



# DAILY BRIEF

For the 2018 Legislative Session

**From January 23, 2018**

## **INFORMATION TECHNOLOGY**

### **GOT1-Relating to Information Technology**

On Tuesday, January 23rd, GOT1 both sponsored and heard by the House Government Operations and Technology Appropriations Subcommittee, passed by a vote of 13 yeas to 0 nays. **AIF stood in support of this legislation.**

This bill implements a “cloud first” policy for the state, requiring each state agency to first consider cloud computing solutions when sourcing their technology. The bill also moves part of the financial management responsibility of the Agency for State Technology to the Department of Management Services and designates the Department of Environmental Protection as the state coordinating agency for Geographic Information Systems. Further, the bill increases the minimum qualification requirements for the State Chief Information Officer position which would be effective in 2019.

GOT1 has now been filed as HB 7047 and currently has no committees of reference.

**AIF supports the adoption and implementation of a formal cloud-first strategy, resulting in more efficient and effective IT solutions for Florida.**

## **LEGAL & JUDICIAL**

### **SB 90-Relating to Use of Wireless Communications Devices While Driving**

On Tuesday, January 23rd, SB 90 by Senator Keith Perry (R-Gainesville) was heard by the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development and passed by a vote of 8 yeas to 2 nays. **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. This

legislation also specifies that the enforcement officer who has made the stop must inform the driver that they have the right to decline a search of their wireless communication device. SB 90 requires that all fees collected for this offense be remitted to the Department of Revenue to then be deposited into the Emergency Medical Services Trust Fund of the Department of Health. The main goal of this legislation is to eliminate a component that contributes to distracted driving on Florida's roadways.

SB 90 will go on to the full Senate Committee on Appropriations 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.**

## **ECONOMIC DEVELOPMENT**

### **SB 1224- Relating to Beverage Law**

On Tuesday, January 23rd, SB 1224 by Senator Rob Bradley (R-Orange Park) was heard before the Senate Committee on Regulated Industries and passed by a vote of 8 yeas to 2 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this bill.**

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 distributor at no cost. The bill stipulates that the distributor may give no more than 10 cases (that include up to 24 pieces per case), per brand, per calendar year.

SB 1224 will go on to be heard in the Senate Committee on Commerce and Tourism.

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

## **INSURANCE**

### **HB 97-Relating to Florida Catastrophe Fund (fund)**

On Tuesday, January 23rd, HB 97 by Representative David Santiago (R-Deltona) was heard before the House Insurance and Banking Subcommittee and passed by a vote of 9 yeas to 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill revises the reimbursements the Florida Hurricane Catastrophe (CAT) Fund must make to insurers and decreases the cash build-up factor. Several members of the committee expressed concerns about the bill, particularly with regards to hurricane seasons containing multiple disastrous storms and the risk of assessments on all Florida insurance policyholders.

HB 97 will go on to the House Appropriations Committee for its next hearing.

**AIF opposes this legislation as it risks depleting the cash build-up of the fund, making it more likely that Floridians and business owners could see another "hurricane tax" in the future.**

## **SB 1168-Relating to Insurance**

On Tuesday, January 23rd, SB 1168 by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Banking and Insurance and passed by a vote of 7 yeas to 3 nays.

This bill provides that certain attorney fees and costs paid by property insurers may not be included in the property insurer's rate base and may not be used to justify a rate increase or rate change. The bill also provides that personal lines residential and commercial residential property insurance policies may not restrict the assignment of post-loss benefits, and further provides that an agreement to assign post-loss benefits of a residential homeowner's property insurance is not valid unless specified conditions are met, etc.

An amendment offered by Senator Doug Broxson (R-Pensacola) had the intent of fixing the biggest issue regarding assignment of benefits and reinforced that the one-way attorney fee statute was meant for policyholder. AIF and much of the business community spoke in support of this amendment, however it ultimately failed.

SB 1168 will go on to its next committee stop in the Senate Committee on Judiciary to be heard.

**AIF opposes legislation that does not adequately protect consumers against the abuses of one-way attorney fees, which is the only way to truly fix the assignment of benefits problem.**

## **HEALTH CARE**

### **SB 162-Relating to Payment of Healthcare Claims**

On Tuesday, January 23rd, SB 162, by Senator Greg Steube (R-Sarasota) was heard before the Senate Committee on Health Policy and passed. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this bill.**

This bill prohibits health insurers and health maintenance organizations (HMOs) from retroactively denying a claim at any time if the insurer or HMO verified the eligibility of an insured or subscriber at the time of treatment and provided an authorization number, regardless of if the insured has paid their premiums prior to that claim rendering them ineligible for coverage.

SB 162 will go on to the Senate Committee on Rules for its next hearing.

**AIF opposes legislation requiring insurers to pay claims for all people, even those that have not paid their premiums because it would raise costs on employers who would be required to pay health care expenses of people who are no longer employees, and consumers would bear the burden of paying the high costs of fraud, waste and abuse that would occur in the system.**