

INTERIM UPDATE



FROM FEBRUARY 19, 2021

AGRICULTURE

SB 88 – Relating to Farming Operations

On Monday, February 15, [SB 88](#) by Senator Jason Brodeur (R-Sanford) was heard by the Senate Environment and Natural Resources Committee and was reported favorable with 4 yeas and 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This 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 caps on attorney fees for punitive and compensatory damages; and
- Limits eligibility to file a lawsuit to individuals located within one half mile of the activity.

SB 88 will now go to the Senate Rules Committee.

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.

ECONOMIC DEVELOPMENT

SB 704 – Relating to Entertainment Industry

On Monday, February 15, [SB 704](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 9 yeas and 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill creates the Film, Television, and Digital Media Targeted Rebate Program within the Department of Economic Opportunity to broaden the entertainment industry's impact on the state, enhance tourism, and encourage more family-friendly productions to be produced in Florida. The program gives rebates on qualified expenditures to film, television, and digital media production projects that employ a crew of which at least 60% are Florida residents and spend at least 70% of their production days in Florida. A certified project may only receive a grant after it has completed production and the Office of Film and Entertainment have verified its expenditures.

SB 704 will now go to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

AIF supports the Entertainment Tax Credit Program due to the jobs a more robust film industry would produce in the state of Florida.

SB 778 – Relating to Florida Tourism Marketing

On Monday, February 15, [SB 778](#) by Senator Ed Hooper (R-Palm Harbor) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 10 yeas and 1 nay. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

VISIT FLORIDA is the name for the Florida Tourism Industry Marketing Corporation, a non-profit that serves as Florida's statewide destination marketing organization and represents the state's tourism industry. This bill permits VISIT FLORIDA to carry forward any unexpended state appropriations into succeeding fiscal years. The bill also removes the scheduled repeal date of October 1, 2023, for both VISIT FLORIDA and the Division of Tourism Marketing within Enterprise Florida.

SB 778 will now go to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

AIF supports investment in building a world-class marketing engine with top talent, analytics, and funding that develops and executes data-driven branding strategies to bolster tourism and further the economic growth of Florida.

SB 148 – Relating to Beverage Law

On Tuesday, February 16, [SB 148](#) by Senator Jennifer Bradley (R-Orange Park) 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.**

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 Commerce and Tourism 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.

SB 510 – Relating to State Funds

On Thursday, February 18, [SB 510](#) by Senator Ed Hooper (R-Palm Harbor) was heard by the Senate Finance and Tax Committee and was reported favorable with 7 yeas and 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill exempts the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature to transfer unappropriated cash balances to the Budget Stabilization Fund and General Revenue Fund.

SB 510 will now go to the Senate Appropriations Committee.

AIF supports legislation that shields funding allocated for the development of affordable housing which enables communities to grow, businesses to hire local workers, and continued economic growth in the state.

HB 329 – Relating to Alcoholic Beverage Licenses

On Thursday, February 18, [HB 329](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Regulatory Reform Subcommittee and was reported favorable with 14 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 :

- 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 wine bottles, 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 liquor bottles, individual servings of liquor, or liquor-based beverages in a sealed container if accompanied by food.

HB 329 will now go to the House Commerce 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.

HEALTH CARE

SB 58 – Relating to Hospitals’ Community Benefit Reporting

On Thursday, February 18, [SB 58](#) by Senator Ana Maria Rodriguez (R-Doral) was heard by the Senate Finance and Tax Committee and was reported favorable with 7 yeas and 1 nay. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Florida’s constitution grants various exemptions that exempt all or part of a property’s assessed value from taxation, including exemptions for charitable purposes by hospitals.

This bill repeals the requirement for charitable hospitals to submit to the Department of Revenue the amount of community benefit expense the hospital reported to the IRS. If the hospital’s net community benefit expense does not equal or exceed the value of its tax exemption for two consecutive years, the Department of Revenue will notify the property appraiser to limit the hospital’s property tax exemption to the value of the hospital’s community benefit expense.

