

DAILY BRIEF

For the 2021 Legislative Session



FROM MARCH 10, 2021

ECONOMIC DEVELOPMENT

SB 778 – Relating to Florida Tourism Marketing

On Wednesday, March 10, [SB 778](#) by Senator Ed Hooper (R-Palm Harbor) was heard by the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development and was reported favorable with 10 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

VISIT FLORIDA is the name for the Florida Tourism Industry Marketing Corporation, a non-profit that serves as Florida's statewide destination marketing organization and represents the state's tourism industry. This bill permits VISIT FLORIDA to carry forward any unexpended state appropriations into succeeding fiscal years. The bill also removes the scheduled repeal date of October 1, 2023, for both VISIT FLORIDA and the Division of Tourism Marketing within Enterprise Florida.

SB 778 will now go to the Senate Appropriations Committee.

AIF supports investment in building a world-class marketing engine with top talent, analytics, and funding that develops and executes data-driven branding strategies to bolster tourism and further the economic growth of Florida.

HEALTH CARE

SB 1064 – Relating to Hospital, Hospital System, or Provider Organization Transactions

On Wednesday, March 10, [SB 1064](#) by Senator Jason Brodeur (R-Sanford) was heard by the Senate Health Policy Committee and was reported favorable with 5 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this legislation.**

The bill imposes reporting requirements when a transaction between two health care entities results in an affiliation or a material change to the health care market which could create a

monopoly. Failure to comply with the requirements would be subject to a civil penalty up to \$500,000. Lastly, the Office of the Attorney General may review the transactions before (rather than after) they occur to determine whether a proposed transaction has antitrust implications and, if warranted, take action to prevent a coercive monopoly from forming in the health care market.

SB 1064 will now go to the Senate Judiciary Committee.

AIF opposes this legislation because there is no identified need or purpose for state regulatory interference in the marketplace; the standards and criteria to be applied are not clearly identified, and it will increase the cost and uncertainty of transactions. In addition, this legislation will create the need for an additional \$1 million in government bureaucracy.

LEGAL & JUDICIAL

HB 969 – Relating to Consumer Data Privacy

On Wednesday, March 10, [HB 969](#) by Representative Fiona McFarland (R-Sarasota) was heard by the House Regulatory Reform Subcommittee and was reported favorable with 18 yeas and 0 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this legislation.**

The bill gives consumers certain rights related to personal information collected by a business. It requires businesses to comply with consumer requests on stored information and make the information available on the businesses' website. The bill allows the Department of Legal Affairs to bring an action against, and collect civil penalties from, a business who violates these requirements. Consumers whose personal information is the subject of a data breach may also bring a cause of action against the business. The bill also creates a new private cause of action that could open up employers to class action lawsuits.

HB 969 will now go to the House Civil Justice and Property Rights Subcommittee.

AIF opposes legislation that imposes onerous mandates on private businesses. This legislation will negatively impact businesses that have more than 137 website visitors per day and/or any business that processes 14 credit card transactions per hour. This legislation casts a wide net that will catch and harm small businesses that drive Florida's economy.

HB 35 – Relating to Legal Notices

On Wednesday, March 10, [HB 35](#) by Representative Randy Fine (R-Palm Bay) was heard by the House Judiciary Committee and was reported favorable with 17 yeas and 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in opposition to this legislation.**

The Florida Constitution requires that public notice be given for meetings at which official acts are to be taken or where public business is to be conducted. All meetings of a county, municipality, school board, or special district at which official acts are to be taken or at which public business is to be discussed or transacted must be open to the public and notice must be given. All legal notices and publications must be made in a newspaper that meets the following qualifications:

- Published at least once a week;
- At least 25% of its words are in English;
- Considered a periodical by the post office;
- For sale to the general public; and
- Contains information of interest or value to the general public in the affected area

The bill would allow a governmental agency the option to deviate from print and publish legally required advertisements and notices, such as impending sale of real property, on a publicly accessible website.

HB 35 will now go to the House floor for consideration.

AIF opposes internet-only public notice, as it eliminates the wide net created by print media and the internet combined. Webpages are present one day and gone the next; the internet is an inherently unreliable platform for critical information.

HB 7005 – Relating to Civil Liability for COVID-19 Related Claims Against Certain Health Care Providers

On Wednesday, March 10, [HB 7005](#) (formerly PCB HHS1) by the House Health and Human Services Committee, was heard by the House Judiciary Committee and was reported favorable with 15 yeas and 5 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, stood in support of this legislation.**

This bill provides heightened liability protections to health care providers for negligence claims by patients and residents arising under the existing laws that govern medical malpractice and long-term care facilities related to:

- Contracting COVID-19;

- Injury due to delay or omission in scheduling surgery or an act or omission in providing care for a medical condition due to a lack of resources caused by COVID-19;
- Novel or experimental COVID-19 treatment given to a COVID-19 patient; or
- Treatment of a COVID-19 patient whose injuries were related to an exacerbation of pre-existing conditions by COVID-19.

HB 7005 will now go to the House floor for consideration.

AIF supports legislation that protects the Florida health care community, who has been on the frontline during this pandemic, from frivolous and costly litigation by plaintiffs suing to settle.