

MEMORANDUM

TO: NAIOP
FROM: GrayRobinson
DATE: February 2, 2020
SUBJECT: 2020 Legislative Session – Week 3 (January 27-31)

The House and the Senate released their proposed budgets this week, and each sticks close to the \$91.4 billion plan laid out by Gov. Ron DeSantis' in October. But there are some key differences.

The House plan is a hair below the Governor's at \$91.3 billion, with its allocations to teacher raises and the Florida Forever land acquisition program being the largest departures. The House set aside \$500 million to increase teacher pay, and \$20 million for Florida Forever. DeSantis asked for \$600 million and \$100 million, respectively.

A notable, but expected, omission in the House budget: VISIT FLORIDA. The tourism marketing agency will close at the end of the fiscal year unless lawmakers renew its authorization.

The Senate plan came in at \$92.8 billion, and it also set aside \$500 million for teacher pay as well as another pay raise plan absent from the gubernatorial and House budgets — a 3% across-the-board raise for state employees.

Activities and Bills related to NAIOP – Summary List

Key Issues for 2020 As Determined at the NAIOP Summit

- Enacting the FAST Act;
- Phasing out the Business Rent Tax;
- Removing the Witness Requirement for Commercial Leases;
- Maintaining a Commercial Building Representative on Florida Building Commission;
- Improving the State Fire Code; and
- Reining in Excessive Linkage Fees

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Business Rent Tax – The Senate and House have both filed bills to enforce the internet sales tax (bills summarized below). It is early, but both chambers are fully expected to propose a further reduction in the business rent tax. Now that the initial budget proposals are released, the tax package will soon follow.

FAST Act – Based on request/advice from House and Senate leadership, we are seeking to incorporate parts of the FAST Act in general omnibus legislation that emanates from the House Commerce Committee.

Lease Signatory Changes – The House bill is set for special order in the House on Wednesday, February 4. The Senate bill passed its second committee on Tuesday, January 28. It is on the agenda for its third committee on Tuesday, February 4. As well, the Florida Bar Real Property, Probate and Trust Law Section has requested a technical amendment to the language. We expect that to occur on both bills.

Florida Building Commission – As of now, the House will follow the Senate’s lead and NOT remove the commercial real estate representative on the FBC.

Fire Code – We are following the lead of House Commerce Chair Mike La Rosa to get this finalized in one of his committee bills.

Linkage Fees – Chair La Rosa has also agreed to address linkage fees in a committee bill this session.

Detailed Activities and Bills related to NAIOPFL

The following are bills filed that impact (positively and/or negatively) the commercial real estate industry. **Highlighted text** means the bill was newly filed since the last memo publication.

Promoting Business Friendly CRE Regulations

Legislative Review of Occupational Regulations – HB 707 (Renner) and SB 1124 (Diaz)

Key Take Away

If passed, would create the “Occupational Regulation Sunset Act”; establish a schedule for the systematic review of occupational regulatory programs; provide for the abolition of units or subunits of government and personnel positions responsible for repealed programs; provide for the reversion of certain unexpended funds and the refund of certain unencumbered revenue of a repealed program; require the Department of Legal Affairs to prosecute or defend certain pending causes of actions, etc.

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House Approval Milestones – Bill filed November 19.
Commerce – Passed 22-1 on January 16.
Health & Human Services – Awaiting hearing
Appropriations – N/A

Senate Approval Milestones – Bill filed December 13.
Govt Oversight and Accountability – Awaiting hearing
Appropriations – N/A
Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Impact Fees – HB 637 (DiCeglie) and SB 1066 (Gruters)

Key Take Away

If passed, would revise conditions that counties, municipalities, & special districts must satisfy before enacting an ordinance or passing resolution; provide that impact fee credits are assignable & transferrable under certain conditions; require certain counties & municipalities to establish impact fee review committees; provide for membership; provide procedures for meetings & establishing quorums; provides committee duties.

