

# WEEKLY UPDATE



*For the 2022 Legislative Session*

**FROM MARCH 11, 2021**

The final week of the 2022 Legislative Session has come to an end. As is tradition, we saw bills revived and bills die. Of note, HB 9, *Consumer Data Privacy*, is officially dead and the business community can exhale. Although a priority bill for the Speaker of the House, AIF worked tirelessly for our members to ensure this bad piece of legislation did not decimate businesses with enormous compliance costs and frivolous litigation. While AIF supports commonsense protections for consumer data, HB 9 was a huge step in the wrong direction.

The House and Senate agreed on a record-breaking budget of more than \$112 billion, an increase of over \$11 billion from 2021. The budget was laid on the table on Thursday afternoon which began the 72-hour cooling off period before votes can be taken. Legislators will return to Tallahassee on Monday to vote on the budget which will officially bring the Session to a close.

Unfortunately, SB 1728 which addressed issues in the property insurance market died in the House. This bill was an AIF priority, and we will continue to advocate for meaningful insurance reform to lower rates and foster a great business climate in Florida.

SB 1374, written about in last week's weekly summary, passed both chambers and is on its way to the Governor's desk to be signed into law. The bill addresses health care staffing shortages by allowing nurses to provide clinical testing in facilities outside the grounds of a central laboratory or hospital. AIF proudly supported this bill to ensure Floridians have greater access to high-quality care, and now the bill is on its way to becoming law.

For more information about the last week of Session, keep reading below:

## **AGRICULTURE**

### **SB 1000 - Relating to Nutrient Application Rates**

On Monday, March 7, [SB 1000](#) by Senator Ben Albritton (R-Bartow) was read a second time on the House floor and was placed on third reading to be voted on.

On Tuesday, March 8, SB 1000 was read a third time on the House floor and passed with 110 yeas and 6 nays.

The bill provides a mechanism for agricultural producers to utilize “rate tailoring”, fertilizer application rates developed in concert with a 4R Certified Crop Advisor. In order to utilize the rate tailoring option, the producer has to be enrolled in the commodity appropriate Florida Department of Agriculture and Consumer Services Best Management Practices (BMP) manual. In addition, the legislation maintains the Presumption of Compliance for growers who are enrolled in the BMP program and utilizing rate tailoring

SB 1000 will now go to the Governor.

**AIF supports legislation which protects an agricultural producers’ enrollment in the Best Management Practices program while providing the ability to specifically tailor nutrient rates based upon variables such as crop variety, site-specific conditions, meteorological events, or pest and disease pressures.**

## **BUSINESS REGULATION**

### **SB 620 – Local Business Protection Act**

On Wednesday, March 9, [SB 620](#) by Senator Travis Hutson (R-Palm Coast) was read a third time on the House floor and passed with 69 yeas and 45 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 Governor.

**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.**

## **ECONOMIC DEVELOPMENT**

### **SB 434 – Relating to Florida Tourism Marketing**

On Tuesday, March 8, [SB 434](#) by Senator Ed Hooper (R-Palm Harbor) was received by the Senate from House messages, the Senate concurred with the House amendment, and the bill passed with 36 yeas and 3 nays.

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 amended bill, the scheduled repeal date for VISIT FLORIDA and the Division of Tourism Marketing is extended from October 1, 2023, to October 1, 2028.

SB 434 will now go to the Governor.

**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.**

## ENERGY

### HB 741 – Relating to Net Metering

On Monday, March 7, [HB 741](#) by Representative Lawrence McClure (R-Plant City) was read a third time on the Senate floor and passed with 24 yeas and 15 nays.

Net metering is a metering and billing methodology where customer-owned renewable generation (such as rooftop solar panels) is allowed to offset the customer's electricity consumption from utility providers. Under net metering, customers are credited for excess energy produced which flows back to the grid. A meter is used to record both electricity drawn from the grid and excess electricity that flows to the grid from the customer.

HB 741 will now go to the Governor.

**AIF supports legislation that allows Florida's utility providers to best serve the state and the businesses located here while reducing the financial burden passed on to the general customer base.**

## HEALTH CARE

### SB 1374 – Relating to Clinical Laboratory Testing

On Monday, March 7, [SB 1374](#) by Senator Ana Maria Rodriguez (R-Doral) was read a second time on the House floor and was placed on third reading to be voted on.

On Tuesday, March 8, SB 1374 was read a third time on the House floor and passed with 117 yeas and 0 nays.

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.

SB 1374 will now go to the Governor.

**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.**

## LEGAL & JUDICIAL

### HB 7049 – Relating to Legal Notices

On Tuesday, March 8, [HB 7049](#) by the House Judiciary Committee was heard by the Senate Rules Committee and was reported favorable with 9 yeas and 6 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, spoke in opposition to this legislation.**

On Thursday, March 10, HB 7049 was read a third time on the Senate floor and passed with 26 yeas and 13 nays. The House concurred with the Senate amendment and passed the bill with 79 yeas and 40 nays.

In 2021, the Florida Legislature passed legislation that modernized public notice. It was a collective piece of legislation that took input from a variety of stakeholders, including the business community, and, importantly, ensured businesses and individuals would not lose access to critical information gained from public notice – most especially regarding private property rights, including judicial notice of sale.

The bill gives a governmental agency the option to publish legal notices on a publicly accessible website instead of in a print newspaper, essentially repealing and replacing the legislation from last year which will negatively impact businesses.

HB 7049 will now go to the Governor.

**AIF opposes internet-only public notice, as it eliminates the wide net created by print media and the internet combined. Webpages are present one day and gone the next; the internet is an inherently unreliable platform for critical information.**