SB 58 will now go to the Senate Appropriations Committee.

AIF supports removing unnecessary and burdensome administrative regulations that will allow health care providers to redirect resources and continue to provide greater access to care.

LEGAL & JUDICIAL

HB 7 – Relating to Civil Liability for Damages Relating to COVID-19

On Tuesday, February 16, [HB 7](#) by Representative Lawrence McClure (R-Plant City) was heard by the House Judiciary Committee and was reported favorable with 14 yeas and 7 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this legislation.**

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

HB 7 will now go to the House floor for consideration.

AIF supports legislation that protects the Florida business community from frivolous and costly litigation by plaintiffs suing to settle.

Proposed Committee Bill HHS1 – Relating to Health Care Civil Liability

On Wednesday, February 17, PCB HHS1, sponsored and heard by the House Health & Human Services Committee, was reported favorable with 17 yeas and 3 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this legislation.**

PCB HHS1 provides heightened liability protections to health care providers for negligence claims by patients and residents arising under the existing laws that govern medical malpractice and long-term care facilities related to:

- Contracting COVID-19;
- Injury due to delay or omission in scheduling surgery or an act or omission in providing care for a medical condition due to a lack of resources caused by COVID-19;
- Novel or experimental COVID-19 treatment given to a COVID-19 patient; or
- Treatment of a COVID-19 patient whose injuries were related to an exacerbation of pre-existing conditions by COVID-19.

PCB HHS1 will now be assigned a bill number and receive committee references.

AIF supports legislation that protects the Florida health care community, who has been on the frontline during this pandemic, from frivolous and costly litigation by plaintiffs suing to settle.

TAXATION

SB 598 – Relating to Back-to-School Sales Tax Holiday

On Monday, February 15, [SB 598](#) by Senator Keith Perry (R-Gainesville) 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.**

This bill establishes a 10-day “back-to-school” sales tax holiday from Friday, July 30 to Sunday, August 8, 2021, for certain clothing, school supplies, personal computers, and personal computer-related accessories.

SB 598 will now go to the Senate Finance and Tax Committee.

AIF supports legislative actions that reduce taxes on consumers and allows further growth and employment opportunities for Florida businesses.

SB 734 – Relating to Sales Tax Holiday for Disaster Preparedness Supplies

On Monday, February 15, [SB 734](#) by Senator Joe Gruters (R-Sarasota) 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.**

This bill establishes a 17-day “disaster preparedness” sales tax holiday, from Friday, May 28, to Sunday, June 13, 2021, for certain disaster preparedness supplies such as radios, tarps, and other disaster supplies.

SB 734 will now go to the Senate Finance and Tax Committee.

AIF supports legislation that reduces taxes and provides Floridians with a preparedness tax exemption encouraging them to protect their assets against potential destruction.

SB 50 – Relating to Sales and Use Tax

On Thursday, February 18, [SB 50](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Finance and Tax Committee and was reported favorable with 8 yeas and 0 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.

SB 50 will now go to the Senate Appropriations Committee.

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

TRANSPORTATION

HB 57 - Relating to Transportation

On Wednesday, February 17, [HB 57](#) by Representative Alex Andrade (R-Pensacola) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 18 yeas and 0 nays. **AIF stood in support of this legislation.**

Representative Andrade offered a strike-all amendment, which was adopted. The amended bill would create statutory provisions to increase safety for road construction workers on our state's highways, allow larger Personal Delivery Devices to deliver packages within the state, makes changes to the State Arbitration Board, allow airports and seaports to have certifications for design-build projects and expands the ability for innovative design projects on road resurfacing projects.

HB 57 will now go to the House Tourism, Infrastructure & Energy Subcommittee.

AIF supports legislation that will improve the quality of life for Floridians through innovation, streamlining and increased safety in Florida's transportation systems.