House Approval Milestones – Bill filed November 14.
Local, Federal & Veterans Affairs – Passed 13-1 on January 15.
Ways & Means – On agenda for February 3
State Affairs – N/A

Senate Approval Milestones – Bill filed November 26.
Community Affairs – Awaiting Hearing
Finance & Tax – N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Florida Building Code – SB 710 (Albritton)

Key Take Away

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If passed, would require in the Florida Building Code that the entire envelope of certain buildings being constructed or rebuilt be impact resistant and constructed with high wind-resistant construction materials; require that all parts or systems of a building or structure envelope meet impact test criteria or be protected with an external protection device that meets such criteria; providing exceptions, etc.

House Approval Milestones – No house bill filed yet.

Senate Approval Milestones – Bill filed October 30.
Community Affairs – Awaiting hearing
Infrastructure and Security – N/A
Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Real Estate Conveyances – HB 469 (Duggan) and SB 1224 (Simmons)

Key Take Away

If passed, would provide that witnesses are not required to validate certain instruments conveying leasehold interests in real property.

House Approval Milestones – Bill filed October 28.
Civil Justice Subcommittee – Passed 12-0 on December 12
Business & Professions – Passed 13-0 on January 15
Judiciary – Passed 16-0 on January 23.
House Floor – Placed on Special Order Calendar for February 5

Senate Approval Milestones – Bill filed December 12.
Banking and Insurance – Passed 8-0 on January 21
Judiciary – Passed 6-0 on January 28
Rules – Awaiting hearing

Weekly Roundup: House bill placed on Special Order Calendar. Senate bill passed second committee stop.

Current Call to Action: No action needed at moment.

Home-Based Businesses – HB 537 (Donalds) and SB 778 (Perry)

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Key Take Away

If passed, would specify conditions under which a business is considered a home-based business; authorize a home-based business to operate in a residential zone under certain circumstances; preempt to the state the ability to regulate or license home-based businesses; prohibit a local government from certain actions relating to the licensure and regulation of home-based businesses, etc.

House Approval Milestones – Bill filed on November 5.
Business & Professions Subcommittee – awaiting hearing
Local, Federal & Veterans Affairs – N/A
Commerce – N/A

Senate Approval Milestones – Bill filed on November 5.
Community Affairs – N/A
Commerce & Tourism – N/A
Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Uniform Commercial Real Estate Receivership Act – 2020 – HB 783 (Beltran) and SB 660 (Berman)

Key Take Away

If passed, would create chapter 714, F.S., as the Uniform Commercial Real Estate Receivership Act; specifying that a court has exclusive jurisdiction to direct receivers and determine controversies under certain circumstances; providing requirements and authorizations relating to the appointment of a receiver; providing for defenses and immunities of a receiver; authorizing the court to enter certain orders if the court concludes that receivership property is likely to be insufficient to satisfy certain claims; requiring a receiver to file a final report containing certain information upon completion of the receiver's duties, etc..

House Approval Milestones – Bill filed on November 26.
Civil Justice – Passed 13-0 on January 22
Justice Appropriations – Awaiting hearing
Judiciary – N/A

Senate Approval Milestones – Bill filed on October 24.
Judiciary – Passed 5-0 on December 10

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Commerce and Tourism – On agenda for February 4
Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Nonservice Animals – HB 243 (Antone) and SB 1814 (Powell)

Key Take Away

If passed, would prohibit nonservice animals from entering specified public food service establishments or places of business; require DBPR to create & maintain publicly accessible website for complaints; provides penalties.

House Approval Milestones – Bill filed on September 30.

Business & Professions – Awaiting hearing

Government Operations & Technology Appropriations – N/A

Commerce – N/A

Senate Approval Milestones – January 10.

