

Committee on Commerce and Tourism

CS/CS/SB 232 — Debt Collection

by Banking and Insurance Committee; Commerce and Tourism Committee; and Senator Rodriguez

The bill revises the Florida Consumer Collection Practices Act to allow any person attempting to collect on a debt to communicate with a debtor via email between 9 p.m. and 8 a.m. The bill includes preamble clauses that acknowledge emails were not commonly used or explicitly contemplated when the Florida Legislature prohibited the practice of communicating with a consumer at night. The preamble clauses also identify the Legislative intent of the bill is to update the law and clarify that emails are not prohibited between such hours because they are less invasive and less disruptive than telephone calls.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.

Vote: Senate 36-0; House 116-0

Committee on Commerce and Tourism

CS/SB 316 — Limited Liability Companies

by Rules Committee and Senator Berman

The bill amends the Florida Revised Limited Liability Company Act in ch. 605, F.S., to provide for the creation and regulation of protected series limited liability companies (LLC) under Florida law. Currently, Florida law does not allow for the creation of a protected series LLC within a series LLC formed in this state. A series LLC consists of an overarching, “umbrella” LLC under which one or more protected series LLCs are created; each protected series LLC has its own assets and liabilities and is treated as if it were a separate LLC. The bill specifies definitions, operations and governance, powers and duties, liability limitations, and requirements related to service and notice, reporting, management, merger, and dissolution.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2026.

Vote: Senate 35-1; House 115-0

Committee on Commerce and Tourism

CS/CS/HB 515 — Uniform Commercial Code

by Judiciary Committee; Civil Justice & Claims Subcommittee; and Rep. Gentry (CS/CS/SB 1666 by Rules Committee; Commerce and Tourism Committee; and Senator Grall)

The bill incorporates Article 12 of the Model Uniform Commercial Code (UCC) into Florida's UCC. In doing so, the bill provides updated rules for commercial contracts and financial transactions involving emerging technologies, such as cryptocurrencies and other electronic assets. Cryptocurrencies are digital financial instruments, the use of which is not contemplated under Florida's current UCC. Under the bill, attorneys, judges, and other practitioners have a legal framework to guide their implementation and enforcement of commercial contracts and transactions which rely on emerging technologies instead of traditional forms of money.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 38-0; House 115-0

Committee on Commerce and Tourism

CS/SB 678 — Pawnbroker Transaction Forms

by Commerce and Tourism Committee and Senator Truenow

The bill authorizes pawnbroker transaction forms, which are approved by the Department of Agriculture and Consumer Services and are used to record pawns and purchases by pawnbrokers, to be in digital or print format instead of only print format. Digital forms must be in a font size of at least 12 points. Pawnbrokers may use either format.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 115-0

Committee on Commerce and Tourism

HB 827 — Statewide Study on Automation and Workforce Impact

By Reps. Spencer and others (SB 936 by Senator Davis)

The bill requires the Bureau of Workforce Statistics and Economic Research (Bureau) at the Florida Department of Commerce to perform a statewide study on the economic impact of automation, robotics, and artificial intelligence on the state's workforce with a specific focus on job losses and gains due to artificial intelligence and automation. By December 1, 2025, and every three years after that, the Bureau must perform the study and submit a report of its findings and policy recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 35-0; House 112-1

Committee on Commerce and Tourism

CS/HB 915 — Advertisements for Representation Services

by Civil Justice & Claims Subcommittee and Reps. Lopez, Woodson, and others (CS/CS/SB 846 by Rules Committee; Commerce and Tourism Committee; and Senators Polsky, Pizzo, Smith, and Arrington)

This bill amends existing statutes and introduces new provisions addressing notary public fraud and the unlicensed practice of law in connection with immigration matters. The bill prohibits a notary public who is not authorized to represent a person in an immigration matter, when advertising his or her notary public services, from using the terms notario público, notario, immigration assistant, immigration consultant, or immigration specialist, or any other designation of title, in any language, which conveys or implies that he or she possesses professional legal skills in immigration law.

The bill requires unlicensed or unauthorized individuals offering immigration services to post conspicuous notices on their websites and at their places of business in relevant languages which state that the individuals are not accredited to represent anyone in an immigration matter, licensed to practice law, provide legal advice, or accept fees for legal advice.

A person aggrieved by these provisions has a civil cause of action against the entity, person, or business violating such provisions for declaratory or injunctive relief, actual damages, and reasonable attorney fees and costs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 36-0; House 114-1

Committee on Commerce and Tourism

CS/CS/HB 1161 — Removal of Altered Sexual Depictions Posted Without Consent

by Commerce Committee; