FLORIDA AGC COUNCIL
THE CONSTRUCTION ASSOCIATION

END OF SEASON REPORT

2022 Regular Session of the Florida Legislature

March 17, 2022

The 2022 Legislative Session adjourned on Monday, March 14, at 1:03 p.m. The Legislature's staff is finalizing passed bills and preparing to send them to the Governor. The Governor's staff is analyzing these bills, including the budget, and briefing the Governor. There is no deadline per se on when bills must be sent to the Governor for his action, but typically they are all sent by June, with the timing largely based on when the Governor signals he is ready to act on a given bill. Some notable Session statistics:

- 3,735 Bills and Proposed Committee Bills filed
- 1,896 Amendments filed
- 4,324 Votes Taken
- 39 Floor Sessions
- 285 Bills passed both chambers
- Record-setting $112.1 Billion Budget

AGC did a lot of work on numerous bills, including lobbying, analysis, amendment drafting, testifying before committees, and coordinating member advocacy. In particular, with regard to the Construction Liens & Bonds bill (HB 345/SB 1272), Construction Litigation Reform/ Construction Defects bill (SB 736/HB 583), and the Local Government Wage Mandate bill (SB 1124/HB 943), we put many hours into analyzing the bills, confirming the impact on AGC members, drafting and negotiating amendments to make the bills better for general contractors, and lobbying bill sponsors, legislative leadership, and other members of the Legislature.

We've read through all of the passed bills, and this end-of-session report contains information about the top priority bills we worked on for AGC. This report is similar to the one we issued on March 11, but we added one bill making minor changes in the area of workers' compensation insurance (HB 959). Along with this end-of-session report, we have also forwarded two bill tracking lists summarizing all of the bills that we monitored or tracked on behalf of AGC. The "AGC Tier I" report is more focused on construction-related bills, while the "AGC Tier II" report includes bills that may be of more general interest to AGC members or perhaps only to those involved in a particular type of construction work.

Construction Liens and Bonds STATUS: FAILED
SB 1272 (Bradley)/HB 345 (Overdorf) AGC POSITION: OPPOSE/AMEND

This bill, which began as legislation filed at the request of the material suppliers back in 2020, ended up containing a wide variety of construction lien and bond issues, including several changes coming from the Construction Law Committee of the Florida Bar's Real Property, Probate, and Trust Law Section.

AGC was extremely engaged in this bill and worked tirelessly with the bill sponsors, industry stakeholders, and legislative leadership to inform them about the negative consequences of various components of the bill and, where possible, provide alternative language. For example, in addition to fighting off efforts to change the way attorney fees are awarded in lien and bond claims to favor subs and suppliers, we were successful in removing language from the bill:

- Repealing the statute authorizing conditional payment bonds.

- Repealing the statute that requires a sub on a public construction project to wait 45 days from first working on the site before serving a "notice of nonpayment."

We also successfully put forward alternative language on a number of provisions that would have been very bad for contractors as initially proposed, including one dealing with lien and bond notices for "specially fabricated materials" and another regarding the service of lien and bond documents during declared states of emergency.

Further, we got into the bill a provision making clear that construction management and project management services provided by a general contractor or building contractor are lienable under Chapter 713. The bill also featured a better notice of termination process, requiring the owner to pay each person who has properly served a notice to owner prior to recording a notice of termination.

STATUS: The House bill moved successfully through all three of its committee stops, with substantial amendments at each one. The Senate bill, however, got through only one of its three committees. Ultimately, the material suppliers were unwilling to reach a compromise on a number of issues in the bill until too late in the process, so the bill ran out of time and was never taken up on the House floor. This bill failed in the 2022 Session, but we expect some version of it to come back in 2023.

Construction Litigation Reform STATUS: FAILED
SB 736 (Hutson) & HB 583 (Yarborough) AGC POSITION: OPPOSE/AMEND

Construction defect claims have become a cottage industry for plaintiffs' lawyers, who entice owners with the promise of large cash recoveries and encourage them to reject reasonable offers of repair. When a recovery is obtained, whether through litigation or settlement, many owners accept those funds but never make the repairs they claimed were necessary. As a result, unsafe conditions may be allowed to persist, and unsuspecting buyers may wind up buying a house or building with unresolved problems. Plus, this situation is making liability insurance for contractors harder and harder to find and premiums are increasing rapidly every year.

As filed, the bill combined a number of construction litigation reform proposals that AGC has worked on over the last two years with other construction industry stakeholders, such as:

- Requiring the owner to explain its rejection of a pre-suit repair offer and allowing the contractor to respond with a supplemental offer.