Commerce & Tourism – Awaiting hearing

Innovation, Industry and Technology – N/A

Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Deregulation of Professions and Occupations – HB 1193 (Ingoglia) and SB 474 (Albritton)

Key Take Away

If passed, would significantly revise the Florida Building Commission membership, however, it would not remove the commercial real estate representative. Additionally, this 77 page bill would, among other things, delete the requirement that a yacht broker maintain a separate license for each branch office; specify that the failure to repay certain student loans is not considered a failure to perform a statutory or legal obligation for which certain disciplinary action can be taken; revise licensure requirements for engineers who hold specified licenses in another state; provide that certain cosmetology services may be performed in a location other than a licensed salon under certain circumstances, etc.

House Approval Milestones – Bill filed January 9.

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Business & Professions – Passed 12-3 on January 21
Government Ops & Technology Appropriations – Passed 10-2 on January 28
Commerce – Awaiting hearing

Senate Approval Milestones – Bill filed October 7.
Innovation, Industry and Technology – Passed 8-0 on January 21
Commerce and Tourism – On agenda for February 4
Appropriations – N/A

Weekly Roundup: House bill passed second committee stop.

Current Call to Action: No action needed at moment.

Stormwater Management Systems – HB 405 (Good) and SB 686 (Gruters)

Key Take Away

If passed, would direct water management districts, with DEP oversight, to adopt rules for standards relating to new development & redevelopment projects specifically focusing on removal of nutrients from stormwater discharges; directs DEP to incorporate such rules for district use; directs DEP & districts to amend such rules into applicant's handbook; provides rebuttable presumption relating to water quality standards for certain systems; revises requirements for construction of certain systems; requires specified staff training; directs DEP & districts to initiate rulemaking..

House Approval Milestones – Bill filed on October 18.
Agriculture & Natural Resources – Awaiting hearing
Ag & Natural Resources Appropriations – N/A
State Affairs – N/A

Senate Approval Milestones – Bill filed October 28.
Environment and Natural Resources – Awaiting hearing
Appropriation Subcommittee on Agriculture, Environment and Gen Gov – N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Promote Feasible Sustainability Initiatives

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Clean Energy Programs – HB 225 (Zika) and SB 824 (Hooper)

Key Take Away

If passed, would authorize property owner to apply to approved PACE administrator for loan; authorize local governments to enter into agreements with PACE administrators; provides requirements for PACE loan contracts; provides certain prohibitions; provides remedies.

House Approval Milestones – Bill filed on September 25.

Energy & Utilities – Awaiting hearing

Ways & Means – N/A

State Affairs – N/A

Senate Approval Milestones – Filed on November 7.

Community Affairs – Awaiting hearing

Innovation, Industry and Technology – N/A

Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Renewable Energy – SB 446 (Brandes)

Key Take Away

If passed, would authorize owners of commercial or industrial businesses, or third parties contracted by such owners, to install, maintain, and operate a renewable energy source device on or about the structure in which the business operates or on a property the business owns or leases; authorizes owners or contracted third parties to sell electricity generated from the device to certain businesses regardless of whether the device is located in a utility's service territory, etc.

House Approval Milestones – No house bill filed yet.

Senate Approval Milestones – Bill filed October 4.

Innovation, Industry and Technology – Awaiting hearing

Commerce and Tourism – N/A

Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Promote Fair Taxation

Taxation of Real Property – HB 1141 (Caruso) and SB 1778 (Gruters)

Key Take Away

If passed, would exempt from the sales and use tax certain property that is rented, leased, subleased, or licensed to a specified small business (less than nine employees); requiring the Department of Revenue to approve or deny such application within a specified time period, etc.

House Approval Milestones – Bill filed January 7.

Ways & Means – Awaiting hearing

Commerce – N/A

Appropriations – N/A

Senate Approval Milestones – Bill filed on January 10.

Commerce and Tourism – Awaiting hearing

Finance & Tax – N/A

Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Communications Services Tax – HB 701 (Fischer) and SB 1174 (Hutson)

Key Take Away

If passed, would revise legislative intent regarding local communications services tax rates; revising downward the tax rate on the retail sale of communications services to 5%; delete a provision that specifies where proceeds of a communications services tax must be deposited and disbursed; require dealers to collect and remit local communications services taxes under certain conditions; authorizing the Legislature to appropriate moneys to offset specified direct reductions of the local communications services tax by certain counties and municipalities, etc..

