DAILY BRIEF

For the 2021 Legislative Session

FROM APRIL 1, 2021

ENERGY

HB 839 – Relating to State Preemption of Transportation Energy Infrastructure Regulation

On Thursday, April 1, **HB 839** by Representative Tom Fabricio (R-Hialeah) was heard by the House Local Administration and Veterans Affairs Subcommittee and was reported favorable with 15 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

The bill preempts the regulation of transportation energy infrastructure to the state, and specifies that any existing or future law, ordinance, regulation, policy, or resolution that is contrary to the preemption is void. The bill was amended in committee. Specifically, the amended bill prohibits local governments from:

- Prohibiting the redevelopment of a fuel retailer or the necessary related transportation infrastructure within that specific local government's entire jurisdiction;
- Any action resulting in a de facto jurisdiction-wide prohibition against a fuel retailer or related and necessary transportation infrastructure; and
- Mandating any required infrastructure on a fuel retailer, including electric vehicle charging stations.

The amended bill does not preempt a municipality, county, special district, or political subdivision from adopting and implementing ordinances, regulations, policies, or resolutions on the siting, development, or redevelopment of fuel retailers or necessary related transportation infrastructure that are consistent with other allowable uses and general law.

HB 839 will now go to the House Commerce Committee.

> **AIF supports legislation that removes onerous regulations on Florida businesses that will streamline operations and allow these entities to operate on a statewide regulation basis rather than a patchwork of local ordinances.**

INSURANCE

SB 76 – Relating to Property Insurance

On Thursday, April 1, **SB 76** by Senator Jim Boyd (R-Bradenton) was read a second time on the Senate floor and was rolled to third reading.

The bill makes various changes to address issues related to property insurance policies, claims, and litigation. The bill:

- Provides federal standard for award of contingency fee multipliers under property insurance policies;
- Adjusts the claim filing deadline to 2 years after the date of loss; applies to hurricanes and other perils; and
- Requires a pre-suit notice of intent to initiate litigation be served at least 60 days before filing suit and requires the notice to specify the reason for the suit, the demand, and the amount of reasonable attorney fees incurred by the claimant.

SB 76 will now be read a third time on the Senate floor and receive votes.

AIF supports legislative efforts that prevent unscrupulous actors from taking advantage of property insurance disputes which keeps insurance rates low and allows growth in Florida businesses.

TRANSPORTATION

HB 223 – Relating to Marina Evacuations

On Thursday, April 1, **HB 223** by Representative Rene Plasencia (R-Titusville) was read a third time on the House floor and passed with 116 yeas and 0 nays.

The bill prohibits, upon the issuance of a hurricane watch that affects marinas located in a deep-water seaport, vessels under 500 gross tons from remaining in the waters of marinas that have been deemed not suitable for refuge during a hurricane. The bill requires that vessel owners promptly remove their vessels from the waterways upon issuance of an evacuation order by the deep-water seaport. Additionally, the bill grants the marina owner, operator, employee, or agent the right to remove vessels that have not been removed by the vessel owner. The bill also shields the marina from liability concerning the movement of the vessel.

HB 223 will now go to the Senate for consideration.

AIF supports legislative efforts that protect Florida's seaport operators in the event of a hurricane. Florida's seaports are vitally important to economic development in the state and abroad and derelict vessels must not burden business operations in our ports.