

# DAILY BRIEF

*For the 2021 Legislative Session*



**FROM APRIL 28, 2021**

## **INSURANCE**

### **SB 76 - Relating to Property Insurance**

On Wednesday, April 28, [SB 76](#) by Senator Jim Boyd (R-Bradenton) was read a third time on the House floor and passed with 74 yeas and 43 nays.

The bill makes various changes to address issues related to property insurance policies, claims, and litigation. The bill:

- Adjusts the claim filing deadline to 2 years after the date of loss; applies to hurricanes and other perils; and
- Requires a pre-suit notice of intent to initiate litigation be served at least 10 days before filing suit and requires the notice to specify the reason for the suit, the demand, and the amount of reasonable attorney fees incurred by the claimant.

SB 76 will now go back to the Senate floor for consideration.

**AIF supports legislative efforts that prevent unscrupulous actors from taking advantage of property insurance disputes which keeps insurance rates low and allows growth in Florida businesses.**

## **LEGAL & JUDICIAL**

### **HB 969 & SB 1734 - Relating to Consumer Data Privacy**

On Wednesday, April 28, [HB 969](#) by Representative Fiona McFarland (R-Sarasota) was substituted on the Senate floor for [SB 1734](#) by Senator Jennifer Bradley (R-Orange Park), was amended on second reading, and was rolled to third reading.

The amended bill gives consumers certain rights related to personal information collected by a business that controls the processing of personal information of 100,000 or more consumers, or 25,000 consumers and derives over 50% of revenue from selling the information. 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.

To businesses, the bill has an estimated total cost of compliance of \$36.5 billion.

HB 969 will now be read a third time on the Senate floor and receive votes.

**While the bill is moving in the right direction, AIF still has concerns with the cost of compliance on Florida businesses.**

## TRANSPORTATION

### SB 566 – Relating to Motor Vehicle Rentals

On Wednesday, April 28, [SB 566](#) by Senator Keith Perry (R-Gainesville) was read a third time on the House floor and passed with 101 yeas and 15 nays.

A person renting a car in Florida is levied a \$2 per day rental car surcharge. The 6% sales tax is also due on the transaction. Peer-to-peer car sharing programs are app-based platforms where owners list and rent out their personal vehicle. However, these businesses are not collecting the rental car surcharge or the 6% sales tax which is already due in Florida. The proceeds from the rental car surcharge paid by consumers who rent vehicles builds and maintains the state's infrastructure, which is very important to Florida businesses statewide.

The bill clarifies that rental transactions made on peer-to-peer car sharing platforms are subject to a \$1 per day surcharge and sales taxes. It also establishes operational and insurance requirements for peer-to-peer vehicle sharing programs to protect consumers.

SB 566 will now go to the Governor.

**AIF supports the proposed measures in this bill to hold all rental car services accountable, regardless of how the vehicle is accessed.**