



# DAILY BRIEF

Legislative Session



**FROM MARCH 27, 2023**

## CIVIL JUSTICE

### **HB 541 - Relating to Motor Vehicle Glass.**

On Monday, March 27th, [HB 541](#) by Representative Griff Griffiths (R-Panama City) was heard by the House Civil Justice Subcommittee and was reported favorably with 12 yeas and 4 nays. **AIF stood in support of this legislation.**

This bill provides that a motor vehicle repair shop may not offer a customer a rebate, gift, gift card, cash, coupon, or other item of value in exchange for making an insurance claim for motor vehicle glass replacement or repair. The bill also prohibits the assignment of benefits for auto glass repairs.

HB 541 will now go to the House Commerce Committee for consideration. The Senate companion, SB 1002, passed the Senate Commerce and Tourism Committee last week and awaits consideration by the Senate Rules Committee.

**AIF supports efforts by the legislature to bring more transparency and fairness in the auto repair market between insurance providers and policy holders. Litigation should not be auctioned off frivolously when the alternative is better for the policy holder in the long run.**

**For more information on AIF's efforts relating to Tort Reform, please visit [AIF | Tort Reform](#).**

## TRANSPORTATION

### **HB 1191/SB 1258 - Relating to Use of Phosphogypsum**

On Monday, March 27th, [HB 1191](#) by Representative Lawrence McClure (R-Dover) was heard by the House Infrastructure & Tourism Appropriations Subcommittee and was reported favorably with 14 yeas and 0 nays. Also on Monday, the Senate counterpart, [SB 1258](#), by Senator Jay Trumbull (R-Panama City) was heard by the Senate Environment and Natural

Resources committee and reported favorable with 9 yeas and 0 nays. **AIF stood in support of this legislation in both committees.**

HB 1191 directs the Florida Department of Transportation (FDOT) to experiment the use of Phosphogypsum (PG) as a road construction aggregate material. Phosphate is produced at a rapid rate in Florida and PG is a byproduct of the manufacturing process. For every ton of phosphate manufactured, 5 tons of PG is made. PG is used primarily for agricultural purposes, however, it can also be used for roadway paving materials. HB 1191 would allow the first step to take place in determining PG's viability as an aggregate to be used on Florida's roadways.

HB 1191 will now go to the House Infrastructure Strategies Committee for consideration. SB 1258 will now go to the Senate Fiscal Policy Committee for consideration.

**AIF supports efforts to utilize manufacturing byproducts for beneficial purposes.**

### **HB 637 - Relating to Motor Vehicle Sales**

On Monday, March 27th, [HB 637](#) by Representative Jason Shoaf (R-Port St. Joe) was heard by the House Civil Justice Committee and was reported favorably with 15 yeas and 0 nays.

HB 637 amends the Florida Automobile Dealers Act, which primarily regulates the contractual business relationship between franchised motor vehicle dealers (dealers), and manufacturers, factory branches, distributors, and importers (manufacturers) and provides for the licensure of manufacturers. One provision of particular concern legislatively sets a profit-sharing arrangement for over the air updates. **AIF stood in opposition to the bill** because arrangements like these should be negotiated between private entities, not the legislature.

HB 637 will now go to the House Commerce Committee for consideration. The Senate counterpart, SB 712, was reported favorably last week by the Senate Transportation Committee. SB 712 will now go to the Senate Commerce and Tourism Committee for consideration.

**AIF OPPOSES legislation that would intervene in any contractual agreement voluntarily entered into by a franchise and a manufacturer.**

## **HB 645- Unmanned Aircraft Systems Act of 2023**

On Monday, March 27th, [HB 645](#) by Representative Robbie Brackett was heard by the House Infrastructure Strategies Committee and was reported favorably with 22 yeas and 0 nays. **AIF stood in support of this legislation.**

The bill amends the definition of “critical infrastructure facility” to include a deepwater port or a railroad switching yard.

HB 645 will now go to the House Floor for consideration. The Senate counterpart, SB 908, will be heard by the Senate Military and Veterans Affairs, Space, and Domestic Security Committee on Wednesday, March 29th.

**AIF supports adding greater protection for Florida’s deepwater ports and railyards by including them and their facilities as critical infrastructure in Florida law.**

## **AGRICULTURE**

### **HB 1343- Relating to Agricultural Lands**

On Monday, March 27, [HB 1343](#) by Representative Kaylee Tuck (R-Lake Placid) was heard by the House Agriculture, Conservation & Resiliency Subcommittee and was reported favorably with 17 yeas and 0 nays. **AIF stood in support of this legislation.**

HB 1343 addresses several land issues facing Florida’s agriculture industry and the lands they use to operate on. On current statute, counties are permitted to administer a fire protection service assessment on agricultural land buildings with a minimum value of \$10,000. This legislation would raise the minimum value of issuing these assessments from \$10,000 to \$350,000. HB 1343 also removes the authority of a local municipality from deleting agricultural classifications on property used for farmworker housing. Additionally, HB 1343 would issue a credit on sales tax paid on the rental or purchase of housing for migrant farmworkers.

HB 1343 will now go to the House Ways and Means Committee for consideration. The Senate counterpart, SB 1184, passed the Senate Community Affairs Committee on March 17th. SB 1184 awaits further consideration by the Senate Finance and Tax Committee.

**AIF supports legislation which increases the just value of nonresidential farm buildings which are exempt from local fire assessments and also creates guidance which more fairly and equitably assesses agricultural land and nonresidential farm buildings for the purposes of Fire Tax Assessments.**

## TELECOMMUNICATIONS

### HB 761 – Relating to Telephone Solicitation

On Monday, March 27th, [HB 761](#) by Representative Tom Fabricio (R-Miami) was heard by the House Civil Justice Subcommittee and was reported favorably with a vote of 12 yeas and 3 nays. **AIF stood in support of this legislation.**

HB 761 seeks to close a loophole created by a 2021 consumer protection bill that limited unsolicited telephone sales calls. While the 2021 bill has increased consumer protection, it has allowed for increased litigation on businesses contacting their customers for legitimate reasons. By creating a definition of “automatic telephone dialing system” and inserting some clarifying language, HB 761 will prevent crafty plaintiff’s bar attorneys from suing businesses attempting to legitimately contact customers. This bill will not remove any consumer protections originally passed in 2021.

HB 761 will now go to the House Commerce Committee for consideration. The Senate counterpart, SB 1308, awaits further consideration by the Senate Commerce and Tourism Committee.

**AIF supports legislative efforts removing loopholes that help to enrich trial lawyers at the expense of businesses that produce goods and services on which all Floridians rely.**