

## A Bill for Infectious Disease Elimination

1 BE IT ENACTED BY THE FLORIDA SENATE HERE ASSEMBLED THAT:

2 **SECTION 1.** This Bill allows Florida's Department of Health (the "DOH") to establish a program:  
3 (i) providing for sterile needle and syringe exchanges; and (ii) educating Floridians  
4 about blood-borne infectious diseases.

5 **SECTION 2.** Florida's Legislature will amend Florida Statute § 381.0038 as follows:

6 A. The DOH, any duly licensed hospital or health care clinic, any substance abuse  
7 treatment program, HIV or AIDS service organization, or non-profit entities  
8 designated by the DOH may establish and administer programs to offer the  
9 free exchange of clean, unused needles and hypodermic syringes to prevent  
10 the transmission of blood-borne diseases among intravenous drug users,  
11 sexual partners and/or their offspring. Each program is to be funded by grants  
12 and donations from private resources and funds.

13 B. Each program must securely and accurately control the dispersal of sterile  
14 needles and syringes and the storage of returned needles and syringes by,  
15 among other ways, operating a one-to-one exchange.

16 C. Each program must provide educational materials regarding the transmission  
17 of blood-borne diseases and referrals related to screening, prevention and  
18 treatment centers and/or resources.

19 D. The possession, distribution and/or exchange of needles or syringes as part of  
20 such programs shall not be considered a violation of any Florida law.

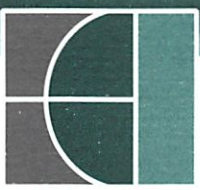
21 E. Each program must collect non-personal identifying data for reporting to assist  
22 the DOH in accessing the performance and outcome of such program.

23 **SECTION 3.** The DOH will implement this Bill with an effective date of August 1, 2018, and all  
24 programs shall expire August 1, 2023 absent extension.

25 **SECTION 4.** All Florida laws and regulations not directly conflicting with the terms of this Bill,  
26 including those regarding the possession of illegal drugs and substances, shall  
27 continue in full force and effect.

*For further reference, this Bill was adapted from Florida's House Bill 579 (2018)*  
<https://www.flsenate.gov/Session/Bill/2018/579/BillText/Filed/PDF>

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## A Bill to Restrict Assignments of Property Insurance Benefits

1 BE IT ENACTED BY THE FLORIDA SENATE HERE ASSEMBLED THAT:

2 **SECTION 1.** This Bill creates restrictions for the assignment of property insurance benefits.

3 **SECTION 2.** Property insurance rates have increased from year-to-year primarily due to  
4 Florida's courts being "flooded" with litigation pitting contractors, the assignees  
5 of property insurance benefits, against property insurance companies. This Bill  
6 intends to remove homeowners' property losses as a foundation for attorney fee-  
7 driven litigation.

8 **SECTION 3.** Florida's Department of Financial Services through the Office of Insurance  
9 Regulation will oversee enforcement of this Bill.

10 A. Florida Statute § 627.7152 will be created to define a legally permissible  
11 assignment agreement for property benefits as "an instrument by which post-  
12 loss property insurance benefits for services to protect, repair, restore or  
13 replace property, or mitigate against further damage to the property, are  
14 assigned, transferred or conveyed, regardless of how named or styled."

15 B. Florida Statute § 627.7152 will require such assignment agreement to: (i) be  
16 in writing and signed by all insureds; (ii) contain an itemized estimate of the  
17 work to be performed by the assignee; and (ii) include provisions allowing the  
18 insureds to rescind the assignment agreement within seven (7) business days  
19 of signing and requiring the assignee to give a copy of the assignment  
20 agreement to the insuring insurance company within three (3) days of the  
21 effective date of the assignment agreement.

22 C. Attorney's fees may not be awarded in favor of any person or entity seeking  
23 relief against an insurance company pursuant to an assignment agreement.

24 D. This Bill will take effect on May 1, 2017. All assignment agreements effective  
25 before such date shall continue to be enforced in accordance to their terms.  
26 All assignment agreements executed on or after May 1, 2017 not strictly  
27 conforming to this Bill shall be void.

28 **SECTION 5.** All Florida laws and regulations directly conflicting with this Bill are declared null  
29 and void.

