



DAILY BRIEF

For the 2020 Legislative Session

From March 9, 2020

ECONOMIC DEVELOPMENT

SB 922 – Relating to Economic Development

On Monday, March 9, [SB 922](#) by Senator Joe Gruters (R-Sarasota) was read a third time on the Senate floor and passed with 39 yeas and 0 nays.

The bill makes changes to the Qualified Target Industry Tax Refund Program. Specifically, the bill provides that certain businesses that relocate to, or expand into, a county affected by Hurricane Michael are eligible to receive an increased tax refund and authorizes certain businesses located in a county affected by Hurricane Michael to apply for an economic recovery extension. The bill also removes the scheduled repeal date for the tax refund program.

SB 922 will go to the House for consideration.

AIF supports legislation, funding and other assistance from the federal and state governments to help Florida's panhandle recover from the impacts of Hurricane Michael.

HB 1193 – Relating to Deregulation of Professions and Occupations

On Monday, March 9, [HB 1193](#) by Representative Blaise Ingoglia (R-Spring Hill) was read a third time on the House floor and passed with 88 yeas and 25 nays.

An occupational or professional license is a form of regulation that requires individuals who want to perform certain types of work, such as contractors and cosmetologists, to obtain permission from the government to perform the work. In the 1950s, less than five percent of U.S. workers were required to have an occupational license to do their jobs. Since then, the number of workers required to have a license has risen to more than one-quarter of U.S. workers, and an estimated 28.7 percent of the Florida workforce requires a license from the state.

In 2015, The White House published a report on the current state of occupational licensing in the nation. The report found that when designed and implemented carefully, requiring occupational licenses offers important health and safety protections to consumers, as well as benefits to workers. However, the report also found that too often licensing requirements are inconsistent, inefficient, arbitrary, and there is evidence that the current licensing regimes in the U.S. raise the price of goods and services, restrict employment opportunities, and make it more difficult for workers to take their skills across state lines.

Specifically, the bill, cited as the “Occupational Freedom and Opportunity Act,” does the following:

- Deregulates: Interior designers and interior design businesses, hair braiders, hair wrappers, and body wrappers, nail polishers and makeup applicators, and boxing announcers and timekeepers.
- Partially deregulates: Talent agents, and labor organizations.
- Eliminates the additional business license for: Architects and landscape architects
- Reduces the hours of training required to obtain a license for: Barbers, cosmetologists, and specialty salons.
- Adds new ways for out of state professionals to obtain a license in the state for: Veterinarians, construction and electrical contractors, landscape architects, geologists, engineers, certified public accountants, home inspectors, building code professionals, and cosmetologists barbers.
- Reduces the number of members on the Florida Building Commission.
- Authorizes unlicensed individual to provide compensated dietary and nutritional information if such individuals do not represent that they are licensed dieticians or nutritionists.
- Prohibits DBPR from disciplining or revoking a licensee based solely on defaulting on a student loan.

HB 1193 will now go to the Senate for consideration.

AIF supports legislative action to lesson burdensome and unnecessary regulations on Florida businesses.

ENERGY

HB 1095 – Relating to Underground Facility Damage Prevention and Safety

On Monday, March 9, [HB 1095](#) by Representative Heather Fitzenhagen (R-Fort Myers) was read a third time on the House floor and passed with 118 yeas and 0 nays.

Chapter 556, F.S., is the “Underground Facility Damage Prevention and Safety Act” (Act). The stated purpose of the Act is to identify and locate underground facilities prior to an excavation or demolition to prevent injury to persons or property or interruption of services resulting from damage to those facilities. To accomplish this, the Act creates a not-for-profit corporation (Sunshine 811) to administer a free-access notification system.

The bill amends the Florida statute to:

- Expand the list of entities that may issue citations for violations to include the State Fire Marshal and local fire chiefs.
- Increase the maximum civil penalty (up to \$2,500 plus 5 percent, in addition to any other court costs) for certain violations that involve an underground pipe or facility transporting hazardous materials;
- Require each clerk of court to submit an annual report to the State Fire Marshal listing each violation notice;
- Require excavator to transmit reports of incidents to State Fire Marshal for investigation.

HB 1095 was substituted for SB 1464 and will now go to the Senate for consideration.

AIF supports legislation that enhances the 811 program and penalties to curb detrimental practices which lead to damaged infrastructure that causes unnecessary service interruptions, safety issues and increasing repair costs.

