

# WRAP-UP

2018 Regular Session  
of the  
Florida Legislature

**Coming Soon!**  
2018 Voting Records  
**2018 CHAMPIONS**  
for **BUSINESS**  
Award Winners



**ASSOCIATED INDUSTRIES OF FLORIDA**

The 2018 Legislative Session was a unique one to say the least. The Florida Legislature dealt with many sensitive and controversial issues over the course of the 60-day session such as the devastating school shooting in Parkland, the escalating opioid epidemic, the ongoing clean-up and relief efforts caused by the past two hurricane seasons, the sexual harassment allegations throughout the halls of the Capitol, and the uncertain outcome of a handful of special election seats.

The result from all of this activity and focus slowed the legislative process, which meant fewer bills made it through to the end. Not since 2001 have we had such a low number of bills passed. Of the 3,192 bills filed by both chambers, only 200 bills passed. Of those, 156 have been approved by the Governor, 39 are on the Governor's desk awaiting his action, and 5 have been filed with the Secretary of State.

The information below will provide you with highlights of the top business-related bills that Associated Industries followed and acted upon.

---

## CONSUMER PROTECTION

**HB 469 & SB 664** – *Relating to Salvage of Pleasure Vessels* by Rep. Shawn Harrison (R-Tampa) and Sen. Dana Young (R-Tampa)

HB 469 died in Senate messages.

SB 664 died on the Senate calendar.

**HB 857 & SB 920** – *Relating to Deferred Presentment Transactions* by Rep. James Grant (R-Tampa) and Sen. Rob Bradley (R-Orange Park)

HB 857 was laid on the table and substituted by SB 920. SB 920 was approved by the Governor and assigned Chapter No. 2018-026.

## CONSUMER SERVICES

**HB 971** – *Relating to Interruption of Services* by Rep. Randy Fine (R-Palm Bay)

HB 971 died on the House calendar.

## ECONOMIC DEVELOPMENT

**HB 961 & SB 1224** – *Relating to Beverage Law* by Rep. Joe Gruters (R-Sarasota) and Sen. Rob Bradley (R-Orange Park)

Currently, vendors must purchase beer or malt beverage branded glassware from distributors for use in their establishments. This legislation allows for retailers to accept malt or beer beverage branded glassware from a wholesaler at no cost. The bill stipulates that the amount of branded glassware a distributor may give to establishments is no more than 10 cases per calendar year.

**AIF SUPPORTS legislation that will reduce costs on Florida's businesses by allowing distributors to provide vendors glassware, at no cost, to use in their establishments.**

SB 1224 was laid on the table and substituted by HB 961. HB 961 will now go to the desk of the Governor.

**HB 697 & SB 324** – *Relating to Impact Fees* by Rep. Mike Miller (R-Orlando) and Sen. Dana Young (R-Tampa)

HB 697 died after passing the House floor and being referred

to the Senate Committee on Community Affairs, the Senate Appropriations Subcommittee on Finance and Tax, and the Senate Committee on Appropriations.

SB 324 died on the Senate calendar on second reading.

**SB 170** – *Relating to Rural Economic Development Initiative* by Sen. Denise Grimsley (R-Lake Placid)

SB 170 died in the Senate Committee on Rules.

**SB 990** – *Relating to Rural Communities* by Sen. Bill Montford (D-Tallahassee)

SB 990 died in the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

## EDUCATION

**HB 323 & SB 88** – *High School Graduation Requirements* by Rep. Heather Fitzenhagen and Sen. Dorothy Hukill (R-Port Orange)

HB 323 was laid on the table and substituted by SB 88. SB 88 was amended by the House to reflect the provisions above. The Senate refused to concur with SB 88; therefore, the bill died in returning messages to the House.

## ENERGY

**SB 462** – *Relating to Advanced Well Stimulation Treatment* by Sen. Dana Young (R-Tampa)

SB 462 died the Senate Committee on Appropriations.

## ENVIRONMENT

**HB 7043 & SB 1402** – *State Assumption of Federal Section 404 Dredge and Fill Permitting Authority* by the House Natural Resources and Public Lands Subcommittee, Rep. Holly Raschein (R-Key Largo) and Sen. David Simmons (R-Longwood)

SB 1402 was laid on the table and substituted by HB 7043. HB 7043 has been approved by the Governor and assigned Chapter No. 2018-88.

