

INTERIM UPDATE

Legislative Session



FROM FEBRUARY 24, 2023

The final interim committee week leading up to the 2023 legislative session has come to a close. The House and Senate held hearings on multiple pieces of legislation covering a wide variety of policy issues. The AIF advocacy team was busy this week keeping track of several different bills that will have a profound impact on the business climate in Florida.

On Friday, the House Civil Justice Subcommittee passed HB 837 by Reps. Tommy Gregory and Tom Fabricio, which could prove to be the most significant lawsuit abuse reform in many years. The time is now to make significant progress in this area, and AIF is grateful for the leadership of Governor DeSantis, President Passidomo and Speaker Renner who have all expressed support for reform.

HB 837 addresses many of the existing laws that open loopholes for the trial attorneys to commit their fraud. Jessica Schmor, a registered nurse from Orlando, testified on AIF's behalf before the House Civil Justice Committee. She was able to use her expertise and personal experience to clearly show how attorneys can work with medical providers to drastically inflate expenses leading to exaggerated damages awards.



[Video \(Jessica Schmor\)](#)

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AIF's President and CEO, Brewster Bevis, stood with Speaker of the House Paul Renner, House Leadership, and other partners in the business community at a press conference highlighting the need for comprehensive tort reform.



[Video \(Press Conference Brewster Clip\)](#)

However, HB 837 wasn't the only positive legislation to move forward this week. On Wednesday, the Senate Appropriations Committee heard and passed Senator Alexis Calatayud's (R-Miami) affordable housing bill, SB 102. On Thursday, the Senate Rules Committee heard and passed Senator Jay Trumbull's (R-Panama City) local ordinances bill, SB 170.

EMPLOYMENT

SB 102 - Relating to Housing

On Wednesday, February 22nd, [SB 102](#) by Senator Alexis Calatayud (R-Miami) was heard by the Senate Appropriations Committee and was reported favorably with 17 yeas and 0 nays. **AIF's Vice President of Governmental Affairs Adam Basford stood in support of this legislation.**

This bill seeks to address Florida's backlog of affordable and attainable workforce housing in the state. SB 102 will not only maintain the high level of funding for Florida's SHIP (State Housing Initiatives Partnership) and SAIL (State Apartment Incentive Loan) programs, but it will provide additional funding for SAIL and work to increase attainable and affordable housing



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options for Floridians throughout the state. These programs provide long-term, sustainable access to affordable housing.

SB 102 will now go to the Senate Floor for consideration.

AIF supports legislation which allows for continued and more reliable access to affordable housing in underdeveloped communities. These proposals create jobs and broaden the economic impact of communities with historically low economic returns.

GENERAL GOVERNMENT

SB 170 - Relating to Local Ordinances

On Thursday, February 23rd, [SB 170](#) by Senator Jay Trumbull (R-Panama City) was heard in the Senate Rules Committee and was reported favorable with 15 yeas and 0 nays. **AIF's Vice President of Governmental Affairs Adam Basford stood in support of this legislation.**

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 will now go to the Senate Floor for consideration.

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

CIVIL JUSTICE

HB 837 - Relating to Civil Remedies

On Friday, February 24th, [HB 837](#) by Representative Tommy Gregory (R-Lakewood Ranch) was heard in the House Civil Justice Subcommittee and was reported favorable with a vote of



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12 yeas and 6 nays. **AIF's Vice President of Governmental Affairs Adam Basford stood in support of this legislation.**

HB 837 is a bill that seeks to eliminate the cottage industry of trial lawyers and frivolous legal artists undermining the integrity of our civil justice system in Florida. This bill addresses current loopholes in our laws and court procedures that keep their cottage industry alive by addressing 5 main issue areas.

- It will institute true transparency in damages so that juries base damages awards on the true cost of medical treatment instead of inflated bills.
- For third-party bad faith claims, it will allow a 60-day notice and right to cure, affirm that mere negligence does not amount to bad faith as well as require plaintiffs and their representatives to cooperate in good faith.
- It will change Florida's comparative negligence system so that a party who is more than 50 percent at fault for their own injuries may not recover damages.
- It will limit the use of a contingency fee multiplier for attorney fee awards so they may only be used in rare and exceptional circumstances.
- It will repeal Florida's one-way attorney fees for all litigation.

There were multiple amendments filed to the bill. Several amendments that would have watered down the bill failed while others passed that strengthened it.

- **AIF Consultant Jessica Schmor stood in opposition** to an amendment that would have removed the provisions in the bill dealing with transparency in damages. This amendment failed.
- **AIF's Vice President of Governmental Affairs Adam Basford stood in support** of an amendment that provides premises liability protection when someone is injured on a property owner's premises by a third party conducting a criminal act. This amendment passed.

Another helpful amendment passed that shortens the statute of limitations in a negligence case from four to two years.

AIF supports legislation that will help eliminate unnecessary legal costs and provide much needed stability for Florida's employers.