

WEEKLY UPDATE

Legislative Session



FROM MARCH 31, 2023

The fourth week of the 2023 Legislative Session was full of action as the legislature looks forward to a shortened week due to the Passover and Easter holidays. Multiple committees had long agendas and both the House and Senate spending a considerable amount of time on the floor..

On Wednesday, March 29, the Governor signed SB 102 by Senator Alexis Calatayud and Representative Demi Busatta-Cabrera into law. SB 102 is a workforce housing bill that is dedicated to better funding Florida's SHIP (State Housing Initiatives Program) and SAIL (State Apartment Incentive Loan Program.) These programs create jobs and create better economic community in underdeveloped communities where access to housing and jobs can be limited.

On Monday, March 27, the House Civil Justice Subcommittee passed HB 541 by Representative Griff Griffiths. This bill addresses the frivolous litigation surrounding the auto glass market and how greedy trial attorneys have taken advantage of current loopholes to enrich themselves at the expense of consumers and retailers. This bill continues the great work that the legislature has already done to limit frivolous lawsuits by passing the broader tort reform package.

Just this week, AIF began running ads thanking Governor DeSantis, President Passidomo and Speaker Renner for their leadership.



[Florida's Sweeping Legal Reform is Now Law](#)

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

See below for more information on the bills mentioned and other bills that AIF stood in support of, or opposition to, throughout the week.

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/SB 908- 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.**

On Wednesday, March 29, [SB 908](#) by Senator Ana Maria Rodriguez (R-Miami) was heard by the Senate Military and Veterans Affairs, Space, and Domestic Security Committee and was reported favorably with 6 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. SB 908 will now go to the Senate Rules Committee for consideration.

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.

ENERGY

SB 1162 – Relating to Renewable Energy Cost Recovery

On Wednesday, March 29, [SB 1162](#) by Senator Nick DiCeglie (R- St. Petersburg) was heard by the Senate Community Affairs Committee and was reported favorable with 7 yeas and 0 nays.

AIF stood in support of this legislation.

The bill allows electric and natural gas public utilities to recover through rates the costs for renewable natural gas (RNG) and hydrogen infrastructure projects. This will help encourage the production and use of RNG and provides for fuel diversification.

SB 1162 will now go to the Senate Rules Committee for consideration. The House companion, HB 821, awaits further approval by the House Commerce Committee.

AIF supports legislation that will enable utilities to develop renewable energy resources using the technology and scale that makes most sense for those utilities and their customers, many of whom are businesses.

INFORMATION TECHNOLOGY

SB 1708 – Relating to Cybersecurity

On Wednesday, March 29, [SB 1708](#) by Senator Nick DiCeglie (R-St. Petersburg) was heard by the Senate Governmental Oversight and Accountability Committee and was reported favorable with 8 yeas and 0 nays. **AIF stood in support of this legislation.**

Cybersecurity is a significant and growing concern and recent cyberattacks have continued to place a focus on the harmful issue that impacts Florida businesses. Among other things, SB 1708 provides liability protection for businesses that have adopted a cybersecurity program that complies with industry-recognized cybersecurity standards. This helps to encourage businesses to take the proper cybersecurity safeguards while protecting them from liability if they have taken the proper precautions. The bill also allows the Florida Digital Service to operate more independently with respect to technology and cybersecurity.

SB 1708 will now go to the House State Administration & Technology Appropriations Subcommittee for consideration. The House counterpart, HB 1511, cleared its first committee stop last week and awaits further consideration.

AIF supports measures that help aid the prevention of cyberattacks and data breaches against Florida's businesses as well as providing liability protection.

HB 1547 – Technology Transparency

On Tuesday, March 28th, [HB 1547](#) by Representative Fiona McFarland (R-Sarasota) was heard by the House Regulatory Reform & Economic Development Subcommittee and was reported favorably with 15 yeas and 0 nays. **AIF stood in opposition to this legislation.**



[Adam Basford testifying before the House Regulatory Reform & Economic Development Subcommittee](#)

HB 1547 seeks to allow consumers to protect their personal data by allowing them to opt out of targeted advertising and implementing regulations on only the largest of technology companies operating in Florida. Unlike past versions of the bill that would have regulated a great deal of Florida businesses, this bill limits its focus to companies that make an excess of \$1 billion in annual revenue and either derive 50% of revenue from targeted advertising or operate a smart speaker device.

But while the vast majority of Florida businesses are not covered by the regulation of the bill, the bill will have a large impact on how businesses can use targeted advertising to market their goods and services. Online advertising is obviously an important tool and in its current form, this bill will make it less effective and more costly.

HB 1547 is based on a 2018 California law. Since the California law has been enacted, other states have enacted data privacy legislation that offers better consumer protection with a more common sense regulatory approach.

AIF opposes legislation that places onerous regulatory burdens on Florida businesses and reduces the ability for businesses to effectively utilize online advertising.

ECONOMIC DEVELOPMENT

PCB-RRS2- Tourism Development

On Tuesday, March 28, [RRS2](#), a proposed committee bill, by the Regulatory Reform & Economic Development Subcommittee, was presented and reported favorably with 11 yeas and 3 nays. **AIF stood in opposition to this legislation.**

Tourism is Florida's leading industry and Visit Florida has played a large role in creating a world-class marketing engine that has helped bring millions of visitors to the state.

This PCB would totally change the funding structure of Visit Florida by funding it solely through local tourism development taxes (TDTs). It would require Visit Florida to expend at least seventy-five percent of all funds to directly assist rural counties and Florida's state parks and forests. Among other things, the bill would also require all TDTs to expire after six years and be renewed by referendum.

AIF supports full funding for Visit Florida to ensure that it can continue to bring visitors to our state. AIF opposes legislation that could significantly weaken or lead to the elimination of Visit Florida.

EMPLOYMENT

SB 102- Relating to Housing

On Wednesday, March 29, [SB 102](#) by Senator Alexis Calatayud, (R-Miami) and Representatives Demi Busatta-Cabrera (R-Coral Gables) and Vicki Lopez (R-Miami) was signed into law by Governor Ron DeSantis.

This bill seeks to address Florida's backlog of affordable and attainable workforce housing in the state. SB 102 will not only maintain the high level of funding for Florida's SHIP (State Housing Initiatives Partnership) and SAIL (State Apartment Incentive Loan) programs, but it will provide additional funding for SAIL and work to increase attainable and affordable housing options for Floridians throughout the state. These programs provide long-term, sustainable access to affordable housing.

SB 102 will take effect on July 1, 2023.

AIF supports legislation which allows for continued and more reliable access to affordable housing in underdeveloped communities. These proposals create jobs and broaden the economic impact of communities with historically low economic returns.

LEGAL & JUDICIAL

HB 593 – Relating to Criminal History Information

On Wednesday, March 29, [HB 593](#) by Representative Spencer Roach (R-Fort Myers) was heard by the House Ethics, Elections & Open Government Subcommittee and was reported favorable with 16 yeas and 1 nay. **AIF stood in support of this legislation.**

The bill revises the process for a court-ordered sealing of a criminal record to allow a person to petition a court to seal a criminal history record if the record has been automatically sealed by the State of Florida and the subject of the sealed record presents a certificate of sealing issued by the Florida Department of Law Enforcement.

HB 593 will now go to the House Judiciary Committee for consideration. The Senate counterpart, SB 376, will be heard by the Senate Criminal Justice Subcommittee on Tuesday, April 4th.

In order to prevent confusion and difficulty for employers and employees, AIF supports legislative efforts that allows individuals with sealed records at the State level to petition local government be sealed at the local level as well.