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Florida House Voted to Advance the Healthcare Marketplace

The Florida House passed seven healthcare bills that improve critical aspects of the healthcare marketplace. The bills now head to the Senate for their consideration.

CS/HB 1035 requires health care providers to give patients their records the way they want to receive them – including access to the provider’s electronic medical record through a patient portal, or submitting the records to the patient’s own electronic Personal Health Record – if the provider uses an electronic health records system. The bill also standardizes the timeframes for providers to produce records or allow inspection of records, and limits the patient cost for reproducing records. The bill helps patients to be more engaged in their treatment by making more information available in easy-to-use formats.

CS/HB 999 empowers patients and eases the burden of the cost of medical bills on consumers. The bill helps patients manage their healthcare costs in three ways: requires facilities to provide binding cost estimates, with exceptions; requires facilities to establish an internal grievance process to contest charges; increases consumer protection in debt collection proceedings, including asset protection and a prohibition on taking collection action until all insurance coverage applicable to the patient has been exhausted.

CS/HB 961 creates an independent commission to review innovative ideas that face statutory or regulatory barriers to implementation and grant exemptions from specific laws and rules on a case-by-case basis. The bill allows innovations in healthcare to overcome governmental barriers to implementation.

CS/HB 935 prevents health insurers from prohibiting health care providers from giving patients information on costs. The bill prohibits a health insurer or HMO from limiting the ability of any provider to discuss pricing information with a patient. Health care providers will be allowed to share all information on the costs of care and the availability of more affordable care options. Clear, accurate information about the costs and quality of health care is necessary for consumers to select health care services that provide good value.

CS/CS/HB 863 prohibits a health care provider from referring patients to any hospital in which the health care provider holds an investment interest. This bill eliminates the special exception in the law for hospitals and subjects an individual or entity participating in such referrals to the anti-kickback and patient brokering statutes. Closing the physician referral loophole ensures that physician recommendations are based on the patient’s best interest and not a provider’s financial benefit.

CS/CS/CS/HB 821 allows advanced practice registered nurses and physician assistants to practice without physician supervision, if they meet certain criteria. The bill responsibly allows nurses and physician assistants to practice to the greatest and safest extent of their training, which will increase access to care.



CS/CS/HB 1295 requires hospitals to demonstrate they provide a level of charity that equals or exceeds their property tax liability in order to qualify for an existing property tax exemption. The bill ensures hospitals do not abuse the tax exemption available to charitable organizations.

House Passed Bill to Increase Accountability and Transparency for CRAs

The House passed **HB 9**, which seeks to remedy the repeated instances of questionable spending by community redevelopment agencies (CRAs) in Florida. The bill provides that new CRAs may only be created by approval of two-thirds of the electors voting in a county-wide referendum held during a primary or general election. Among other notable requirements, the bill requires that money in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners and only for those purposes specified in law. Finally, the bill requires commissioners to undergo four hours of ethics training annually.

The bill now heads to the Senate for their consideration.

Trade Secrets Legislation Passed House

The House passed **HB 761 and HB 759** relating to trade secrets. **HB 761** creates a public record exemption for trade secrets that applies to almost all agencies and entities that are subject to public records requirements, while **HB 759** repeals every agency-specific public record exemption for trade secrets. Together, these bills establish uniformity amongst agencies for protecting trade secret information.

The bills now head to the Senate for their consideration.

Florida House Passed Lottery Warning Bill

HB 629 requires the Lottery to inform the public about the potential risks of gambling and ensures that Lottery games stay in paper form, as originally intended.

The Lottery is a state-run enterprise offering games that can cause addiction or compulsive behavior for some players. Currently, the Lottery urges customers to “Play Responsibly,” and encourages problem gamblers to seek help, but it does not do enough to inform players about the potential risks associated with gambling. By requiring disclosures on tickets and in advertising, this bill ensures that Floridians and visitors to our state are better informed about the potential risks of gambling before deciding to play the Lottery. The bill also makes it clear that Lottery tickets and games are paper-based products that must be purchased from authorized retailers and cannot be purchased or played using smartphones or other electronic devices.

The bill now heads to the Senate for their consideration.



Florida House Passed Ethics Reform Bill

The Florida House passed **HB 1**, an ethics reform bill that holds elected officials more accountable.

HB 1 strengthens conflicts of interest law so government employees and elected officials do not use their positions for private gain. Provisions in the bill include requiring disclosure and reporting offers of conflicting employment, prohibiting state and local officers or employees from soliciting a job from a business or entity that the officer or employee's agency has regulatory power over, and revising executive branch lobbying registration requirements.

The bill now heads to the Senate for their consideration.

Florida House Passed Financial Disclosure Bill

The Florida House passed **HB 7021**, creating a modern and more efficient process for financial disclosure.

HB 7021 provides for the creation of an electronic financial disclosure filing system. This new system provides a modern way of filing financial disclosure for elected officials and state and local employees by utilizing current and up to date technology. The electronic system will also allow the public to easily search public disclosure forms that are filed to ensure full transparency and accountability.

The bill now heads to the Senate for their consideration.