ENVIRONMENT

HB 715 – Relating to Reclaimed Water

On Monday, March 9, [HB 715](#) by Representative Randy Maggard (R-Zephyrhills) was read a third time on the House floor and passed with 118 yeas and 0 nays.

The bill, which is based off the recommendations of the Potable Reuse Commission, recognizes reclaimed water as a potential source of drinking water, recognizes potable reuse water as an alternative active water supply, establishes specific water quality criteria for potable reuse, and prohibits certain utilities from discharging reuse, effluent, or reclaimed water via surface water discharges.

HB 715 will now go to the Senate for consideration.

AIF supports legislation which increases Florida’s water supply by encouraging greater utilization of reclaimed water, direct and indirect potable technology, and other alternative water supplies that are both technologically and economically feasible. States with an adequate water supply will have a head start on future economic development and job creation.

INFORMATION TECHNOLOGY

HB 1391 – Relating to Technological Innovation

On Monday, March 9 [HB 1391](#) by Representative James Grant (R-Tampa) was read a third time on the House floor and passed with 118 yeas and 0 nays.

The Department of Management Services (DMS) oversees information technology governance and security for the executive branch of state government. The Division of State Technology (DST), a subdivision of DMS subject to its control and supervision, implements DMS’s duties and policies in this area.

The bill:

- Abolishes DST and establishes the Florida Digital Service (FDS) in its place.
- Places new duties and responsibilities under FDS and expands the duties and responsibilities currently assigned to DMS and DST.
- Creates the Division of Telecommunications within DMS, removes DST as the head of the E911 system in Florida, and places the Division of Telecommunications as its new head.

The Office of Financial Regulation (OFR) regulates money services businesses, which include money transmitters and payment instrument sellers. The bill creates the Financial Technology Sandbox within the OFR to allow a person to make an innovative financial product or service available to consumers as a money transmitter or payment instrument seller during a sandbox period that is initially not longer than 24 months but which can be extended one time for up to 12 months. The sandbox provides regulatory flexibility by permitting the OFR to waive specified statutes and corresponding rule requirements.

HB 1391 was substituted for SB 1870 and will now go to the Senate for consideration.

AIF supports stronger investments in IT and the modernization of Florida's outdated systems and processes that will greatly benefit the government and business relationship in the state.

LEGAL & JUDICIAL

SB 1794 – Relating to Constitutional Amendments

On Monday, March 9, [SB 1794](#) by Senator Travis Hutson (R-Palm Coast) was read a third time on the Senate floor and passed with 23 yeas and 17 nays.

The Florida Constitution is the charter of the liberties of Floridians. It may be amended only if the voters approve an amendment originating from the Legislature, the Constitution Revision Commission, the Taxation and Budget Reform Commission, a constitutional convention, or a citizen initiative.

The bill modifies several aspects of the citizen initiative process to increase transparency, strengthen the integrity of the ballot, and reduce costs for the supervisors of elections. Specifically, the bill changes the deadline for gathering signatures, the Fiscal Impact Estimating Conference (FIEC) analysis process, the ballot language requirements, and the requirements for supervisors of elections.

SB 1794 will now go to the House for consideration.

AIF supports the measures contained in this bill to prevent interest groups' circumvention of the legislature in revising Florida's constitution.

HB 519 – Relating to Private Property Rights Protection

On Monday, March 9, [HB 519](#) by Representative James Grant (R-Tampa) was read a third time on the House floor and passed with 83 yeas and 36 nays.

The Takings Clause of the U.S. Constitution prohibits the government from depriving a person of his or her private property for public use "without just compensation." However, not every government action burdening private property amounts to an illegal "taking" under the Takings Clause. Florida law provides legal remedies when a local government burdens property rights in a manner that does not amount to a "taking."

The bill requires a local government, when settling property rights claims, to treat similar properties similarly. If the government settles or the property owner secures a judgment declaring an inordinate burden, there is a presumption that similarly situated parcels are also inordinately burdened and entitled to the same settlement terms or judicial determination. The bill also makes it easier for a private property owner to challenge a local regulation burdening his or her property.

Additionally, when a local government is poised to impose an exaction upon private property, the bill allows the property owner to sue without having to wait for written notice of the exaction.

HB 519 will now go to the Senate for consideration.

AIF supports private property rights which create a prosperous business climate in Florida.