

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 3, 2021

LEGAL & JUDICIAL

SB 74 - Relating to COVID-19-Related Claims Against Health Care Providers

On Wednesday, March 3, [SB 74](#) by Senator Jeff Brandes (R-St. Petersburg) was heard by the Senate Health Policy Committee and was reported favorable with 5 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this legislation.**

This bill limits civil claims against health care providers related to the COVID-19 pandemic and requires that the initial complaint in a COVID-19-related lawsuit be pled with particularity. The trial court must dismiss a case if not pled with particularity. The bill requires the claimant to prove that the health care provider was grossly negligent or engaged in intentional misconduct in failing to substantially comply with government health standards or guidance, in interpreting or applying the standards or guidance, or in the provision of a novel or experimental treatment. Additionally, a health care provider is immune from civil liability if supplies or personnel were not readily available to comply with the standards or guidance. A COVID-19-related claim against a health care provider must be commenced within 1 year.

SB 74 will now go to the Senate Rules Committee.

AIF supports legislation that protects the Florida health care community, who has been on the frontline during this pandemic, from frivolous and costly litigation by plaintiffs suing to settle.

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

On Wednesday, March 3, [SB 912](#) by Senator Ben Albritton (R-Bartow) was heard by the Senate Community Affairs Committee and was reported favorable with 9 yeas and 0 nays. **AIF 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 Environment and Natural Resources 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.

TRANSPORTATION

SB 100 – Relating to Highway Projects

On Wednesday, March 3, [SB 100](#) by Senator Gayle Harrell (R-Stuart) was heard by the Senate Transportation Committee and was reported favorable with 5 yeas and 3 nays. **AIF stood in support of this legislation.**

This bill repeals the Multi-use Corridors of Regional Economic Significance (M-CORES) Program but retains the associated funding within the State Transportation Trust Fund. The bill draws on the recommendations of the M-CORES task forces and prioritizes strategic improvements to existing highway facilities. The bill builds on a primary focus of the M-CORES task forces to maximize the use of existing facilities to evaluate existing roadways or portions of existing roadways for development, upgrades, and improvements.

SB 100 will now go to the Senate Appropriations Committee.

AIF supports efforts to reassess and update Florida’s existing roadway infrastructure that businesses rely on to move products and resources which further drives economic development in the state.