House Passed Local Government Financial Reporting

The House passed **HB 861**, which requires local governments to submit certain budget information to the Office of Economic and Demographic Research (EDR) in "real time." The bill also requires both tentative and adopted budgets of counties and municipalities to remain online for a specified period of time. **HB 861** will result in local governments reporting useful financial metrics to EDR that will show trends in government spending and debt and allow Floridians to more easily compare the budget and spending information for their local government with others.

The bill now heads to the Senate for their consideration.

Florida House Appropriations Committee Voted for the 2019 Tax Relief Package

The Florida House Appropriations Committee passed **HB 7123**, which will reduce taxes for Floridians. The Committee passed several tax reductions and other tax-related modifications designed to directly impact both families and businesses. Below are some highlights of the proposals:

- Helps make education more affordable with a three-day **Back-to-School Tax Holiday**.
- Reduces the **Business Rent Tax** for businesses.
- Helps prepare Florida families and communities for potential disasters with a seven-day **Disaster Preparedness Tax Holiday**.



- Clarifies and addresses **local property tax** issues to provide clarity and accountability to Floridians.

Education Committee Sends Two Bills to the Floor

The Education Committee passed **HB 7055**, which expands career education opportunities in our state.

HB 7055 requires the Department of Education to review career education programs for alignment with market demands and to eliminate programs that do not address priority workforce demands.

The bill enables school districts to meet the academic needs of students and be responsive to labor market demands by providing flexibility to meet graduation requirements through career education, establishing career-planning requirements for middle school students, requiring academic advising for students whose GPA drops below a 2.0., and increasing awareness of pre-apprenticeship and apprenticeship programs.

The bill also requires that a career dual enrollment agreement must determine how transportation will be provided to students who are unable to provide their own transportation and allows vehicles other than school buses be used to get students to career education programs.

The committee also passed **HB 1197**, which gives parents more options by allowing state universities and Florida College System institutions to sponsor charter schools.

Private Property Right Bill Headed to Floor

The State Affairs Committee passed a bill dealing with private property rights. The goal of the bill is to inform the public of their rights as property owners. The bill also protects the rights of property owners to maintain trees on their property.

HB 1159 requires county property appraisers to post a Property Owner Bill of Rights on their websites. The Property Owner Bill of Rights includes the right to acquire, possess, and protect property; use and enjoy property; exclude others from property; dispose of property; due process; just compensation for property taken for a public purpose; and relief when a new state or local government law, rule, regulation, or ordinance unfairly affects property. The website must state the Bill of Rights is not comprehensive and does not represent all property rights under Florida law.

The bill also gives residential property owners more power to prune, trim, or remove trees on their property by prohibiting local governments from requiring any sort of permit or notice when a tree is determined by a certified arborist or licensed landscape architect to be a danger to others or property. Further, the bill prohibits local governments from requiring the property owner to replant a tree that is pruned, trimmed, or removed under these specified conditions. The bill also allows a property owner adjacent to an electric utility right-of-way to request an electric utility to maintain the right-of-way without approval from the local government.



Florida House Appropriations Committee Passed Criminal Justice Reform

The House Appropriations Committee passed **HB 7125** in an effort to reform the criminal justice system.

Some of the provisions include:

- Allowing a court to sentence a defendant to **administrative probation**, a form of nonreporting supervision that is available to low-risk offenders currently only by transfer of the Department of Corrections (DOC), and to transfer a defendant to administrative probation upon successful completion of half their probationary term.
- Authorizing each judicial circuit to create a **community court**, a type of problem solving court that addresses misdemeanor crimes affecting a particular community.
- Reforming probation violations and standardizing a system for alternative sanctioning to respond to technical probation violations.
- Requiring each clerk of court to create a **Driver License Reinstatement Days** program to facilitate reinstatement for those who have had their license suspended or revoked.
- Expanding **reentry services** for recently released inmates by providing greater job training and career planning opportunities for inmates and authorizing DOC to expand the use of job assignment credentialing and industry certifications.
- Requiring DOC to develop a Prison Entrepreneurship Program and adopt procedures for inmate admission.
- Increasing the threshold values for specified theft offenses including petit theft, retail theft, and grand theft.
- Expanding eligibility for veterans' treatment programs to individuals who are current or former US Department of Defense contractors or military members of a foreign allied country.
- Authorizing a court to sentence a person meeting all other criteria as a youthful offender if he or she was 21 or younger at the time of the offense, regardless of age at the time of sentence.
- Repealing all mandatory direct file provisions and allowing, but not requiring, a state attorney to direct file an information against a child meeting discretionary direct file criteria.

Florida House Appropriations Committee Voted for Tobacco & Medical Marijuana Age Limits

The Florida House Appropriations Committee voted for **HB 7119**, which increases the age limits for Tobacco and Medical Marijuana.

The bill increases the minimum age to lawfully purchase and knowingly possess tobacco products, nicotine products, and nicotine dispensing devices in Florida from 18 years old to 21 years old. Similarly, it prohibits the sale, delivery, bartering, furnishing, shipping, or giving tobacco products, nicotine products, or electronic nicotine dispensing devices to persons under the age of 21. The bill also prohibits a qualified physician from certifying a patient under the age of 21 for the medical use of marijuana in a form for smoking, with the same exception that currently applies to marijuana smoking for patients under the age of 18.