyclable material.

SB 816 will now move to the Senate floor.

AIF supports legislative efforts to achieve the statewide 75% recycling goal which helps keep Florida clean, creates jobs, and maintains our strong tourism industry.

TRANSPORTATION

SB 932 – Relating to Autonomous Vehicles

On Thursday, April 18, **SB 932** by Senator Jeff Brandes (R-St. Petersburg) was heard in the Senate Appropriations Committee and was reported favorably with 20 yeas and 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

These bills authorize the use of vehicles in autonomous mode in the state. The autonomous technology would be considered the human operator of the motor vehicle and provides that various provisions of law regarding motor vehicles such as rendering aid in the event of a crash do not apply to vehicles in autonomous mode if the vehicle owner, or person on behalf of the owner, promptly contacts law enforcement. The bill also specifies that statutory provisions relating to unattended motor vehicles, wireless communication devices, and television receivers do not apply to autonomous vehicles (AVs) operating with the automated driving

system engaged. The bills also remove the requirement for a person to possess a valid driver license to operate a fully autonomous vehicle.

SB 932 will now move to the Senate floor.

AIF supports modernizing state law to accommodate for self-driving technologies that open the door for safe, reliable modes of AVs in a competitive marketplace with clear, limited government regulations.

SB 1044 – Relating to the Department of Transportation

On Thursday, April 18, **SB 1044** by Senator Ben Albritton (R-Bartow) was heard in the Senate Appropriations Committee and was reported favorably with 20 yeas and 0 nays.. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill addresses various issues relating to the Florida Department of Transportation (FDOT). Specifically, the bill:

- Revises the FDOT's authorization for innovative highway projects to include innovative transportation projects demonstrating techniques of bridge design.
- Prohibits a local government from adopting standards and specifications for aggregate materials that are contrary to the FDOT's standards or specifications.
- Prohibits a contractor who has not satisfactorily completed two projects, each in excess of \$25 million, from bidding on FDOT contracts in excess of \$50 million.

SB 1044 will now move to the Senate floor.

AIF supports legislation that positively reforms FDOT to provide high-quality transportation infrastructure to Floridians and businesses operating on our roadways.

TAXATION

SB 1000 – Relating to Communication Services

On Thursday, April 18, **SB 1000** by Senator Travis Hutson (R-Palm Coast) was heard before the Senate Appropriations Committee **and was reported** favorably with 18 yeas and 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill changes the way the use of public rights-of-way by providers of communications services are governed. Specifically:

- Creating a civil cause of action for any person aggrieved by a violation of the right-of-way statute;
- Prohibiting a local government from instituting, “either expressly or de facto, a moratorium or other mechanism that would prohibit or delay” permits for collocation of small wireless facilities or related poles;
- Deleting the authority for a local government to require performance bonds and security funds. Instead, the bill allows them to require a construction bond;
- Allowing a provider of communications services to add a local government to any existing bond, insurance policy, or other financial instrument, and requiring the local government to accept such coverage;
- Prohibiting a local government from requiring a permit applicant to provide inventories, maps, or locations of communication facilities in the rights-of-way, unless it is necessary to avoid interference with existing facilities.

SB 1000 will now move to the Senate floor.

AIF supports legislation that will both reduce the communications services permitting process and have a positive financial impact on Florida’s consumers, many of whom are businesses that pay for cable or satellite service.

HB 693 – Relating to Communication Services

On Thursday, April 18, **HB 693** by Representative Jason Fischer (R-Jacksonville) was heard before the House Commerce Committee **and was reported** favorably with 21 yeas and 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill changes the way the use of public rights-of-way by providers of communications services are governed. Specifically:

- Removes the ability of local governments to elect to charge limited permit fees for use of the ROW but grandfathers local governments who currently require such fees;
- Establishes limits on registration requirements imposed by local governments;
- Prohibits local governments from imposing requirements and charges for the placement or operation of communications facilities in the ROW by authorized providers;
- Prohibits local governments from prohibiting, regulating, or charging for installation, operation, and other work done on utility poles used to collocate small wireless facilities (SWFs) in the ROW;
- Exempts utility poles used to support SWFs from authority rules and regulations governing the placement of utility poles in the ROW;
- Repeals a requirement on wireless providers to comply with certain undergrounding requirements.

HB 693 will now move to the House floor.

AIF supports legislation that will both reduce the communications services permitting process and have a positive financial impact on Florida’s consumers, many of whom are businesses that pay for cable or satellite service.

SB 576 – Relating to Back-to-School Sales Tax Holiday

On Thursday, April 18, **SB 576** by Senator Keith Perry (R-Gainesville) was heard in the Senate Appropriations Committee and was reported favorably with 18 yeas and 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill establishes a 10-day sales tax holiday beginning Friday, August 2, 2019, and ending Saturday, August 11, 2019. During the holiday, certain purchases of clothing, school supplies, and personal computers are exempt from the state sales tax and county discretionary sales surtaxes. The bill allows a business to not participate in the holiday if less than 5% of the business’s gross sales of tangible personal property in the prior calendar year consist of items that would be exempt.

SB 576 will now move to the Senate floor.

AIF supports sales tax holidays that encourage supporting local business by incentivizing consumers.

HEALTH CARE

SB 1192- Relating to Electronic Prescribing

On Thursday, April 18, **SB 1192** by Senator Aaron Bean (R-Jacksonville) was heard in the Senate Appropriations Committee and was reported favorably with 19 yeas and 0 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Electronic prescribing (e-prescribing) is a method by which an authorized health care practitioner electronically transmits a prescription to a pharmacy using a secure software system. Efforts have been made by states, as well as the federal government, to increase the use of e-prescribing software. This bill requires a prescription that is electronically generated and transmitted to contain an electronic signature from the prescribing practitioner, and requires such practitioner to, under specified conditions except in certain circumstances, exclusively transmit prescriptions electronically for medicinal drugs upon license renewal or by July 1, 2021, whichever is earlier.

SB 1192 will now move to the Senate floor.

AIF supports legislation that provides for improved prescription accuracy, increased patient safety, reduced opportunities for fraud and abuse and reduced overall costs. Improving the overall functionality and cost will further enable Florida employers to provide health care coverage for our citizens.