House Approval Milestones – Bill filed November 19.

Ways & Means – Awaiting hearing

Energy & Utilities – N/A

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Appropriations – N/A

Senate Approval Milestones – Bill filed on December 9.
Innovation, Industry and Technology – On agenda for February 3
Community Affairs – N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Small Business Saturday Sales Tax Holiday – SB 1052 (Taddeo)

Key Take Away

If passed, would define the term “small business”; providing that small businesses are not required to collect the sales and use tax on the retail sale of certain items of tangible personal property during a specified timeframe; authorize the Department of Revenue to adopt emergency rules, etc.

House Approval Milestones – No bill filed yet.

Senate Approval Milestones – Bill filed on November 25.
Commerce and Tourism – Awaiting hearing
Finance and Tax – N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Affordable Housing Tax Reduction – SB 856 (Pizzo)

Key Take Away

If passed, would provide a reduction in certain property taxes to taxpayers building or renovating certain affordable, elderly, or workforce housing projects; specify the calculation of property assessments over the reduction term; authorize certain counties to limit the total number of qualifying projects, subject to certain requirements; specify a taxpayer’s liability for back taxes, penalties, interest, and certain remedies under certain circumstances, etc..

House Approval Milestones – No bill filed yet.

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Senate Approval Milestones – Bill filed on November 12.
Community Affairs – On agenda for February 3
Finance & Tax – N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Internet Sales Tax Enforcement – HB 159 (Clemons) and SB 126 (Gruters)

Key Take Away

If passed, would revise definitions for “retail sale” and “mail order sale” to capture internet sales, and thus enforce the sales tax on internet sales.

House Approval Milestones – Bill filed on September 12.
Ways & Means Committee – Awaiting hearing
Commerce – N/A
Appropriations – N/A

Senate Approval Milestones – Bill filed on August 14.
Commerce and Tourism – Passed 5-0 on October 15
Finance and Tax – Awaiting hearing
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

Collaborative Growth Management

Regional Planning Council Meetings – HB 1097 (Geller) and SB 1398 (Flores)

Key Take Away

Provides requirements for establishing quorum for meetings of certain councils when voting member appears via telephone, real-time videoconferencing, or similar real-time electronic or video communication.

House Approval Milestones – Bill filed on January 6.

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Local, Federal & Veterans Affairs – Passed 14-0 on January 21
State Affairs – Passed 23-0 on January 30

Senate Approval Milestones – Bill filed on January 6.
Community Affairs – Passed 3-0 on January 21
Govt Oversight and Accountability – On agenda for February 3
Rules – N/A

Weekly Roundup: House bill passed second committee stop.

Current Call to Action: No action needed at moment.

Private Property Rights Protection – HB 519 (Grant)

Key Take Away

If passed, would revise notice of claim requirements for property owners; revises procedures for determination of compensation; create presumption that certain settlements of claims apply to all similarly situated residential properties within political subdivision under certain circumstances; authorize property owners to bring claims against governmental entities in certain circumstances; provide that property owners are not required to submit formal development applications or proceed through formal application processes to bring claims in specified circumstances; authorize property owners to bring actions to declare prohibited exactions invalid; requires DOT to afford right of first refusal to previous property owner before disposing of property in certain circumstances.

House Approval Milestones – Bill filed on November 4.
Civil Justice Subcommittee – Passed 10-5 on January 16
Commerce – Passed 13-8 on January 30
Judiciary – Awaiting hearing

Senate Approval Milestones – No senate bill filed yet.

Weekly Roundup: House passed second committee stop.

Current Call to Action: No action needed at moment.

Community Development Districts – HB 493 (Cortes) and SB 1434 (Torres, Jr.)

Key Take Away

If passed, would authorize certain entities to petition court to dissolve community development district with outstanding financial obligations or operating or maintenance

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responsibilities; provides procedures to be used by court in appointing receivers; specify court authorities in issuing orders concerning duties of receiver. Effective Date: July 1, 2020.

