

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 22, 2021

ECONOMIC DEVELOPMENT

HB 1239 – Relating to Broadband Internet Infrastructure

On Monday, March 22, [HB 1239](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Tourism, Infrastructure & Energy Subcommittee and was reported favorable with 15 yeas and 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill provides a procedure for access by broadband providers for attachments to utility poles of municipal electric utilities. It provides for the adoption of rates, terms, and conditions for the access to the poles consistent with federal requirements for pole attachments. Additionally, the bill provides a sales tax exemption for equipment purchased, leased, or sold in Florida for use by providers of telecommunications services and providers of Internet access service. The bill also states that existing pole attachment agreements must be renegotiated at the request of either party to bring the agreement in compliance with the bill and disputes must be adjudicated in circuit court.

HB 1239 will now go to the House Ways & Means Committee.

AIF supports increased access to broadband internet as quality connectivity has become imperative to business operations across the state, especially during a time when so many businesses are operating remotely.

EMPLOYERS

SB 912 – Relating to Tolling and Extension of Permits and Other Authorizations During States of Emergency

On Monday, March 22, [SB 912](#) by Senator Ben Albritton (R-Bartow) was heard by the Senate Environment and Natural Resources Committee and was reported favorable with 6 yeas and 0

nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill adds certain permits and development agreements, including consumptive use permits and local government development agreements, to the current emergency tolling statute. The tolling statute allows for the tolling of the time of the state of emergency plus an additional six months. For example, if a state of emergency is declared for a hurricane that lasts for two months, at the end of the state of emergency, a permit holding entity can exercise the tolling option and receive those two months back to the permitted time allotment and add on an additional six months. The bill is retroactive to include the entirety of the COVID-19 state of emergency.

SB 912 will now go to the Senate Rules Committee.

AIF supports legislation that prevents Florida businesses from being penalized on permitted time due to a state of emergency that is out of their control. Economic recovery after an emergency is imperative and businesses drive recovery via employment and production, none of which is possible if an operating permit has expired.

LEGAL & JUDICIAL

SB 1734 - Relating to Consumer Data Privacy

On Monday, March 22, [SB 1734](#) by Senator Jennifer Bradley (R-Orange Park) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 10 yeas and 1 nay.

AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this legislation and stood in support of Amendments 122682 and 589178.

The bill gives consumers certain rights related to personal information collected by a business. It requires businesses to comply with consumer requests on stored information and make the information available on the businesses' website. The bill allows the Department of Legal Affairs to bring an action against, and collect civil penalties from, a business who violates these requirements. Consumers whose personal information is the subject of a data breach may also bring a cause of action against the business.

The bill also creates a new private civil cause of action that will open up employers to class action lawsuits.

SB 1734 will now go to the Senate Appropriations Committee.

AIF opposes legislation that imposes onerous mandates on private businesses. This legislation will negatively impact businesses that have more than 137 website visitors per day and/or any business that processes 14 credit card transactions per hour, annually. This legislation casts a wide net that will catch and harm small businesses that drive Florida's economy.

SB 402 – Relating to Public Notice and Voting Rights Restoration Database

On Monday, March 22, [SB 402](#) by Senator Ray Rodrigues (R-Estero) was heard by the Senate Judiciary Committee and was reported favorable with 8 yeas and 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this legislation.**

The Florida Constitution requires that public notice be given for meetings at which official acts are to be taken or where public business is to be conducted. All meetings of a county, municipality, school board, or special district at which official acts are to be taken or at which public business is to be discussed or transacted must be open to the public and notice must be given. All legal notices and publications must be made in a newspaper that meets the following qualifications:

- Published at least once a week;
- At least 25% of its words are in English;
- For sale to the general public; and
- Contains information of interest or value to the general public in the affected area.

The bill would allow a governmental agency the option to deviate from print and publish legally required advertisements and notices, such as impending sale of real property, on a publicly accessible website.

SB 402 will now go to the Senate Appropriations Subcommittee on Criminal and Civil Justice.

AIF opposes internet-only public notice, as it eliminates the wide net created by print media and the internet combined. Webpages are present one day and gone the next; the internet is an inherently unreliable platform for critical information.

SB 1876 – Relating to Governmental Actions Affecting Private Property Rights

On Monday, March 22, [SB 1876](#) by Senator Ben Albritton (R-Bartow) was heard by the Senate Judiciary Committee and was reported favorable with 7 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation and Amendment 296194.**

The bill amends the Bert J. Harris, Jr., Private Property Rights Protection Act and the Florida Land Use and Environmental Dispute Resolution Act. Both acts provide procedures and remedies to land owners whose property is inordinately burdened by a local government regulation.

SB 1876 will now go to the Senate Community Affairs Committee.

AIF supports legislation that protects the rights of Florida property owners and the businesses unnecessarily burdened by government overreach.