



DAILY BRIEF

Legislative Session



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FROM MAY 2, 2023

INFORMATION TECHNOLOGY

SB 262 – Technology Transparency

Today, [SB 262](#) was introduced on the House Floor and was substituted for HB 1547 by Representative Fiona McFarland. The bill was debated, amended, and teed up for a final vote on Wednesday, May 3rd.

The Senate altered the language of the bill last week that provided more business-friendly layers to the package that was similar to a recent Texas law that was passed. AIF stood in support of these changes but continued to express concerns with other significant provisions of the bill.

Today, the House adopted 2 amendments that removed the business-friendly layers passed by the Senate. AIF opposed these amendments. One amendment would make virtually any collection of information about a consumer, such as a photo, or a recording of a customer service call, an "unfair trade practice" with 50k penalties. The other amendment would reverse the Senate position that would not prevent targeted advertising as long as platforms do not utilize data gathered from non-affiliated websites.

The amended version of SB 262 will be placed on final passage in the House on Wednesday, May 3rd. It will then head to the Senate for further consideration.

AIF opposes legislation that places onerous regulatory burdens on Florida businesses and reduces the ability for businesses to effectively utilize online advertising.

EMPLOYMENT

SB 1718- Relating to Unlawful Immigration

Today, [SB 1718](#) passed the House by a vote of 83 yeas and 36 nays.

SB 1718 requires any employer with over 25 employees to use the electronic (E-Verify) system to validate if an employee is lawfully present in the United States.

SB 1718 will now go to the Governor for approval.

AIF opposes legislation that creates undue, burdensome regulations on Florida employers that causes a negative economic reaction on businesses as small as 25 employees. E-Verify is costly to operate and serves no purpose as the Federally mandated I-9 system is just as effective.

TELECOMMUNICATIONS

HB 761 – Relating to Telephone Solicitation

Today, [HB 761](#) passed the Senate by a vote of 29 yeas and 10 nays. Republican Senators Erin Grall and Jonathan Martin joined all but 1 Democrat in opposing the bill. The lone Democrat to support the bill was Senator Linda Stewart.

This legislation seeks to close a loophole created by a 2021 consumer protection bill that limited unsolicited telephone sales calls. While the 2021 bill has increased consumer protection, it has allowed for increased litigation on businesses contacting their customers for legitimate reasons.

By creating a definition of “automatic telephone dialing system” and inserting some clarifying language, HB 761 will prevent crafty plaintiff’s bar attorneys from suing businesses attempting to legitimately contact customers. This bill will not remove any consumer protections originally passed in 2021.

HB 761 will now go to the Governor for approval.

See AIF President & CEO Brewster Bevis's [Op-Ed in Florida Politics](#) today on the importance of passing HB 761.

AIF supports legislative efforts removing loopholes that help to enrich trial lawyers at the expense of businesses that produce goods and services on which all Floridians rely.

CIVIL JUSTICE

SB 1002 - Relating to Motor Vehicle Glass.

Today, [SB 1002](#) passed the House by a vote of 103 yeas and 16 nays.

This bill provides that a motor vehicle repair shop may not offer a customer a rebate, gift, gift card, cash, coupon, or other item of value in exchange for making an insurance claim for motor vehicle glass replacement or repair. The bill also prohibits the assignment of benefits for auto glass repairs.

SB 1002 will now go to the Governor for approval.

AIF supports efforts by the legislature to bring more transparency and fairness in the auto repair market between insurance providers and policy holders. Litigation should not be auctioned off frivolously when the alternative is better for the policy holder in the long run.

For more information on AIF's efforts relating to Tort Reform, please visit [AIF | Tort Reform](#).

TRANSPORTATION

HB 637- Relating to Motor Vehicle Sales

Today, [HB 637](#) passed the Senate by a vote of 40 yeas and 0 nays.

HB 637 amends the Florida Automobile Dealers Act, which primarily regulates the contractual business relationship between franchised motor vehicle dealers (dealers), and manufacturers, factory branches, distributors, and importers (manufacturers) and provides for the licensure of manufacturers. One provision of particular concern legislatively sets a profit-sharing arrangement for over-the-air updates. AIF stood in opposition to the bill during the committee hearings because arrangements like these should be negotiated between private entities, not the legislature.

HB 637 will now go to the Governor for approval.

AIF OPPOSES legislation that would intervene in any contractual agreement voluntarily entered into by a franchise and a manufacturer.

GENERAL GOVERNMENT

SB 170- Relating to Local Ordinances

Today, [SB 170](#) was introduced on the House Floor and was substituted for HB 1515. The bill was debated, amended, and teed up for a final vote tomorrow, May 3rd.

SB 170 is a bill that would require counties and cities to prepare business impact statements for official review before a proposed ordinance can take effect. This is vital to securing a more free-market, business friendly, environment so businesses are protected from unnecessary, burdensome regulations. Additionally, this legislation requires a county or city to suspend an ordinance that is pending authorization by a court of law.

SB 170 be placed on final passage tomorrow, May 3rd.

AIF supports legislation which holds local governments accountable for the actions they take that can have a negative impact on businesses in their jurisdiction.