

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 4, 2021

AGRICULTURE

SB 88 - Relating to Farming Operations

On Thursday, March 4, [SB 88](#) by Senator Jason Brodeur (R-Sanford) was heard by the Senate Rules Committee and was reported favorable with 14 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill amends and strengthens the Florida Right to Farm Act, which is intended to protect reasonable agricultural activities conducted on farmland from nuisance lawsuits. The bill provides stronger liability protections to farms that comply with best management practices and environmental regulations, and:

- Adds Agritourism to the list of practices protected by the Right to Farm Act;
- Institutes parameters regarding punitive and compensatory damages; and
- Limits eligibility to file a lawsuit to individuals located within one half mile of the activity.

SB 88 will now go to the Senate floor for consideration.

AIF supports legislation that protects Florida's farmers and helps to eradicate bad faith litigation which drives up the cost of doing business, insurance rates, and negatively affects those providing food and resources to the state.

LEGAL & JUDICIAL

HB 7 - Relating to Civil Liability for Damages Relating to COVID-19

On Thursday, March 4, [HB 7](#) by Representative Lawrence McClure (R-Plant City) was read a second time on the House floor.

The bill provides civil immunity from COVID-19 liability to businesses, educational institutions, religious institutions, governmental entities, and other covered entities that acted in good faith during the COVID-19 pandemic. The bill protects reasonably acting entities and institutions so that

they can predict their COVID-19-related litigation risks, remain viable, and continue to contribute to the state's well-being.

HB 7 was rolled to third reading where it will be voted on by the House.

AIF supports legislation that protects the Florida business community from frivolous and costly litigation by plaintiffs suing to settle that drives up the cost of doing business and deters further economic growth in the state.

TAXATION

SB 50 – Relating to Sales and Use Tax

On Thursday, March 4, [SB 50](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Appropriations Committee and was reported favorable 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 marketplace providers and out-of-state retailers with no physical presence in Florida (such as online retailers) to collect Florida's sales tax on sales of taxable items delivered to purchasers in Florida if the marketplace provider or out-of-state retailer makes a substantial number of sales into Florida. A substantial number of remote sales means conducting any number of taxable remote sales in an amount exceeding \$100,000 during the previous calendar year.

SB 50 will now go to the Senate floor for consideration.

AIF supports legislation that provides a level playing field for Florida's brick and mortar stores and online retailers.

TRANSPORTATION

SB 578 – Relating to Marina Evacuations

On Thursday, March 4, [SB 758](#) by Senator Tom Wright (R-Port Orange) was heard by the Senate Rules Committee and was reported favorable with 16 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill prohibits, upon the issuance of a hurricane watch that affects marinas located in a deep-water seaport, vessels under 500 gross tons from remaining in the waters of marinas that have

been deemed not suitable for refuge during a hurricane. The bill requires that vessel owners promptly remove their vessels from the waterways upon issuance of an evacuation order by the deep-water seaport. Additionally, the bill grants the marina owner, operator, employee, or agent the right to remove vessels that have not been removed by the vessel owner. The bill also shields the marina from liability concerning the movement of the vessel.

SB 578 will now go to the Senate floor for consideration.

AIF supports legislative efforts that protect Florida's seaport operators in the event of a hurricane. Florida's seaports are vitally important to economic development in the state and abroad and derelict vessels must not burden business operations in our ports.