- Barring an owner who rejects a pre-suit repair offer from recovering attorney fees from the contractor at trial unless the owner proves that additional repairs were needed beyond those offered.

- Requiring an owner accepting a settlement offer to enter into a contract to make the necessary repairs within 90 days and to have the repairs completed within one year, with progress payments made directly by the insurer or contractor to the new contractor hired by the owner.

- Providing for a court-appointed expert to evaluate the alleged construction defect and submit a report to the court regarding the extent of the damages, the most likely causes, and the necessary repairs.

- Making an owner who receives a settlement and fails to make the necessary repairs liable for any non-disclosure to a subsequent purchaser.

- Exploring a reduction in the state's current ten-year statute of repose (SB 736), which sets the outer boundary on contractor liability.

From there, the bills followed a torturous path, with substantial amendments at each committee stop reflecting the turmoil and controversy surrounding any significant change to the status quo on construction defect litigation.

In the second committee stop for SB 736, an amendment was put forward to establish a tiered repose period based upon the nature of the construction, which would begin with the earliest of the current statutory triggers:

- 5 years - Detached single-family home or standalone building structure intended for use by a single business, occupant or owner, not exceeding three stories in height and related improvements.

- 7 years - Single-family dwelling unit not exceeding three stories in height which is constructed in a series or group of attached units, or a commercial or nonresidential building not exceeding three stories in height, and related improvements.

- 12 years - Commercial or residential buildings or structures of 4 or more stories in height and related improvements.

- 10 years – Everything else.

Alarmed by the extension of the repose period on high-rise buildings from the current 10 years up to 12 years, AGC immediately contacted the bill sponsor and explained the unavailability of insurance coverage for contractors beyond Year 10. This was the very reason AGC was successful in amending Florida's 15-year repose period down to the current 10 years in 2006. The bill sponsor modified his amendment to take high-rise buildings back to a 10-year repose period, which was adopted.

At the third committee stop on the Senate side, there was another large amendment moving to a 5-year repose period for one-family, two-family, and three-family residential buildings and to a 10-year repose period for all other improvements. The amendment also required a Ch. 558 notice of claim to include an inspection report with information about the inspector, the inspection process, the alleged defect, and maintenance and work performed relative to the alleged defect.

On the Senate Floor, SB 736 was amended further to provide a uniform 7-year repose period for all types of improvements, but it created carve-outs allowing for claims after Year 7 if the plaintiff can show the defect was "fraudulently concealed." Such claims would have to be brought within 10 years if the alleged defect was in a one-family, two-family, or three-family residential building, but those claims could be brought at any time with respect to all other types of improvements as long as they were brought within one year of discovery. AGC strongly objected to this latter provision.

On the House side, HB 583 was amended in the second committee stop as follows:

- For actions involving a latent defect, action must be brought within 7 years of improvement completion (issuance of CO) or abandonment.

- For actions involving a latent defect where a material building code violation was known about at the time of the design, planning, or construction, the action must be brought within 15 years. In this context, a "material violation was defined as one in a completed building, structure, or facility which may reasonably result, or has resulted, in death or personal injury to a person or significant damage to the building, structure, facility, or its system, or the performance of a building, structure, facility, or its system.

AGC objected to numerous components of the House bill, including the trigger and the 15-year repose period for "material violations." HB 583 was further amended in its final committee as follows:

- Claims for "material" building code violations could be brought in Years 7-10.

  [**AGC objected** and explained to all concerned that this change would essentially gut the 7-year repose period, because all claims that would have been brought under current law would simply be plead as "material" violations in Years 7-10. Contractors and subcontractors will still have to carry insurance for the full 10-year period, just like they do now, and there will be no reduction in premiums.]

- Claims involving developments subject to a homeowners or condo association would be subject to their own special repose period (or trigger) tied to when owners are entitled to elect a majority of the association board – events over which the contractor has no control.

  [**AGC objected** and explained that this change could extend claims for many years beyond the proposed 7-year repose period and even the current 10-year repose period, after which no insurance is available to contractors.]

- Claims alleging "fraudulent concealment" of a defect could be brought as far out as Year 15.

  [**AGC objected** and explained that liability for these claims cannot be insured against – they are excluded from coverage under liability policies, so the contractor or subcontractor will have to pay its defense costs out-of-pocket, quickly bankrupting many.]

