

INTERIM UPDATE



FROM FEBRUARY 10, 2021

ECONOMIC DEVELOPMENT

SB 78 – Relating to Dues and Uniform Assessments

On Wednesday, February 10, [SB 78](#) was heard by the Senate Judiciary Committee and was reported favorable with 6 yeas and 4 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The State Constitution of Florida forbids an employer from denying citizens the right to work based on membership or non-membership in any employee organization. This bill requires an employee wanting to join a union to submit a signed membership authorization form and the union must revoke the membership if the employee submits a signed request for revocation. The union may not require a reason for the employee’s decision to revoke membership.

The bill also requires an employee to submit a signed dues deduction form before an employer may deduct union dues from an employee’s pay. The employer must confirm with the employee that the employee authorized the deduction.

SB 78 will now go to the Senate Rules Committee.

AIF supports legislation that helps Florida compete for and protect workers and further enhances the economic development in the state.

HB 73 – Relating to Malt Beverage Advertising Agreements

On Wednesday, February 10, [HB 73](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Regulatory Reform Subcommittee and was reported favorable with 9 yeas and 8 nays. **AIF’s Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

Florida’s “Tied House Evil Law,” prohibits a manufacturer or distributor of alcoholic beverages from having a financial interest in the establishment or business of a licensed vendor, and prohibits a manufacturer or distributor from giving gifts, loans, property, or rebates to retail vendors.

This bill provides that a manufacturer or importer of malt beverages and a vendor may enter into a written agreement for brand-naming rights and associated advertising if, among others:

- The agreement is negotiated at arm's length for no more than fair market value;
- The vendor operates places of business where consumption on the premises is permitted;
- The premises are located within a theme park complex that is owned, managed, controlled, and operated by the vendor;
- At least 1 million visitors annually pay admission fees to the theme park complex;
- The vendor, as a result of the agreement, does not give preferential treatment to the alcoholic beverage brand(s) of the manufacturer or importer; and
- The agreement does not limit, directly or indirectly, the sale of alcoholic beverages of another manufacturer, importer or distributor.

HB 73 will now go to the House Commerce Committee.

AIF supports legislative efforts to revise outdated laws that impose burdens and restrictions on any sector of the business community, including vendors and distributors of malt beverages.

HEALTH CARE

SB 74 – Relating to COVID-19-Related Claims Against Health Care Providers

On Wednesday, February 10, [SB 74](#) by Senator Jeff Brandes (R-St. Petersburg) was heard by the Senate Judiciary Committee and was reported favorable with 6 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in support of this legislation and stood in opposition to the four amendments below that had negative impacts on the underlying bill.**

Amendment 549454 by Senator Polsky would get rid of the protections provided on lines 184 – 188 offered “if supplies, materials, equipment, or personnel necessary to comply with the applicable government-issued health standards or guidance at issue were not readily available.”

Amendment 741454 by Senator Polsky would get rid of the “grossly negligent” and “intentional misconduct” provisions.

Amendment 788120 by Senator Rouson would get rid of the one-year statute of limitations. Senator Rouson's amendment would essentially provide for a two-year statute of limitations.

Amendment 924394 by Senator Thurston removes the immunity provisions if a facility has been cited by a state or federal agency for one or more infection prevention and control deficiencies during the previous 3 years preceding the date of the state Surgeon General's declaration of a state public health emergency.

This bill limits civil claims against health care providers related to the COVID-19 pandemic and requires that the initial complaint in a COVID-19-related lawsuit be pled with particularity. The trial court must dismiss a case if not pled with particularity. The bill requires the claimant to prove that the health care provider was grossly negligent or engaged in intentional misconduct in failing to substantially comply with government health standards or guidance, in interpreting or applying the standards or guidance, or in the provision of a novel or experimental treatment. Additionally, a health care provider is immune from civil liability if supplies or personnel were not readily available to comply with the standards or guidance. A COVID-19-related claim against a health care provider must be commenced within 1 year.

SB 74 will now go to the Senate Health Policy Committee.

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