



DAILY BRIEF

For the 2018 Legislative Session

From January 9, 2018

LEGAL & JUDICIAL

HB 33- Relating to Texting while Driving

On Tuesday, January 9th, HB 33, by Representative Jackie Toledo (R-Tampa) and Representative Emily Slosberg (D-Delray Beach) was heard by the House Transportation and Infrastructure Subcommittee and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

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 main goal of this legislation is to eliminate a component that severely contributes to distracted driving on Florida's roadways.

HB 33 will go on to the House Judiciary committee for its next hearing.

AIF supports legislation that addresses the issue of distracted driving and will ensure public safety for all on Florida's roadways.

SB 760-Relating to Grounds for Nonrecognition or Out-of-Country Foreign Judgments

On Tuesday, January 9th, SB 760, by Senator Aaron Bean (R-Jacksonville) was heard before the Senate Committee on Commerce and Tourism, and unanimously passed by a vote of 8 yeas to 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

This legislation amends the Uniform Out-Of-Country Foreign Money - Judgment Recognition Act, codified in chapter 55 F.S., to add two additional permissive grounds for nonrecognition of a foreign money judgment by a Florida court. The Act currently provides three mandatory grounds for nonrecognition and eight permissive grounds for nonrecognition of a foreign judgment. Of the mandatory grounds that are similar to those in the bill, the Act requires nonrecognition where the foreign country's court system is systematically unfair, failing to provide impartial tribunals and compatible due process of law.

The bill adds two permissive grounds for when a Florida court may decline to recognize a foreign judgment on more individualized due process grounds:

- There is “substantial doubt” about the “integrity” of the particular foreign court that rendered the judgment.
- The particular foreign court that rendered the judgment failed to afford due process in the proceedings.

SB 760 will go on to the Senate Committee on Rules to be heard.

AIF SUPPORTS legislation to clarify existing law and protect Florida businesses from foreign judgments that are not compatible with the requirements of due process of law.

TAXATION

HJR 7001-Relating to Supermajority Vote for State Taxes and Fees

On Tuesday, January 9th, HJR 7001, by Representative Tom Leek (R-Daytona Beach) was heard before the House Appropriations Committee and passed. **AIF stood in support of this bill.**

This joint resolution proposes an amendment to the state Constitution that would provide that no state tax or fee may be imposed, authorized, or raised by the legislature, or authorized by the legislature to be raised except through legislation approved by two-thirds of the membership of each house of the legislature.

The joint resolution requires that any proposed state tax or fee imposition, authorization or increase must be contained in a separate bill that contains no other subject. The joint resolution also specifies that the proposed amendment does not authorize the imposition of any state tax or fee otherwise prohibited by the state Constitution, and does not apply to any tax or fee imposed by, or authorized to be imposed by, a county, municipality, school board, or special district.

The amendment proposed in the joint resolution will take effect on January 8, 2019, if approved by sixty percent of the voters during the 2018 general election or earlier special election. The joint resolution is not subject to the governor’s veto powers.

HJR 7001 does not currently have any further committees of reference.

AIF supports this legislation requiring two-thirds vote from each house of the legislature to pass tax increases in the state. This action would that would make it more difficult to raise taxes, leaving more money in the pockets of Florida’s families and business.