- Further, on July 1, 2022, the bill would impose all these new uninsurable risks on contractors and subcontractors for work they are currently performing or have already completed.

  [**AGC objected** and pointed out the fundamental unfairness of imposing this new potential liability on work where these new risks were never contemplated and, for older buildings, where exculpatory documents and records may have already been destroyed or discarded.]

- Repealed Chapter 558, Florida Statutes.

  [**AGC objected**, pointing out that our members have actually seen the Ch. 558 process work and litigation avoided in cases where an owner is genuinely interested in obtaining repairs.]

On the House Floor, the House took up SB 736 and amended it with what was essentially the substance of HB 583 (see above), except that claims for "fraudulent concealment" had to be brought no later than Year 10.

STATUS: While we worked long and hard with the bill sponsors and the leadership of both chambers to try to improve these bills and make them better for contractors than current law, AGC had no choice at the end of the session but to oppose the final versions of SB 736 and HB 583. After much back-and-forth among AGC, the bill sponsors, and the leadership of both chambers, negotiations between the House and Senate broke down in the final days of the legislative session, so no bill passed.

Barring Local Government Wage Mandates STATUS: FAILED
SB 1124 (Gruters)/HB 943 (Harding) AGC POSITION: SUPPORT/AMEND

Current law prohibits a local government from requiring any employer to provide minimum wages or employment benefits not otherwise required by state or federal law, providing uniformity throughout the state. "Employment benefits" means anything of value that an employee may receive from an employer in addition to wages and salary, including health benefits, holidays or sick leave, vacation, and retirement or profit-sharing benefits.

There are several specific exemptions to this state preemption, however, including a local government's continued ability to establish minimum wages and benefits for its own employees and its contractors. An exemption is also provided when necessary to allow for receipt of federal funds.

The aim of the bill is to remove the exemption that currently allows a local government to impose minimum wage requirements on the local government's contractors. Unfortunately, rather than just repealing the exemption, the bill replaces the entire statute with a minimum wage preemption, and, in so doing, would repeal the current preemption on local governments mandating "employment benefits."

At the request of AGC and others, the bill was amended to so that it prohibits political subdivisions from enacting, maintaining, or enforcing by any means a wage mandate in an amount greater than the state minimum wage rate. The bill further removes the existing statutory authority for political subdivisions to enact a wage mandate for employers, including subcontractors, who contract to provide goods or services to a political subdivision. Current law is maintained to allow a political subdivision to enact a wage mandate for employees of a political subdivision and for employers receiving a tax abatement or subsidy from a political subdivision.

STATUS: SB 1124 passed through only one of its three committees of reference. HB 943 had one committee remaining as the session drew to a close. Neither bill made it to the floor for a vote, so nothing passed on this issue.

Building Inspection Services STATUS: PASSED
SB 644 (Brodeur)/HB 423 (LaMarca) AGC POSITION: SUPPORT

Building officials, inspectors, and plans examiners are regulated by the Building Code Administrators and Inspectors Board (BCAIB) housed within the Department of Business and Professional Regulation (DBPR).

Current law also allows property owners and contractors to hire licensed engineers, architects, and building code officials, referred to as private providers, to review plans, perform inspections, and prepare certificates of completion.

In addition to a number of changes designed to ease the licensing process for building officials, building inspectors, and plans reviewers, the bills would do the following with respect to private providers:

- If a person uses a private provider, the local government must provide equal access to all permitting and inspection documents and reports to the private provider, the owner, and the contractor.

- Define the “reasonable administrative fee” that a local government may charge when an owner or contractor uses a private provider, which expressly must be based on the associated costs that are actually incurred by the local government.

- Provide the upon the private provider request for a CO or a certificate of completion (and after building official’s review of all compliance documents and the payment of all outstanding fees (SB 644) the CO, certificate of completion, or a notice of deficiency shall be issued not later than two business days for permits related to single-family or two-family dwellings and ten business days for all other permits.
    - If this timeline is not met, then the certificate is “automatically” granted and “deemed” issued as of the next business day; and
    - Local building officials must provide the permit applicant with a written certificate of occupancy within 10 days.

STATUS: HB 423 was passed by the House and Senate and will go to the Governor for his action in the coming weeks.

Emergency Aid - Independent Contractor Status STATUS: PASSED
SB 542 (Rodriguez, A.)/HB 411 (Melo) AGC POSITION: SUPPORT

When a business engages an individual to perform work, it is important that the person be correctly classified as either an independent contractor or an employee because tax and labor laws apply differently to each classification. An employee may have a civil cause of action against his or her employer for claims related to workers' compensation, retaliatory personnel actions, wages and benefits, and labor pool violations. In each instance, the employee must prove the existence of an employee-employer relationship before the employer can be held liable.