House Approval Milestones – Bill filed on October 29.
Local, Federal & Veterans Affairs Subcommittee – Awaiting hearing
Civil Justice – N/A
State Affairs – N/A

Senate Approval Milestones – Bill filed January 6.
Community Affairs – Awaiting hearing
Judiciary – N/A
Rules – N/A

Weekly Roundup: N/A

Current Call to Action: No action needed at moment.

State Funds – HB 381 (Silvers) and SB 306 (Mayfield)

Key Take Away

If passed, there would no longer be trust fund “sweeps” of the Sadowski Fund.

House Approval Milestones – Filed on October 16.
Transportation & Tourism Appropriations Subcommittee – Awaiting hearing
State Affairs – N/A
Appropriations – N/A

Senate Approval Milestones – Bill Filed September 17.
Infrastructure and Security – On agenda for February 3
Appropriations Subcommittee on Transportation, Tourism and Economic Dev: N/A
Appropriations – N/A

Weekly Roundup: N/A

Current Call to Action: N/A

Development Order Attorney Fees – HB 6019 (Casello) and SB 250 (Berman)

Key Take Away

If passed, would delete the entitlement for prevailing party to recover reasonable attorney fees and costs in challenge or defense of development order.

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House Approval Milestones – Filed September 10.

Commerce – Awaiting hearing

Judiciary – N/A

State Affairs – N/A

Senate Approval Milestones – Filed September 10.

Community Affairs Committee: Awaiting hearing

Judiciary: N/A

Rules: N/A

Weekly Roundup: N/A

Current Call to Action: Both bills are filed by Democrats and are an attack on the Republican-led legislation of 2019. It is unexpected this bill will move.

Property Rights Inserted into Growth Management – HB 203 (McClain) and SB 410 (Perry)

Key Take Away

Would make clear that a property owner's rights to develop his/her/its property must be honored by a local government.

House Approval Milestones – Filed on September 19.

Local, Federal & Veterans Affairs – Passed 9-5 on October 23.

Commerce – Awaiting hearing

State Affairs – N/A

Senate Approval Milestones – Filed on October 1.

Community Affairs – Passed 5-0 on January 27

Judiciary – Awaiting hearing

Rules – N/A

Weekly Roundup: N/A

Current Call to Action: N/A

Hurdles: None yet. Although, it is worth noting that this same bill died in the House and Senate during 2019 session.

Promote Economic Prosperity

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Brownfields – HB 1001 (Stone) and SB 1350 (Baxley)

Key Take Away

Revising the definition of the terms “housing project” and “mixed-use project” for purposes of specifying the projects eligible for certain tax exemptions; revising the conditions under which an applicant that has rehabilitated a contaminated site may submit and claim certain tax credits; revising the criteria for determining applicants who are redeveloping brownfield sites who may be eligible for certain tax credits; specifying defenses to specified causes of action concerning certain discharges or other types of pollution resulting from certain discharges or pollution, etc.

House Approval Milestones – Filed on December 18.

Agriculture & Natural Resources Subcommittee – Awaiting hearing

Ways & Means – N/A

State Affairs – N/A

Senate Approval Milestones

Environment and Natural Resources: Awaiting hearing

Finance & Tax: N/A

Appropriations Committee: N/A

Weekly Roundup: N/A

Current Call to Action: N/A

Job Growth Grant Fund Revisions – HB 71 (Santiago) and SB 130 (Hutson)

Key Take Away

Would authorize the Governor to approve workforce training grants to certain charter schools under the Florida Job Growth Grant Fund.

House Approval Milestones – Filed on August 20.

Transportation & Tourism Appropriations Subcommittee – Awaiting hearing

Education Committee – N/A

Appropriations – N/A

Senate Approval Milestones

Commerce and Tourism Committee: Passed 5-0 on October 15

Education: Passed 8-0 on November 12

Appropriations Committee: Awaiting hearing

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Weekly Roundup: N/A

Current Call to Action: N/A

Florida Tourism Marketing – HB 213 (Ponder) and SB 362 (Hooper)

Key Take Away

Would revise the scheduled repeal of the Florida Tourism Industry Marketing Corporation direct-support organization (aka Visit Florida) to the year 2028.

