

DAILY BRIEF

For the 2021 Legislative Session



FROM APRIL 29, 2021

LEGAL & JUDICIAL

HB 969 – Relating to Consumer Data Privacy

On Thursday, April 29, [HB 969](#) by Representative Fiona McFarland (R-Sarasota) was read a third time on the Senate floor and passed with 29 yeas and 11 nays.

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 go back to the House floor for consideration.

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

HB 35 & SB 402 – Relating to Legal Notices

On Thursday, April 29, [HB 35](#) by Representative Randy Fine (R-Palm Bay) was substituted for [SB 402](#) by Senator Ray Rodrigues (R-Fort Meyers) on the Senate floor and passed with 39 yeas and 0 nays.

Also on Thursday, HB 35 was read a third time on the House floor and passed with 105 yeas and 9 nays.

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;
- Available 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.

HB 35 will now go to the Governor.

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.