This bill arises from the COVID-19 pandemic and actions that businesses took to assist those that worked for them in an independent contractor role. The bill specifies that an engaged individual may not use the following actions of a business as evidence against the business in any of the above-specified civil causes of action if the business takes such actions during a public health emergency or other declared state of emergency:

- Providing financial assistance to previously engaged individuals who are unable to work because of health and safety concerns.

- Directly providing benefits related to an engaged individual's health and safety, including medical or cleaning supplies, personal protective equipment, health checks, or medical testing.

- Providing training or information related to an engaged individual's health and safety.

- Taking any action, including action required or suggested by any federal, state, or local law, ordinance, order, or directive intended to protect public health and safety.

Thus, the bill keeps any of the aforementioned actions from being considered as evidence that there is an employer-employee relationship between a business and a plaintiff in specified civil actions.

STATUS: SB 542 was passed by both the House and the Senate and will go to the Governor for his action in the coming weeks.

Notices of Commencement STATUS: PASSED
SB 352 (Hooper)/HB 263 (Bell) AGC POSITION: MONITOR

Current law exempts from the notice of commencement requirement a direct contract valued at $2,500 or less – a value that was set in 1997, and a direct contract for the repair or replacement of an existing heating or air-conditioning system ("HVAC system") in an amount less than $7,500 – a value that was set in 2006.

The bill increases the HVAC exception limit to $12,500 (HB 263) or $15,000 (SB 352), so a notice of commencement would not be required for a direct contract for HVAC system repair or replacement for less than that amount. The exception would not apply where an HVAC contractor is acting as a subcontractor on a larger project that includes HVAC system repair or replacement or where the project involves the installation of a new HVAC system.

STATUS: SB 352, increasing the HVAC exception limit to $15,000, was passed by both the House and the Senate and will go to the Governor for his action in the coming weeks.

Community Association Building Safety STATUS: FAILED
SB 1702 (Bradley)/SB 7042/HB 7069 AGC POSITION: MONITOR

In response to the Surfside tragedy, SB 1702, which later became SB 7042, would require the owner or condo board of a multifamily residential building three stories or more in height to obtain a "milestone inspection" by December 31 of the year in which the building reaches 30 years of age, based on issuance of the certificate of occupancy, and every 10 years thereafter. If the building is within 3 miles of the coastline, the milestone inspection must be performed by December 31 of the year in which the building reaches 20 years of age and every 7 years thereafter. For buildings where the certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024.

The referenced "milestone inspection" is a two-phase structural inspection of all habitable areas of the building by a licensed architect or engineer for the purposes of attesting to the life safety and adequacy of the structural components of the building and the general structural condition of the building as it affects safety. The purpose of this inspection is not to determine if the buildings current condition complies with the Florida Building Code. Phase one of the inspection is a simple visual examination of the building for signs of structural distress, e.g., cracks, distortion, sagging, excessive deflections, significant misalignment, signs of leakage, or peeling of finishes.

A more extensive phase two inspection, which may involve testing, is required only if signs of distress are found in the phase one inspection. The bill requires that the inspector in charge of a phase two milestone inspection must be a licensed engineer or licensed architect with a minimum of five years' experience designing structural components and five years' experience inspecting existing buildings of similar size, scope, and type of construction.

The Florida Building Commission is charged with developing comprehensive structural and life safety standards for maintaining and inspecting all building that are three stories or more in height. The standards are in addition to those provided in this section and must be made available for local governments to adopt at their discretion.

Under HB 7069, residential condominium and cooperative buildings that are three stories or more in height must have a milestone inspection once the building reaches 30 years in age, and every 10 years thereafter. If the building is within three miles of coastline, the milestone inspection must be conducted when the building reaches 25 years of age, and every 10 years thereafter. Inspections must be done by a licensed architect or engineer. The bill provides a two-phase milestone inspection process consisting of a phase-one visual inspection and a phase-two structural inspection, which may involve more intensive destructive and nondestructive testing if the phase-one visual inspection identifies structural distress. Local governments may prescribe timelines and penalties with respect to compliance.

Upon completion of the milestone inspections, the architect or engineer who conducts the inspection must submit a sealed copy of the inspection report to the local building official and the board of administration for the condominium and cooperative association.