## HEALTHCARE

**HB 217 & SB 162** – *Relating to Payment of Healthcare Claims* by Rep. Bill Hager (R-Boca Raton) and Sen. Greg Steube (R-Sarasota)

This bill prohibits health insurers and health maintenance organizations (HMO) from retroactively denying a claim if the eligibility of an insured or subscriber was verified at the time of treatment and provided an authorization number by the insurer or HMO, regardless of the fact that the insured had not paid their premiums prior to that claim, which would render them ineligible for coverage. The House version of the bill stipulated that the claim cannot be retroactively denied during the relevant grace period of the insured.

**AIF OPPOSED legislation that removed an insurers ability to retroactively deny claims, even for those that have not paid their premiums. This legislation would have raised costs for employers who would be required to pay health care expenses of people who are no longer employees. Additionally, consumers would bear the burden of paying the high cost of fraud, waste and abuse that would occur in the healthcare system.**

HB 217 died in the House Health and Human Services Committee.

SB 162 passed the Senate floor by a vote of 37 yeas to 0 nays. The House never considered the bill, and therefore the bill died in House messages.

**SB 98** – *Relating to Health Insurer Authorization* by Sen. Greg Steube (R-Sarasota)

This legislation created a standard process for the approval or denial of (1) prior authorizations and (2) step therapy or “fail-first” protocol exceptions. Currently, many health insurance carriers in Florida employ robust policy product offerings containing medically-proven prior authorization and step therapy programs designed to reflect the protocols and standards of care. These tools were advanced and adopted by a vast array of specialty physicians and based on the latest evidence and research. These procedures and protocols allow for the use of the safest, most appropriate and cost-effective drug and permit progressing to other, more costly drugs with more sophisticated interactions and side-effects, in accordance with FDA approvals.

**AIF OPPOSED this legislation as it would force insurers and consumers to purchase the most expensive drugs and treatments even when equally effective therapies are available at much lower costs.**

SB 98 died in House messages.

**HB 1369** – *Relating to Long-Term Care Facility Responsibility* by Rep. Amber Mariano (R-North Port Richey)

HB 1369 died in the House Health Care Appropriations Subcommittee.

**HB 21 & SB 8** – *Relating to Controlled Substances* by Rep. Jim Boyd (R-Bradenton) and Sen. Lizbeth Benacquisto (R-Ft. Myers)

SB 8 was laid on the table and substituted by HB 21. HB 21 was approved by the Governor and assigned Chapter No. 2018-013.

**SB 280** – *Relating to Telehealth* by Sen. Aaron Bean (R-Jacksonville)

SB 280 died in House messages.

## INFORMATION TECHNOLOGY

**HB 5201** – *Relating to Information Technology* by the House Government Operations and Technology Appropriations Subcommittee and Rep. Blaise Ingoglia (R-Spring Hill)

HB 5201 died after passing the House floor and being referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Appropriations.

## INSURANCE

**HB 97 & SB 1454** – *Relating to Florida Catastrophe Fund* by Rep. David Santiago (R-Deltona) and Sen. Jeff Brandes (R-St. Petersburg)

HB 97 died in the House Commerce Committee.

SB 1454 died in the Senate Appropriations Subcommittee on General Government.

**SB 1168** – *Relating to Insurance* by Sen. Greg Steube (R-Sarasota)

SB 1168 died in the Senate Committee on Rules.

**SB 150** – *Relating to Motor Vehicle Insurance* by Sen. Tom Lee (R-Brandon)

SB 150 died in the Senate Appropriations Subcommittee on Health and Human Services.

**SB 396** – *Relating to Motor Vehicle Insurance Coverage for Windshield Glass* by Sen. Dorothy Hukill (R-Port Orange)

SB 396 died in the Senate Committee on Banking and Insurance.

## LEGAL & JUDICIAL

**HB 33 & SB 90** – *Relating to Texting while Driving* by Rep. Jackie Toledo (R-Tampa), Rep. Emily Slosberg (D-Delray Beach) and Sen. Keith Perry (R-Gainesville)

Currently, Florida law prohibits a person from texting, emailing, and instant messaging while driving; however, enforcement of this is a secondary offense, which means a law enforcement officer must detain a driver for another traffic offense in order to cite the driver for texting while driving. The bill would change the current enforcement of the ban on texting while driving from a secondary offense to a primary offense,

allowing law enforcement officers to stop a vehicle solely for texting while driving. The primary goal of this legislation is to eliminate a component that contributes to distracted driving on Florida's roadways.