House Approval Milestones – Filed on September 23.

Workforce Development & Tourism – Awaiting hearing

Transportation & Tourism Appropriations Subcommittee – N/A

Commerce Committee – N/A

Senate Approval Milestones – Filed on September 23

Commerce and Tourism Committee: Passed 5-0 on November 5

Appropriations Sub on Transportation, Tourism and Economic Dev: Passed 8-0 on January 29

Appropriations Committee: Awaiting hearing

Weekly Roundup: Senate bill passed second committee stop.

Current Call to Action: N/A

Summary of Committee Week 3 (January 27-31)

Budgets Released

Both the House and Senate released their initial budget proposals. Both bills are expected to receive committee votes early in Week 3 and floor votes at the end of the week. Below are summaries of both the House and Senate proposals, as well as a detailed side-by-side chart.

Senate - The initial upper body's proposal totals **\$92.83 billion**, composed of **\$35.06 billion** in general revenue and **\$57.77 billion** in trust funds.

- The proposal focuses on **education capital outlay** and **compensation and benefits**, distributing **\$353.6 million** and **\$249.4 million** to each fund respectively. These allocations will go towards education projects like charter school repair and maintenance, and towards pay increases for all state employees with special salary benefits for corrections officers, probation officers, and security specialists.

- Early in the session, Governor Ron DeSantis deemed 2020 “Year of the Teacher” and placed an emphasis on increasing teacher pay. This is reflected in the Senate budget proposal through an allotted **\$22.6 billion** in funds for **Public Schools/K12 FEFP**. Of these funds, it is expected that **\$500 million** will go towards teacher salary increases, **\$180 million** for school safety officers, and **\$325 million** for increasing Florida Education Finance Program base funds.
- The Agency for Health Care Administration has an expected budget of \$30.8 million with the largest portions going towards Medicaid Price Level and Workload - **\$900.7 million**, Resources for Persons with Disabilities - **\$143.3 million**, and State Opioid Funding - **\$69.6 million**.
- In his 2020 State of the State Address, Governor DeSantis called for increased funding for water quality projects. As a result, the Senate outlined **\$318.6 million** for DEP Everglades Restoration, **\$198.0 million** for General Water Quality Improvements, and **\$10.8 million** for the development of a Blue Green Algae Task Force.

House - The House’s proposal was released shortly after the Senate’s and includes similar allocation amounts for several department funds. However, the House budget is \$1.5 billion lighter than the Senate budget (\$91.3 billion vs \$92.8 billion) due to several factors.

- Most prominently, there are differences between the House and Senate’s funding plans for the teacher salary increase. The Senate has agreed to Governor DeSantis’ request of increasing the minimum classroom teacher salary to \$47,500 and has funded accordingly. However, the House has chosen a different appropriation method, and calls for increased teacher salaries based off of what is achievable by each school districts portion of the \$500 million, rather than a set number for all.
- Another major difference between the two concerns the corporation Visit Florida. The Senate has allocated \$26 million towards the marketing organization while the House has no allocation for Visit Florida in its budget. Neither appropriation comes close to the \$50 million requested by Governor DeSantis for the organization.

House v. Senate Side-by-Side Chart

Silo	House	Senate
Education	\$26.613	\$26.767
Health & Human Services	\$38.772	\$39.385
Criminal Justice and Corrections	\$4.931	\$4.961
Agriculture, Environment, Wildlife	\$4.113	\$4.3751
Transportation	\$10.282	\$10.296
General Government	\$6.060	\$6.443
Judicial	\$0.597	\$0.602
Total:	\$91.370 Billion	\$92.832 Billion

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Best of the Rest...