STATUS: Ultimately, the House and Senate were unable to reach a compromise on this legislation, and none of the referenced bills passed both chambers.

Use of U.S. Iron & Steel in Public Projects STATUS: FAILED
SB 1336 (Boyd)/HB 619 (Rodriguez, A.) AGC POSITION: MONITOR

The bill requires a governmental entity contracting for a public works project or for the purchase of materials for such a project to include a requirement that any iron or steel product permanently incorporated into the project must be produced in the United States.

The bill waives this required contract term if the governmental entity determines the following:

- Iron or steel products produced in the United States are not produced in sufficient quantities, reasonably available, or of satisfactory quality;
- The use of iron or steel products produced in the United States will increase the total cost of the project by more than 20 percent; or
- Compliance is inconsistent with public interest.

Electrical components and equipment are exempt.

Lastly, the bill provides that it must be applied in a manner consistent with the state's obligations under any international agreement and may not be construed to impair any such obligations.

STATUS: HB 619 moved successfully through only three of its four committees. SB 1336 was not heard in any committee. As such, no legislation on this issue passed.

Heat Illness Prevention STATUS: FAILED
SB 732 (Rodriguez, A.)/HB 887 (Chambliss) AGC POSITION: OPPOSE

SB 732 creates s. 448.111, F.S., which provides responsibilities for certain employees and employers relating to heat illness prevention at work. These employers include industries where employees regularly perform work in an outdoor environment, including, but not limited to, agriculture, construction, and landscaping. Employers are required to:

- Train and inform supervisors and employees about heat illness, how to protect themselves and coworkers, how to recognize signs and symptoms of heat illness in themselves and coworkers, and appropriate first-aid measures.

- Provide preventative and first-aid measures to address signs or symptoms of heat illness.

- Ensure effective communication so that an employee may contact an employer, manager, supervisor, contractor, or emergency medical services provider if necessary.

- Provide a sufficient amount of cool or cold drinking water that is quickly and easily accessible to employees throughout the workday and remind employees to consume water.

- Ensure that each employee takes a 10-minute recovery period for every 2 hours that the employee is working in an outdoor environment under high-heat conditions.

- Provide accessible shade.

- Conduct annual training approved by the Department of Agriculture and Consumer Services (FDACS) and the Department of Health (DOH).

The bill states that these new state requirements are “supplemental to all related industry-specific standards,” but the new state requirements control if they offer greater protection than the industry-specific standards.

STATUS: SB 732 moved successfully through the first of its three committees, but HB 887 was not heard in any committee. As such, no legislation on this issue passed.

Business Damages vs. Local Governments STATUS: PASSED
SB 620 (Hutson)/HB 569 (McClure) AGC POSITION: SUPPORT

This bill creates a cause of action for an established business to recover loss of business damages from a county or municipality whose regulatory action has caused a significant impact on the business.

Currently, landowners have a cause of action under the Bert J. Harris Act to compensate them for the lost value of their land caused by certain local government actions; landowners have a cause of action for onerous local regulation in the form of exactions; and business landowners have a cause of action under eminent domain law for business damages related to a taking of real property.

Similarly, SB 620 creates a cause of action for a business to sue a local government for damages when the enactment or amendment of certain types of ordinances cause at least a 15 percent loss of profit on a per location basis. The business must have been in operation in the local jurisdiction for at least 3 years to qualify. The amount of recoverable business damages may not exceed the present value of the business' future lost profits for the lesser of 7 years or the number of years the business had been in operation in the jurisdiction before the ordinance was enacted. The bill contains a list of situations under which the local government is not liable for damages, and there is an opportunity to cure for 120 days. Compliance with a 180-day pre-suit notice and settlement period is required. The prevailing party may also be awarded costs and attorney fees.

STATUS: SB 620 was passed by both the House and the Senate and will be sent to the Governor for his action in the coming weeks.

Local Ordinances – Business Impact Statement STATUS: FAILED
SB 280 (Hutson)/HB 403 (Giallombardo) AGC POSITION: SUPPORT

These bills make changes related to passing and challenging certain local ordinances. They add requirements to the process for local governments passing ordinances and gives certain additional rights to those challenging local ordinances.

SB 280 requires counties and cities to produce a "business impact estimate" prior to passing ordinances regarding certain issues, with specified exceptions. The estimate must be published on the local government's website and include certain information, such as the proposed ordinance's purpose, estimated economic impact on businesses, and compliance costs.

