

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 16, 2021

ECONOMIC DEVELOPMENT

HB 329 – Relating to Alcoholic Beverage Licenses

On Tuesday, March 16, [HB 329](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Commerce Committee and was reported favorable with 23 yeas and 1 nay. **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:41

- Allows restaurants to sell or deliver alcoholic beverages to-go in a sealed container if accompanied by food;
- Allows restaurant patrons to take home a partially consumed bottle of wine with the purchase of a meal;
- Allows a restaurant licensed to sell wine to sell or deliver individual servings of wine and wine-based beverages in a sealed container if accompanied by food;
- Removes the “full course” part of the meal requirement for taking home an unfinished bottle of wine; and
- Allows bars to sell or deliver individual servings of liquor, or liquor-based beverages in a container sealed by the licensee if accompanied by food.

HB 329 will now go to the House floor for consideration.

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.

ENERGY

SB 856 – Relating to State Preemption of Transportation Energy Infrastructure Regulations

On Tuesday, March 16, [SB 856](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Community Affairs Committee and was reported favorable with 6 yeas and 3 nays. **AIF's Legislative Affairs Assistant, BD Jogerst, 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 Rules 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.

SB 1128 – Relating to Preemption on Restriction of Utility Services

On Tuesday, March 16, [SB 1128](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Community Affairs Committee and was reported favorable with 9 yeas and 0 nays. **AIF's Legislative Affairs Assistant, BD Jogerst, stood in support of this legislation.**

The bill preempts municipalities, counties, special districts, or other political subdivisions 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 that serves the affected property.

SB 1128 will now go to the Senate Rules 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.

TRANSPORTATION

HB 365 – Relating to Motor Vehicle Rentals

On Tuesday, March 16, [HB 365](#) by Representative Michael Caruso (R-Boca Raton) was heard by the House Tourism, Infrastructure & Energy Subcommittee and was reported favorable with 13 yeas and 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

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 the surcharge and sales taxes. It also establishes operational and insurance requirements for peer-to-peer vehicle sharing programs to protect consumers.

HB 365 will now go to the House Ways & Means Committee.

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