The Florida House of Representatives

Speaker-Designate Chris Sprowls' bill to block life insurers from using DNA information to make policy decisions passed the full House with a 117-1 vote. The measure hasn't kept the same pace in the Senate, though it was approved by its first committee on Tuesday.

Florida Senate

- A bill to eliminate the controversial "Best and Brightest" teacher bonus program and redirect the cash toward pay raises cleared the Senate Appropriations Committee with a unanimous vote and is now headed to the chamber floor.
- The Senate voted 25-14 in favor of a bill preempting local governments from banning certain types of sunscreen. The House companion has already completed the committee process, meaning the chamber could take up and pass the Senate version as soon as Wednesday.

Bill of the Week

A bill introduced by the Senate Governmental Oversight and Accountability committee this week would bring some new changes to the state employee health insurance program while striking down some old ones.

Senate Bill 7046 would require the state to put HMO plans up for a bid in nine regions by January 1, 2023. Each region would consist of several counties, and the bill would mandate that at least one HMO be made available in each.

The plan would also prevent some major alterations greenlit by past Legislatures from taking effect, most notably the tiered health care plan structure approved in the 2017 Legislative Session.

That requirement — which has been delayed — allowed state workers to choose their health insurance from a set ranging from lower-cost, higher deductible "bronze" plans to higher-cost, lower-deductible "platinum" plans.

The change was aimed at saving the state money, but after running the math, experts said the lower-cost plans could sway thousands of state employees who currently opt out state health insurance to pick up inexpensive coverage.

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Another clarification in the legislation relates to the role of pharmacy benefit managers, or PBMs. Under SB 7046, PBMs couldn't exercise any judgement over whether a prescription is medically necessary — that call would be left in the hands of the prescribing physician.

Federal Spotlight

GrayRobinson's Washington, DC office releases a newsletter each week entitled The Golden Apple, reporting on the "latest discord on Capitol Hill." This week's newsletter discusses the growing trend of cashless storefronts.

While consumers have quickly adopted mobile payment technology, the US economy is a long way from being cashless, witnesses told the [House Financial Services Task Force on Financial Technology](#) on Thursday. Members discussed the growing trend of cashless storefronts as they heard testimony to support consideration of [H.R. 2650](#), which would prohibit retail businesses from refusing cash payments. More than 80 percent of American adults have smartphones, and PayPal's Head of Global Public Policy, Usman Ahmed, described exponential growth in the use of smartphones for payments, via both PayPal and Venmo. Research shows, however, that cash is still the medium of choice for transactions less than \$25, and is particularly popular with people under 30 and over 60. Regions of the country without good access to broadband don't benefit from digital payments, and time lags in the payment system remain a challenge, especially for low-income consumers. Witnesses urged Congress to act to speed up the payments system, streamline the legal framework for payments, and enact strong privacy protections for users of mobile payment services.

Read The Golden Apple in its entirety [here](#).

Current Bill Statistics

Total Bills Filed: 3,426 (2,459 House; 967 Senate)

Appropriations Bills Filed: 1,634 (1,407 passed through first committee)

Looking Ahead

Now that the House and Senate have released their budgets, the chambers will start working to bridge the \$1.5 billion gap between them.

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The week begins with a meeting of the House Ways & Means Committee at noon Monday, where a bill that would repeal a pro sports stadium funding program is on the agenda.

Monday also sees a number of gubernatorial appointments go before Senate Environment and Natural Resources Committee and the Ethics and Elections Committee. The Senate is also scheduled for a floor session on Tuesday.

The upcoming House and Senate weekly schedules can be found as follows:

House Week 4:

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2020&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%204%20February%203%20-%207,%202020%20-%201st%20Amended.pdf>

House Week 5:

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Session&CommitteeId=&Session=2020&DocumentType=Session%20Weekly%20Schedules&FileName=Session%20Weekly%20Schedule%20for%20Week%205%20February%2010%20-%2014,%202020.pdf>

Senate Week 4:

<http://www.flsenate.gov/Session/Calendar/2020/Weekly%20Schedules%202020-01-22%20101425.PDF>