



WEEKLY UPDATE

Legislative Session



FROM APRIL 14, 2023

The sixth week of the 2023 Legislative Session has come to a close. The legislature was quick to rebound off the Easter holidays with an action-packed calendar with many issues being addressed.

The AIF Advocacy Team was busy this week keeping track of the legislation that has an impact of Florida businesses. On Wednesday, the House Ways & Means Committee introduced a sweeping tax package worth over \$1.3 billion. The bill passed with bipartisan support. Additionally, the legislature followed up on its commitment to pass comprehensive tort reform as House and Senate committees both passed bills that make it more difficult for greedy trial attorneys to sue for windshield repairs. Earlier this Session, the legislature passed one of the most significant civil justice reforms in the State's history and this bill reaffirms their ongoing commitment to the issue.

For more information on the bills mentioned above or other legislation that AIF supported this week, please see below!

TAXATION

HB 7063 - Relating to Taxation

On Wednesday, April 12, [HB 7063](#), a proposed committee bill by the House Ways and Means Committee was heard for the first time and was reported favorably with 23 yeas and 0 nays.

AIF stood in support of this legislation.

HB 7063 is a comprehensive tax overall that has a multifaceted approach that is friendly to Florida businesses. HB 7063 draws inspiration from several bills relating to taxation that have been moving throughout the process this year as well as incorporating many consumer-friendly items contained in Governor DeSantis' tax cut proposal.

This bill creates several sales tax holidays for various products and events as well as permanent exemptions for items such as baby and toddler products and clothes, adult incontinence

products, oral hygiene products and certain agricultural fencing. It also will reduce the business rent tax from 5.5% to 4.5%.

HB 7063 incorporates provisions from other bills that AIF has already been supporting this session:

- SB 844/HB 867- Providing a sales tax exemption for machinery and equipment used in the production of renewable natural gas.
- SB 322/HB 529- Extending sales tax exemptions on natural gas fuel taxes until January 1st, 2026, rather than the current deadline in 2024.
- HB 1153/SB 1432- Providing a decrease in the tax rate on the retail sale of communication services and keeps the decreased rate until 2026.

HB 7063 hasn't yet been scheduled to be heard in another committee.

The Senate is also working on a tax package that will be SB 7062 but has not yet released language.

AIF supports legislative efforts to provide tax relief on all businesses operating in Florida. These incentives drive future investment and create a well-rounded, vibrant economy that creates jobs and lowers costs for consumers.

CIVIL JUSTICE

HB 541/SB 1002 - Relating to Motor Vehicle Glass.

On Monday, April 10, [HB 541](#) by Representative Griff Griffiths (R-Panama City) was heard by the House Commerce Committee and was reported favorably. **AIF stood in support of this legislation.**

On Tuesday, April 11, [SB 1002](#) by Senator Linda Stewart (D-Orlando) was heard and amended by the Senate Rules Committee and was reported favorably with 19 yeas and 0 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 Floor for consideration. The Senate companion, SB 1002, is scheduled to be heard on the Senate floor on Wednesday, April 19.

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](#).

TELECOMMUNICATIONS

HB 761 – Relating to Telephone Solicitation

On Monday, April 10, [HB 761](#) by Representative Tom Fabricio (R-Miami) was heard by the House Commerce Committee and was reported favorably. **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 clarifying language and defining what is a solicited and unsolicited call, 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 Floor for consideration. The Senate counterpart, SB 1308, passed the Senate Commerce and Tourism Committee last week and will now go to the Senate Rules Committee for consideration.

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.

AGRICULTURE

SB 1184/HB 1343 - Relating to Agricultural Lands

On Wednesday, April 12, [SB 1184](#) by Senator Jay Collins (R-Tampa) was heard by the Senate Finance and Tax Committee and was reported favorably with 10 yeas and 0 nays. **AIF stood in support of this legislation.**

The House companion, [HB 1343](#), was heard by the House Ways & Means Committee and was reported favorably with 24 yeas and 0 nays. **AIF stood in support of this legislation.**

SB 1184/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. As initially drafted, this legislation would have raised the minimum value of issuing these assessments from \$10,000 to \$350,000 but was amended in both chambers to bar all special assessments on agricultural land. This bill also removes the authority of a local municipality from deleting agricultural classifications on property used for farmworker housing. Additionally, this bill would issue a credit on sales tax paid on the rental or purchase of housing for migrant farmworkers.

SB 1184 will now go to the Senate Appropriations Committee for consideration. HB 1343 was placed on the House Infrastructure Strategies Committee agenda for next Monday, April 17.

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.

SB 1164- Relating to the Department of Agriculture and Consumer Services

On Wednesday, April 12, [SB 1164](#) by Senator Jay Collins (R-Tampa) was heard by the Senate Appropriations Committee on Agriculture, Environment, and General Government and was reported favorably with 13 yeas and 0 nays. **AIF stood in support of this legislation.**

SB 1164 primarily creates a program for sales tax exemptions for production materials used by agricultural producers. The program will allow farmers to apply for and use a Farm Tax Exempt Agricultural Materials (TEAM) card to receive the exemptions. This program works similarly in Georgia and is beneficial to the agriculture community there as well. SB 1164 requires state

agencies, universities, and colleges to give preference to food commodities grown or produced in Florida under certain purchasing agreements. Among other mostly technical changes, SB 1164 also revises and eliminates several advisory councils under the Florida Department of Agriculture and Consumer Services.

SB 1164 will now go to the Senate Fiscal Policy Committee for consideration. The House companion, HB 1279, was placed on the House Infrastructure Strategies Committee agenda for next Monday, April 17.

AIF supports sales tax exemptions for Florida's agricultural producers and efforts to make these exemptions easier to access.

TRANSPORTATION

SB 1258 - Relating to Use of Phosphogypsum

On Thursday, April 13, [SB 1258](#) by Senator Jay Trumbull (R-Panama City) was heard by the Senate Fiscal Policy Committee and reported favorably with 16 yeas and 2 nays. **AIF stood in support of this legislation.**

SB 1258 directs the Florida Department of Transportation (FDOT) to evaluate 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. This bill would allow the first step to take place in determining PG's viability as an aggregate to be used on Florida's roadways.

SB 1258 will now go to the Senate Floor for consideration. The House companion, HB 1191, will be heard by the House Infrastructure Strategies Committee on Monday, April 17.

AIF supports efforts to utilize manufacturing byproducts for beneficial purposes.