

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 9, 2021

ECONOMIC DEVELOPMENT

SB 1592 – Relating to Broadband Internet Infrastructure

On Tuesday, March 9, [SB 1592](#) by Senator Danny Burgess (R-Zephyrhills) was heard by the Senate Regulated Industries Committee and was reported favorable with 9 yeas and 0 nays. **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 prohibits municipal electric utilities from preventing broadband providers from using certain techniques and equipment in the installation of attachments which are done in accordance with established safety standards. The bill also prevents municipal electric utilities from requiring a broadband provider to comply with pole attachment specifications that exceed existing codes standards.

SB 1592 will now go to the Senate Finance and Tax 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.

SB 148 – Relating to Beverage Law

On Tuesday, March 9, [SB 148](#) by Senator Jennifer Bradley (R-Orange Park) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 11 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Under current law, qualifying restaurants may be licensed to sell beer, wine, and liquor for consumption on the premises only. This bill repeals the prohibition of sale for off-premises

consumption of alcohol, thereby allowing restaurants to sell sealed containers of “alcohol-to-go” in conjunction with the sale of food on the same order.

SB 148 will now go to the Senate Rules Committee.

AIF supports legislation removing antiquated regulations on restaurant and lodging establishments to encourage the development of new businesses and increase the financial success of existing businesses, especially during the pandemic.

HB 859 – Relating to Expiration of Permits and Agreements During Natural Emergencies

On Tuesday, March 9, [HB 859](#) by Representative Michael Grant (R-Port Charlotte) was heard by the House Pandemics and Public Emergencies Committee and was reported favorable with 16 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.

HB 859 will now go to the House Commerce 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.

ENERGY

SB 856 – Relating to State Preemption of Energy Infrastructure Regulations

On Tuesday, March 9, [SB 856](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Regulated Industries Committee and was reported favorable with 7 yeas and 2 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill centralizes energy infrastructure regulation by expressly preempting energy infrastructure regulation to the state. The bill prohibits local governments from implementing any law, ordinance, regulation, policy, or resolution that prohibits, restricts, or requires the construction of new energy infrastructure or the expansion, upgrading, or repair of existing energy infrastructure, or imposing any requirement regulating energy infrastructure that is more stringent than state law or rule. The bill voids any regulations enacted before the effective date of July 1, 2021.

SB 856 will now go to the Senate Community Affairs Committee.

AIF supports legislation that removes onerous regulations on Florida businesses that will streamline operations and allow these entities to operate on a statewide regulation basis rather than a patchwork of local ordinances.

HB 839 – Relating to State Preemption of Energy Infrastructure Regulation

On Tuesday, March 9, [HB 839](#) by Representative Tom Fabricio (R-Hialeah) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 12 yeas and 6 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill preempts the regulation of transportation energy infrastructure to the state, and specifies that any existing or future law, ordinance, regulation, policy, or resolution that is contrary to the preemption is void. Specifically, the bill prohibits local governments from:

- Adopting or implementing any law, ordinance, regulation, policy, or resolution that has the effect of prohibiting, restricting, or requiring, the construction of new transportation energy infrastructure or the expansion, upgrading, or repair of existing transportation energy infrastructure;
- Imposing any requirement regulating transportation energy infrastructure that is more stringent than state law or Department of Environmental Protection (DEP) rule;
- Amending its comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with an existing transportation energy infrastructure classification as a permitted and allowable use;
- Imposing transportation energy infrastructure requirements that are more stringent than state law or DEP rule.

HB 839 will now go to the House Local Administration and Veterans Affairs Subcommittee.

AIF supports legislation that removes onerous regulations on Florida businesses that will streamline operations and allow these entities to operate on a statewide regulation basis rather than a patchwork of local ordinances.

SB 1128 – Relating to Preemption on Restriction of Utility Services

On Tuesday, March 9, [SB 1128](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Regulated Industries Committee and was reported favorable with 8 yeas and 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill preempts municipalities, counties, special districts, or other political subdivisions from restricting utility service choice, irrespective of fuel source. The bill prohibits these entities from enacting or enforcing any resolutions, ordinances, rules, codes, or policies that restrict a property owner, tenant, or utility service customer’s choice of utility service type from a utility service provider that serves the affected property.

SB 1128 will now go to the Senate Community Affairs Committee.

AIF supports legislation that enhances free market decisions by consumers and allows Florida businesses equal opportunity to serve and operate in the various corners of the state.

INSURANCE

SB 76 – Relating to Residential Property Insurance

On Tuesday, March 9, [SB 76](#) by Senator Jim Boyd (R-Bradenton) was heard by the Senate Judiciary Committee and was reported favorable with 7 yeas and 3 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

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

- Provides federal standard for award of contingency fee multipliers under property insurance policies;
- 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 60 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 to the Senate Rules Committee.

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

SB 846 – Relating to Medical Expenses

On Tuesday, March 9, [SB 846](#) by Senator Jeff Brandes (R-St. Petersburg) was heard by the Senate Judiciary Committee and was reported favorable with 7 yeas and 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill significantly alters the current method of proving medical cost damages at trial. The bill limits the scope of evidence that is admitted to prove past paid and unpaid medical charges in a personal injury or wrongful death lawsuit. To prove past paid medical expenses that have been satisfied, evidence is limited to the amount paid. The damages that may be recovered by a plaintiff for the cost or value of medical services provided may not exceed the sum of the amounts paid to the health care provider and any amounts necessary to satisfy charges that have been incurred but remain unpaid.

SB 846 will now go to the Senate Health Policy Committee.

AIF supports legislation that creates transparency around medical expenses thereby reducing the costs of health care and insurance while increasing access to care for all Floridians.

TAXATION

SB 982 – Relating to Tax Refund Program for Qualified Target Industry Businesses

On Tuesday, March 9, [SB 982](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 10 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The Qualified Target Industry (QTI) Tax Refund Program was created by the Legislature to encourage the creation and retention of high-quality, high-wage jobs by providing a state grant

equal to the amount paid for certain state and local taxes to eligible businesses creating jobs in target industries. The bill reauthorizes the QTI Tax Refund Program by repealing the June 30, 2020 deadline for applicants to be certified for the program.

SB 982 will now go to the Senate Finance and Tax Committee.

AIF supports QTI legislation that encourages economic investment in Florida, creates additional jobs, and will continue to drive Florida's business friendly climate.

TRANSPORTATION

HB 223 – Relating to Marina Evacuations

On Tuesday, March 9, [HB 223](#) by Representative Rene Plasencia (R-Titusville) was heard by the House Pandemics and Public Emergencies Committee and was reported favorable with 15 yeas and 3 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.

HB 223 will now go to the House State Affairs Committee.

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.