**AIF SUPPORTED legislation that addressed the issue of distracted driving and ensured public safety for all on Florida's roadways.**

HB 33 passed the House floor by a vote of 112 yeas to 2 nays and then died in Senate messages.

SB 90 died in the Senate Committee on Appropriations.

**HB 623 & SB 760 – Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments** by Rep. Cord Byrd (R-Jacksonville) and Sen. Aaron Bean (R-Jacksonville)

SB 760 was laid on the table and substituted by HB 623. HB 623 has been approved by the Governor and assigned Chapter No. 2018-037.

**HB 775 & SB 822 – Relating to Beverage Law** by Rep. Mike LaRosa (R-St. Cloud) and Sen. Travis Hutson (R-Palm Coast)

HB 775 died on the House calendar.

SB 822 died on the Senate calendar.

**SB 1412 – Relating to Office of the Judges of Compensation Claims** by Sen. David Simmons (R-Longwood)

SB 1412 died in the Senate Committee on Appropriations.

## PROPERTY RIGHTS

**HB 691 – Relating to Self-Storage Facilities** by Rep. George Moraitis (R-Fort Lauderdale)

HB 691 died in the House Careers and Competition Subcommittee.

## REGULATION

**HB 1033 & SB 1304 – Relating to Bicycle Sharing** by Rep. Jackie Toledo (R-Tampa) and Sen. Dana Young (R-Tampa)

HB 1033 died after passing the House floor and being referred to the Senate Committee on Banking and Insurance, Senate Committee on Community Affairs, and the Senate Committee on Rules for consideration.

SB 1304 died in the Senate Committee on Community Affairs.

**SB 574 – Relating to Tree and Timber Trimming, Removal and Harvesting** by Sen. Greg Steube (R-Sarasota)

SB 574 died in the Senate Committee on Environmental Preservation and Conservation.

## TAXATION

**HB 7087 & SB 620 – Relating to Taxation** by the House Ways and Means Committee and Rep. Paul Renner (R-Palm Coast) and Sen. Kathleen Passidomo (R-Naples)

The bill provides for a wide range of tax reductions designed to directly impact both families and businesses. The total impact for the fiscal years of 2018 and 2019 is \$168 million in reductions.

The bill contains several provisions related to sales tax that include priorities important to AIF and its members.

Specifically, it includes:

- a tax rate reduction on commercial rentals (business rent tax) from 5.8% to 5.7%.
- new, extended, or expanded sales tax exemptions for certain generators for nursing homes and assisted living facilities, as well as, certain purchases of agriculture-related fencing materials and building materials for repair of storm damage from Hurricane Irma.
- a seven-day sales tax holiday for specified items related to disaster preparedness.

**AIF SUPPORTS tax cuts for Florida's families and businesses that aid in relief after the events of a disastrous hurricane season. AIF also supports incremental reductions of the business rent tax to make Florida more attractive to business.**

SB 620 was laid on the table and substituted by HB 7087. HB 7087 has been approved by the Governor.

**HJR 7001 & SJR 1742 – Relating to Supermajority Vote for State Taxes and Fees** by Rep. Tom Leek (R-Daytona Beach) and Sen. Kelli Stargel (R-Lakeland)

SJR 1742 was withdrawn from consideration by the Senate.

Once HJR 7001 passed the House chamber, the Senate took up HJR 7001 and passed that version of the resolution. HJR 7001 has been filed with the Secretary of State to be added to the 2018 ballot.

**SB 136 – Relating to Property Tax Exemption and Assessment/Manufacturing Equipment** by Sen. Greg Steube (R-Sarasota)

SB 136 died in the Senate Appropriations Subcommittee on Finance and Tax.

## TRANSPORTATION

**HB 353 & SB 712 – Relating to Autonomous Vehicles** by Rep. Jason Fischer (R-Jacksonville) and Senator Jeff Brandes (R-St. Petersburg)

HB 353 died in the House Government Accountability Committee.

SB 712 died in the Senate Committee on Banking and Insurance.

