



APRIL 28, 2005

### HOUSE OF REPRESENTATIVES PASSES MAJOR LEGAL REFORM BILLS

Legal reform history was made late this afternoon when the House passed HB 1513 by Representative Don Brown (R-DeFuniak Springs) by a 79-32 vote. HB 1513 achieves significant reform and increases fairness in the judicial system by abolishing joint and several liability, limiting the practice of venue shopping, and reducing product seller liability.

In addition, the House passed HB 551 Relating to Vehicles/Financial Responsibility by Representative Alan Hays (R-Umatilla) 116-0 and HB 1925 Relating to Civil Actions by Representative David Simmons (R-Altamonte Springs) 90-28.

HB 551 revises the definition of "rental company" for purposes of exclusion from exemption from application of certain limits of liability. HB 551 expands the definition to include certain related rental or leasing companies & certain holders of motor vehicle title or equity interest in motor vehicle title under certain circumstances.

HB 1925 limits membership in any class action filed in Florida state courts to Florida residents, except in certain circumstances. The bill specifically provides that the claimant class may include nonresidents if the conduct giving rise to the claim occurred in this state. The bill also requires the complainant to present the person alleged to have committed the misconduct with a demand to cure notice 60 days prior to filing a class action.

All three bills passed without much fanfare from members of the House since most of the debate on the bills occurred yesterday. All three bills are now on the way to the Senate for consideration.

**AIF and the Florida Coalition for Legal Reform would like to thank all the members who voted in favor of these bills for their commitment to improving the business climate in our state. Passage of these bills will ensure a fair and predictable legal system that all Floridians will benefit from.**

### HEALTHCARE

Today the House thoroughly debated HB 6003 (this bill combines HB 1869, 1871, 1873, and 1875) sponsored by the House Health and Families Council. HB 6003 is the Medicaid reform bill that creates two pilot programs that will test innovative ways to provide health care services in the future.

The bill creates a Medicaid managed care pilot program in Broward, Duval, Baker, Clay and Nassau counties. All Medicaid recipients in these counties will be offered flexible health plans to meet their needs or they will be enrolled in various managed care programs.

The bill also creates a second pilot program that will focus on long term care services and be conducted in a rural and urban county to be determined at a later date. House members debated the bill for nearly 5 hours and adopted several amendments that added many safeguards and legislative reviews for the programs. This reflects the "go slow" approach legislators have demonstrated because of concern over changing our health care delivery system for Florida's elderly and vulnerable populations. It is hoped that the pilots will demonstrate innovative ways to provide services more efficiently and stem the rising Medicaid costs that affect Florida's budget.

It is expected that the House will cast a final vote on HB 6003 sometime next wee.

**AIF supports market based reforms to the Medicaid program so long as they continue to ensure that the truly needy have access to quality care.**

#### **OTHER BILLS OF INTEREST:**

##### **Ethics and Elections (HB 1673)**

The Senate passed HB 1673 Relating to Second Primary Election by Representative Jeff Kottkamp (R-Cape Coral) after substituting it for the Senate companion (SB 1268). This bill seeks to permanently repeal the second primary election.

Currently, only 10 states (most of them in the South) hold a second primary or "runoff" election. Florida law requires the holding of three elections in a nine-week period. For the past two election cycles (2002 and 2004), the Legislature temporarily implemented a moratorium on the holding of the second primary. Barring any legislative action, the second primary will return on January 1, 2006. The bill's sponsor outlined three major problems with having a second primary: 1. the cost associated with organizing and running a second primary, 2. not having enough time in between the first primary and the general election, and 3. low voter turnout.

HB 1673 was passed by a 25-14 margin and now heads to the Governor for his signature.

**Please send your comments or suggestions to us at [aif@aif.com](mailto:aif@aif.com) or call the Governmental Affairs department at (850)224-7173.**

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