



DAILY BRIEF

For the 2020 Legislative Session

From February 12, 2020

ECONOMIC DEVELOPMENT

HB 115 – Keep Our Graduates Working Act

On Wednesday, February 12, HB 115 by Representative Nicholas Duran (D-Miami) was read a third time on the Senate floor and passed with a vote of 35 yeas and 1 nay.

The bill removes the state authority to take disciplinary action against a healthcare practitioner who defaults on a student loan or who fails to comply with the terms of a service scholarship. Under the bill, a healthcare practitioner may not have his or her license suspended or revoked by the Department of Health (DOH) solely because of a loan default or failure to complete service scholarship obligations.

Additionally, the bill specifies that a state authority may not suspend or revoke a license that it has issued to a person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency. The bill defines the term “state authority” to mean any department, board, or agency with the authority to grant a license to any person in this state.

HB 115, having passed both chambers, will now go to the Governor.

AIF supports efforts to protect Florida’s workforce from professional license revocation exclusively due to loan default.

ENVIRONMENT

HB 1199 – Relating to Environmental Protection Act

On Wednesday, February 12, HB 1199 by Representative Blaise Ingoglia (R-Spring Hill) was heard by the House Judiciary Committee and was reported favorable with 13 yeas and 2 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Florida authorizes a citizen to assert standing to stop activity that will affect his or her use or enjoyment of air, water, or natural resources. However, court rulings and legislation in the U.S. and worldwide have suggested specific legal rights of nature may exist authorizing a person to assert standing on behalf of natural resources.

While the U.S. Supreme Court precedent clearly limits standing for environmental claims to only an action causing injury to a human, dissenting opinions suggesting otherwise have recently caught the attention of

environmental activists attempting to assert standing on behalf of the environment, often resulting in lengthy yet unsuccessful litigation.

The bill amends the Florida Environmental Protection Act to prohibit a local government regulation, ordinance, code, rule, comprehensive plan, charter, or any other provision of law:

- From recognizing or granting any legal right to a plant, animal, body of water, or any other part of the natural environment that is not a person or political subdivision; or
- Granting a person or political subdivision any specific rights relating to the natural environment.

The bill provides that the prohibition on granting rights to nonpersons may not limit the:

- Ability of an aggrieved or adversely affected party to appeal and challenge the consistency of a development order with a comprehensive plan, or to file an action for injunctive relief to enforce the terms of a development agreement or to challenge compliance of the agreement with the Florida Local Government Development Agreement Act; or
- Standing to maintain an action for injunctive relief as otherwise provided by the EPA for:
 - Department of Legal Affairs;
 - Any political subdivision of the state; or
 - A resident of the state.

The bill may prevent costly litigation related to granting rights to natural resources, when current legal precedent suggests such rights may not be granted at the state or local level.

HB 1199 will now move to the House floor for consideration.

AIF supports legislation that protects Florida businesses from lawsuits by defining that people cannot sue on behalf of inanimate objects, i.e. rivers, lakes, streams etc.