

WEEKLY UPDATE



For the 2022 Legislative Session

FROM JANUARY 28, 2021

BUSINESS REGULATION

SB 1564 – Relating to Telephone Solicitation

On Monday, January 24, [SB 1564](#) by Senator Travis Hutson (R-Palm Coast) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 10 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

In 2021, SB 1120 was passed and prevented telephonic sales calls using automated systems that select numbers *OR* the usage of automated systems that dial the numbers. This bill further clarifies that telephonic sales calls may not be made using automated number generators *AND* automated dialers, i.e., robocalls. The bill allows telephonic sales calls with human interaction and therefore clarifies the intent of the original 2021 bill to prevent robocalls.

SB 1564 will now go to the Senate Regulated Industries Committee.

AIF supports legislative efforts that address some of the issues created by the 2021 passage of SB 1120 dealing with telephone solicitation to allow businesses to use certain systems to conduct legitimate telephone solicitation.

SB 620 – Relating to Local Government

On Thursday, January 27, [SB 620](#) by Senator Travis Hutson (R-Palm Coast) was read a second and third time on the Senate floor and passed with 22 yeas and 14 nays.

The bill creates a cause of action for a business to sue a local government when the enactment or amendment of an ordinance or charter provision causes at least a 15% loss of profits to the business, if the business has been legally operating for at least 3 years preceding the ordinance.

SB 620 will now go to the House for consideration.

HB 569, the companion bill of SB 620, is in the House Local Administration and Veterans Affairs Subcommittee which is the second of three committee stops.

AIF supports legislation bolstering the rights of businesses to recoup undue losses at the hands of local governments to maintain a prosperous business climate in Florida.

SB 280 – Relating to Local Ordinances

On Thursday, January 27, [SB 280](#) by Senator Travis Hutson (R-Palm Coast) was read a second and third time on the Senate floor and passed with 28 yeas and 8 nays.

The bill pertains to the passage and challenging of local ordinances by affected businesses and requires counties and cities to produce a “business impact estimate” prior to passing an ordinance. The estimate must be published on the local government’s website and include information such as the proposed ordinance’s purpose, estimated economic impact on businesses, and compliance costs.

SB 280 will now go to the House for consideration.

[HB 403](#), the companion bill of SB 280, is in the House Civil Justice and Property Rights Subcommittee which is the second of three committee stops.

AIF supports legislation that grants businesses the right to challenge in court unjust and arbitrary local ordinances that create barriers to business which leads to jobs lost and a decelerated economy. Business is the lifeblood of Florida and owners deserve the right to protect their livelihood.

ECONOMIC DEVELOPMENT

SB 1878 – Relating to Capital Investment Tax Credit

On Monday, January 24, [SB 1878](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 8 yeas and 1 nay. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill expands an existing credit under the Capital Tax Credit (CITC) to include projects for the development or creation of intellectual property and creates an additional tax credit under the CITC relating to intellectual property projects. The new tax credit applies to qualifying businesses with intellectual property projects if one or more project is at least an aggregate of \$500 million over a 3-year period. The tax credit is calculated as 20% of the eligible wages, salaries, employer-

paid taxes and benefits, or other compensation paid to an individual generated by the qualifying project. The credit is granted against the state corporate income tax, the state sales tax, or both.

SB 1878 will now go to the Senate Finance and Tax Committee.

AIF supports legislative efforts to modernize the Capital Investment Tax Credit program to help Florida compete for sustainable high wage jobs for the development of leading-edge intellectual property projects.

HB 489 & SB 434 – Relating to Tourism Marketing

On Monday, January 24, [HB 489](#) by Representative Linda Chaney (R-St. Petersburg) was heard by the **House Commerce Committee** and was reported favorable with 17 yeas and 4 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

On Thursday, January 27, [SB 434](#) by Senator Ed Hooper (R-Palm Harbor) was heard by the Senate Appropriations Committee and was reported favorable with 19 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, 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. Under the House bill, the scheduled repeal date for VISIT FLORIDA and the Division of Tourism Marketing is extended from October 1, 2023, to October 1, 2028. The Senate version extends the repeal date to October 1, 2031.

HB 489 will now go to the House floor for consideration.

SB 434 will now go to the Senate floor for consideration.

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.

GENERAL GOVERNMENT

HB 943 – Relating to Preemption of Local Government Wage Mandates

On Tuesday, January 26, [HB 943](#) by Representative Joe Harding (R-Ocala) was heard by the House Local Administration and Veterans Affairs Subcommittee and was reported favorable with 10 yeas and 7 nays. **AIF's Legislative Affairs Assistant, BD Jogerst, stood in support of this legislation.**

The bill prohibits political subdivisions from enacting, maintaining, or enforcing any wage mandates in an amount greater than the state minimum wage rate calculated pursuant to the State Constitution, and provides that any wage mandates in conflict with the state minimum wage are void.

HB 943 will now go to the House Regulatory Reform Subcommittee.

AIF supports legislation that allows Florida businesses to adhere to state or federal wage requirements, thus eliminating onerous regulations set by municipalities.

