

DAILY BRIEF



From April 28, 2014

T ECONOMIC DEVELOPMENT

HB 325 – relating to Brownfields

On Monday, April 28th, **HB 325**, relating to Brownfields, by **Representative Charlie Stone (R-Ocala)** and **Representative Travis Hutson (R-Palm Coast)** unanimously passed the House chamber. The bill now heads to the Senate for consideration.

The bill clarifies, in statute, the process for designation of a Brownfields area and offers liability protection for anyone responsible for rehabilitation of a Brownfields site. Subsequently, the bill encourages redevelopment in our state's Brownfields areas.

AIF supports any legislation promoting Florida's Brownfield Program as it provides a variety of financial and regulatory incentives encouraging parties to voluntarily clean up and redevelop Brownfield sites. By restoring Brownfield sites, the properties return to the tax rolls quicker and become useful to their community.

ENVIRONMENT

SB 536 – relating to Reclaimed Water

On Monday, April 28th, **SB 536**, relating to Reclaimed Water, by **Senator Wilton Simpson (R-New Port Richey)** was substituted for **HB 601** and unanimously passed the House. The bill now heads to the Senate for consideration.

The bill directs the Department of Environmental Protection and the Department of Agriculture & Consumer Services, in cooperation with the five Water Management Districts, to conduct a study and submit a report on the expansion of the beneficial use of reclaimed water, including stormwater and excess surface water.

AIF supports state funding for alternative water supply projects. Water retention and storage are vital to expanding Florida's water supply, which will give the state a head start on economic development and jobs in the future.

HEALTH CARE

SB 1354 – relating to Health Care

On Monday, April 28th, **SB 1354**, relating to Health Care, by **Senator Denise Grimsley (R-Sebring)** passed the Senate with amendments by a 33-3 vote. The bill now heads to the House for consideration.

The bill contains several onerous provisions which are not supported by AIF. Those provisions would:

- Require health insurers to use a single standardized form for obtaining prior authorization for a medical procedure, beginning January 1, 2015;
- Deem a prior authorization request submitted for prescription drugs as approved unless an insurer responds within three business days;

- Allow health care providers to request an override of a health insurer's step-therapy or fail-first protocol for medications and require an insurer to grant the override within 72 hours in certain situations; and
- Require managed care organizations participating in the Statewide Medicaid Managed Care Program to establish a broader prescribed drug formulary or preferred drug list.

The provisions added on the Senate floor today would cap the trauma act violation fee at \$15,000 and establishes a Trauma System Plan Advisory Council to review the Trauma System Consultation Report issued by the American College of Surgeons Committee on Trauma. The advisory council, based on the review would submit recommendations to the Legislature by February 1, 2015.

An amendment was offered during the committee, but later withdrawn, which would have added last session's plan advanced by the Senate which would have provided a mechanism to draw down Medicaid dollars from the federal government to care for the low income Floridians who would not be eligible for Florida's current Medicaid program but would have too much income to receive a subsidy to purchase coverage through the federal health care act.

**AIF encourages legislators to have more awareness on this legislative proposal that would create more red tape and higher costs for Florida businesses.
Insurance.**

INSURANCE

SB 542 – relating to Flood Insurance

On Monday, April 28th, **SB 542**, relating to Flood Insurance, by **Senator Jeff Brandes (R-St. Petersburg)** passed the House chamber with amendments by a 98-11 vote. The bill now heads back to the Senate for consideration.

This legislation is the Senate's flood insurance plan, designed to attract personal residential insurers to write flood insurance, which is currently covered almost entirely by the National Flood Insurance Program.

AIF supports the Legislature's efforts to attract more private writers for flood insurance to give consumers an alternative to the federally run government program, the National Flood Insurance Program.

LEGAL & JUDICIAL

HB 413 – relating to Consumer Collection Practices

On Monday, April 28th, **HB 413**, relating to Consumer Collection Practices, by **Representative David Santiago (R-Deltona)** was substituted for **SB 1006** and unanimously passed the Senate chamber. The bill now heads to the House for consideration.

The bill subjects "control persons" of consumer collection agencies (CCAs) to state and federal criminal background checks, and subjects these persons to disqualifying periods based on the severity and recency of a criminal conviction. The bill enhances the authority of the Office of Financial Regulation (OFR) to register, investigate, examine, and bring enforcement actions against consumer collection agencies. The bill requires CCA registrants to report criminal convictions, changes from the initial application, and changes to the controlling persons of a CCA agency.

AIF supports this bill because they give businesses more confidence in turning over their debt to a Florida Debt Collector who must follow the new requirements of this bill.

SB 1138 – relating to Civil Liability of Farmers

On Monday, April 28th, **SB 1138**, relating to Civil Liability of Farmers, by **Senator Greg Evers (R-Crestview)** unanimously passed the Senate chamber. The bill now heads to the House for consideration.

The bill exempts a farmer from civil liability if he gratuitously allows a person to come onto his/her land to remove farm produce or crops at any time. Presently the exemption applies only when that activity takes place after harvesting.

AIF supports legislation that will reduce the number of frivolous lawsuits brought against Florida's business owners.

TAXATION

SB 1632 – relating to Special Districts

On Monday, April 28th, **SB 1632**, by **Senator Kelli Stargel (R-Lakeland)** was substituted for HB 1237 and unanimously passed the House chamber. The bill now heads to the Senate for consideration.

The bill seeks to reorganize chapter 189, F.S., relating to special districts, into eight parts; revises duties of Legislative Auditing Committee; specifies applicability of procedures regarding suspension & removal of member of governing body of special district; revises when special district may be declared inactive; prohibits special districts declared inactive from collecting taxes, fees, or assessments; and provides for costs of litigation & reasonable attorney fees under certain conditions. These bills also require each special district to update and maintain an internet website on which the district must publish extensive information. In addition, the legislation clarifies a special district declared inactive on the unanimous vote of its governing body may be dissolved without a referendum and repeals a part of the Community Improvement Authority Act due to its irrelevance throughout the Act's duration in statute.

AIF supports common-sense and transparent policy in regards to the creation and enforcement of special districts. In addition, AIF supports legislation that reduces uncertainty and red tape for Florida's business community.