



DAILY BRIEF

For the 2020 Legislative Session

From March 10, 2020

ENERGY

HB 1095 – Relating to Underground Facility Damage Prevention and Safety

On Tuesday, March 10, [HB 1095](#) by Representative Heather Fitzenhagen (R-Fort Myers) was read a third time on the Senate floor and passed with 37 yeas and 1 nays.

Chapter 556, F.S., is the “Underground Facility Damage Prevention and Safety Act” (Act). The stated purpose of the Act is to identify and locate underground facilities prior to an excavation or demolition to prevent injury to persons or property or interruption of services resulting from damage to those facilities. To accomplish this, the Act creates a not-for-profit corporation (Sunshine 811) to administer a free-access notification system.

The bill amends the Florida statute to:

- Expand the list of entities that may issue citations for violations to include the State Fire Marshal and local fire chiefs.
- Increase the maximum civil penalty (up to \$2,500 plus 5 percent, in addition to any other court costs) for certain violations that involve an underground pipe or facility transporting hazardous materials;
- Require each clerk of court to submit an annual report to the State Fire Marshal listing each violation notice;
- Require excavator to transmit reports of incidents to State Fire Marshal for investigation

HB 1095 was amended by the Senate on second reading and is now in House returning messages.

AIF supports legislation that enhances the 811 program and penalties to curb detrimental practices which lead to damaged infrastructure that causes unnecessary service interruptions, safety issues and increasing repair costs.

INFORMATION TECHNOLOGY

HB 1391 – Relating to Technological Innovation

On Tuesday, March 10, [HB 1391](#) by Representative James Grant (R-Tampa) was read a third time on the Senate floor and passed with 39 yeas and 0 nays.

The Department of Management Services (DMS) oversees information technology governance and security for the executive branch of state government. The Division of State Technology (DST), a

subdivision of DMS subject to its control and supervision, implements DMS's duties and policies in this area.

The bill:

- Abolishes DST and establishes the Florida Digital Service (FDS) in its place.
- Places new duties and responsibilities under FDS and expands the duties and responsibilities currently assigned to DMS and DST.
- Creates the Division of Telecommunications within DMS, removes DST as the head of the E911 system in Florida, and places the Division of Telecommunications as its new head.

The Office of Financial Regulation (OFR) regulates money services businesses, which include money transmitters and payment instrument sellers. The bill creates the Financial Technology Sandbox within the OFR to allow a person to make an innovative financial product or service available to consumers as a money transmitter or payment instrument seller during a sandbox period that is initially not longer than 24 months but which can be extended one time for up to 12 months. The sandbox provides regulatory flexibility by permitting the OFR to waive specified statutes and corresponding rule requirements.

HB 1391 was passed by both chambers and will now go to the Governor.

AIF supports stronger investments in IT and the modernization of Florida's outdated systems and processes that will greatly benefit the government and business relationship in the state.