*For further reference, this Bill was adapted from Florida's Senate Bill 1038 (2017)*

*<https://www.flsenate.gov/Session/Bill/2017/01038>*

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## A Bill to Reduce Light Pollution

1 BE IT ENACTED BY THE FLORIDA SENATE HERE ASSEMBLED THAT:

2 **SECTION 1.** This Bill reduces light pollution throughout the State of Florida.

3 **SECTION 2.** Pursuant to Florida Statute § 161.163, Florida's Department of Environmental  
4 Protection is charged with adopting guidelines for local governments to control  
5 beachfront lighting to protect hatching sea turtles. However, no statewide  
6 legislation has been enacted to address other forms of light pollution.

7 **SECTION 3.** Florida's Department of Environmental Protection ("DEP") will oversee the  
8 implementation of this Bill.

9 A. Florida Statute § 161.163 will be amended to require all public and private  
10 properties containing light sources using up-pointing light bulbs of 300 watts  
11 or more must be replaced with down-pointing LED light bulbs on or before  
12 December 31, 2018.

13 B. Any person or entity, including governmental entities, required to comply with  
14 this Bill may request the DEP to delay such person or entity's compliance with  
15 this Bill until July 1, 2018 for bonafide reasons.

16 C. Any person or entity, including governmental entities, with a bonafide,  
17 substantial interest in maintaining a non-compliant light source may request  
18 an exemption for compliance with the Bill after showing that no less harmful  
19 light source may be used for such specific purpose. In the event that such  
20 exemption is granted, the DEP will evaluate the propriety of the exemption on  
21 an annual basis.

22 D. The DEP's determination regarding requests for delays or exemptions shall be  
23 based on evaluating the effects of a specific light source against the reason(s)  
24 for delayed compliance and shall be considered final.

25 E. Any person or entity, including governmental entities, shall incur a fine of  
26 \$100.00 per day for failure to comply with this Bill.

27 **SECTION 4.** This Bill will take effect on upon passage.

28 **SECTION 5.** All Florida laws and regulations directly conflicting with this Bill are declared null  
29 and void.

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## A Bill to Protect Florida Vacation Rental Properties

1 BE IT ENACTED BY THE FLORIDA SENATE HERE ASSEMBLED THAT:

2 **SECTION 1.** This Bill creates a statewide licensure and inspection process for Florida's vacation  
3 rental properties and preempts local regulation.

4 **SECTION 2.** Despite being one of America's premiere vacation destinations, Florida lacks a  
5 uniform licensure and inspection process for vacation rental properties and  
6 permits such properties to be regulated by local governments.

7 **SECTION 3.** Florida's Department of Business and Professional Regulations' Division of Hotels  
8 and Restaurants ("DHR") shall implement and enforce this Bill.

9 A. Florida Statute § 509.604 will be created to allow the State of Florida to solely  
10 license all vacation rental properties available to the public. All such properties  
11 must apply for and obtain a license from the DHR within six (6) months of the  
12 effective date of this Bill. Each application for a license must be accompanied  
13 by a licensure fee to be determined by the DHR on an annual basis and shall  
14 not exceed \$1,000.00. Operation of a vacation rental property without  
15 licensure shall enable the DHR to immediately suspend operation of the  
16 property and levy fines against the owner of such property.

17 B. A vacation rental property is defined as "any unit in a condominium or  
18 cooperative or any individually or collectively owned single-family, two-family,  
19 three-family, or four-family house or dwelling unit that is rented to guests for  
20 periods of less than 6 months but is not a timeshare project."

21 C. To obtain licensure from the DHR, a vacation rental property must: (i) have a  
22 maximum occupancy limit of four persons plus two additional people for each  
23 sleeping room; (ii) be available for safety inspections; (iii) restrict rentals to  
24 periods of time of at least three (3) days and not exceeding six (6) months in  
25 duration; (iv) inquire with each guest as to whether such guest is a registered  
26 sex offender, and if so, give immediate notice to local law enforcement and  
27 guests of a given vacation rental property.

28 **SECTION 4.** This Bill will take effect upon passage.

29 **SECTION 5.** All Florida laws and regulations conflicting with this Bill are declared null and void.

*For further reference, this Bill was adapted from Florida's Senate Bill 1400 (2018)*

<https://www.flsenate.gov/Session/Bill/2018/01400/?Tab=RelatedBills>

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