

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 11, 2021

AGRICULTURE

SB 88 - Relating to Farming Operations

On Thursday, March 11, [SB 88](#) by Senator Jason Brodeur (R-Sanford) was read a second time on the Senate floor and was amended.

The 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 and was placed on third reading where it will be voted on by the Senate.

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.

ENERGY

HB 919 - Relating to Preemption Over Restriction of Utility Services

On Thursday, March 11, [HB 919](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 16 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 of the state from restricting utility service choice, regardless 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.

HB 919 will now go to the House Local Administration and Veterans Affairs Subcommittee.

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.

LEGAL & JUDICIAL

SB 72 – Relating to Civil Liability for Damages Relating to COVID-19

On Thursday, March 11, [SB 72](#) by Senator Jeff Brandes (R-St. Petersburg) was heard by the Senate Rules Committee and was reported favorable with 10 yeas and 5 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation and in support of Amendment 149800.**

In committee, Amendment 149800 by Senator Brandes amended the bill to include provisions from SB 74, Relating to COVID-19-Related Claims Against Health Care Providers, to provide civil liability protections for health care providers as well. **AIF supported SB 74 throughout the committee process.**

The bill provides civil immunity from COVID-19 liability to businesses, educational institutions, religious institutions, governmental entities, health care providers, 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.

SB 72 will now go to the Senate floor for consideration.

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

HB 15 – Relating to Sales and Use Tax

On Thursday, March 11, [HB 15](#) by Representative Chuck Clemons (R-Jonesville) was heard by the House Ways and Means Committee and was reported favorable with 16 yeas and 2 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.

HB 15 will now go to the House Commerce Committee.

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