HEALTH CARE

HB 931 – Relating to Alternate-site Testing

On Tuesday, January 25, [HB 931](#) by Representative Lawrence McClure (R-Plant City) was heard by the House Professions and Public Health Subcommittee and was reported favorable with 18 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

Currently, advanced practice registered nurses, registered nurses, licensed practical nurses, and licensed clinical laboratory personnel are permitted to perform testing at alternate-sites (lab testing under control of a hospital but not on-site) which allows for bedside, ER and operating room testing. A freestanding emergency department (FED) is a facility that receives individuals for emergency care and is structurally separate from a hospital. Only licensed clinical laboratory personnel may perform clinical laboratory testing in a FED. The bill exempts individuals who perform alternate-site testing outside of a central laboratory of a hospital or at a hospital-based, off campus emergency department from clinical laboratory personnel licensure requirements. This allows all individuals, not just licensed clinical laboratory personnel, to perform alternate-site testing within a hospital or in a FED.

HB 931 will now go to the House Health Care Appropriations Subcommittee.

AIF supports permitting registered nurses to perform moderately complex lab tests, outside of a clinical lab, but within a hospital department or an off-site hospital-based emergency department to ensure greater access to quality care.

INSURANCE

SB 468 – Relating to Insurance

On Thursday, January 27, [SB 468](#) by Senator Keith Perry (R-Gainesville) was heard by the Senate Appropriations Committee and was reported favorable with 18 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, spoke in opposition to Amendment 571360 which would have negatively impacted the underlying bill and was ultimately withdrawn.**

The bill amends several insurance related statutes to better clarify intent and fix insurance industry issues. Specifically, the Florida Catastrophe Fund is a state-run program that provides reinsurance coverage. Its capable management over the last decade has allowed Florida to benefit from this reinsurance backup without the need to resort to assessments on private insurance policies and this bill strengthens those protections.

SB 468 will now go to the Senate floor for consideration.

AIF supports maintaining the stability of the Florida Hurricane Catastrophe Fund.

LEGAL & JUDICIAL

HB 7021 – Relating to Covid-19-Related Claims Against Health Care Providers

On Wednesday, January 26, [HB 7021](#) by the House Health and Human Services Committee, was heard by the House Judiciary Committee and was reported favorable with 15 yeas and 5 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill extends the length of time that health care providers receive liability protections from COVID-19-related claims. According to legislation passed during the 2021 Legislative Session, liability protections from COVID-19-related claims apply to claims accruing within 1 year after the effective date of the act, which was March 29, 2022. The bill extends the application period of the liability protections, making them applicable to claims accruing before June 1, 2023. The net result of the bill is to extend the liability protections for about 14 months, from March 29, 2022, to June 1, 2023.

HB 7021 will now go to the House floor for consideration.

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

TELECOMMUNICATIONS

SB 1800 – Relating to Broadband Infrastructure

On Monday, January 24, [SB 1800](#) by Senator Jim Boyd (R-Bradenton) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 9 yeas and 0 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates the Broadband Pole Replacement Program, to be administered by the Office of Broadband within the Department of Economic Opportunity. The Program will reimburse eligible broadband Internet service providers for their costs incurred for the removal and replacement of existing utility poles in areas of Florida that are unserved by broadband Internet service.

SB 1800 will now go to the Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development.

AIF supports efforts to increase economic development in Florida’s rural areas by expanding access to broadband internet which allows residents to connect with employers and educators which in turn strengthens the workforce and access to high wage jobs.

SB 1802 – Relating to Broadband Pole Replacement Trust Fund

On Monday, January 24, On Monday, January 24, [SB 1802](#) by Senator Jim Boyd (R-Bradenton) was heard by the Senate Commerce and Tourism Committee and was reported favorable with 9 yeas and 0 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates the Broadband Pole Replacement Trust Fund within the Department of Economic Opportunity (DEO) and provides that the trust fund is established as a depository for funds appropriated by the Legislature, federal funds received from the Coronavirus Capital Projects Fund, funds transferred by DEO, interest earnings, grants, gifts, and other contributions made directly to the fund. The bill is linked to SB 1800 which creates the Broadband Pole Replacement Program within the Department’s Office of Broadband.

SB 1802 will now go to the Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development.

AIF supports efforts to increase economic development in Florida's rural areas by expanding access to broadband internet which allows residents to connect with employers and educators which in turn strengthens the workforce and access to high wage jobs.

TRANSPORTATION

HB 145 & SB 474 – Relating to Off-Highway Vehicle Weight Limits

On Monday, January 24, [HB 145](#) by Representative Brett Hage (R-Oxford) was heard by the House Commerce Committee and was reported favorable with 18 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

On Thursday, January 27, [SB 474](#) by Senator Keith Perry (R-Gainesville) was heard by the Senate Rules Committee and was reported favorable with 17 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

These bills increase the dry weight allowed for recreational off-highway vehicles (ROV) from 2,500lbs to 3,500lbs. This increase is necessary to allow for the development of electric powered ROVs because the battery components often weigh significantly more than internal combustion vehicles.

HB 145 will now go to the House floor for consideration.

SB 474 will now go to the Senate floor for consideration.

AIF supports legislation that encourages revisions to outdated regulations that bolster the business climate and drive competition for new and better products for Florida's businesses and consumers.