SB 280 also:

- Requires the local government to suspend enforcement of an ordinance upon such legal challenge, including appeals, under certain circumstances.

- Requires the court to give those cases in which enforcement of the ordinance is suspended priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

- Provides that a court may award attorney fees to a prevailing party.

HB 403 was amended in committee and provides for the following:

- Caps at $50,000 the total amount of attorney fees, costs, and damages awardable to a person who successfully challenges a local ordinance on the grounds that it is arbitrary or unreasonable and prohibited the recovery of attorney fees and costs in such an action related to litigation to determine an attorney fees and costs award.

- Expands the cure provision to apply to damages and to a local ordinance challenged on the grounds that it is arbitrary or unreasonable.

- Specifies that the attorney fees, costs, and damages provisions in the bill may not be construed to authorize double recoveries if an affected person prevails on a damages claim brought against a local government pursuant to other applicable law involving the same ordinance.

- Modifies the business impact estimate requirement to:
    - Simplify the required contents of the estimate;
    - Specify that an account or other financial consultant does not have to prepare the estimate; and
    - Expand the types of local ordinances for which an estimate is not required.

- Provides that when a plaintiff appeals a final judgment finding that a local ordinance stayed under the bill is valid, the local government may enforce the ordinance 30 days after the order's entry unless the plaintiff files a motion for a stay of the order and such motion is granted.

- Deletes the factors a court must consider in determining whether an ordinance is arbitrary or unreasonable.

STATUS: SB 280 passed the full Senate. HB 403 made it through all its committees, but it was never taken up on the House floor, so no legislation on this issue passed.

Building Plan Changes STATUS: FAILED
SB 1020 (Perry)/HB 635 (Maggard) AGC POSITION: SUPPORT

If a local building official or plans examiner finds that building plans do not comply with the Building Code, the local building official or inspector must identify the specific plan features that do not comply with the Building Code, identify the specific chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency must provide this information to the permit applicant.

HB 635 would:

- Require local governments that make substantive changes to building plans to notify the permitholder of the specific reasons for changes.

- Prohibit local governments from making substantive changes to plans after a permit has been issued unless the changes are required for compliance with the Building Code or the Fire Prevention Code.

- Require a building official or inspector who requests another person to review building plans to notify the local government if such person determines the plans do not comply with the Building Code.

- Require a local fire official to notify the permit applicant if building plans do not comply with the Fire Prevention Code and give specific reasons why the plans are not in compliance.

- Allow a plans reviewer, inspector, building official, or fire safety inspector to be disciplined for failure to notify the appropriate person of the reasons for making substantive changes to building plans.

- With respect to demolition of single-family buildings in certain flood zones:
    - Bar local governments from prohibiting or restricting private property owners from demolishing such buildings.
    - Limit the review process for these demolition permit applications and provide that they may not be subject to additional local regulations or public hearings.
    - Prohibit local governments from requiring additional building requirements for new homes built on the site of such demolished single-family buildings.

STATUS: HB 635 passed through two of its three committees of reference, but SB 1020 never received a hearing in any committee. As such, no legislation on this issue passed.

Department of Financial Services STATUS: PASSED
HB 959 (LaMarca)/ SB 1874 (Boyd) AGC POSITION: MONITOR

This bill amends statute related to numerous programs under the supervision of the Chief Financial Officer and the Department of Financial Services. Of interest to AGC, the bill reduces penalties and creates educational tools within the Division of Workers' Compensation:

- Changes the definition of "employer" used in workers' compensation law.
- Requires an online tutorial for persons seeking an exemption from the workers' compensation law.
- Lengthens a deadline for non-compliant employers to submit payroll records for penalty calculation.
- Reduces penalties for employers with no prior incidents of non-compliance.
- Provides that a required notice of rights may be sent to employees by mail or email.
- Eliminates a requirement for in-person payroll audits of some construction businesses.

Minority Subcontractor Quotas on State Projects STATUS: FAILED
SB 1530 (Jones)/HB 1385 (Woodson) AGC POSITION: OPPOSE

This bill would require state contracts for all goods and services to be awarded only to contractors who agree to use certified minority, woman-owned, or veteran-owned businesses as subcontractors or subvendors for at least 30 percent of the contract value.

STATUS: These bills did not receive a committee hearing, so no legislation on this issue passed.

The AGC Florida East Coast Chapter and the South Florida AGC Chapter partner to comprise and equally fund the AGC Florida Council, AGC's state legislative lobbying arm, utilizing the lobbying team of Metz, Husband, and Daughton.

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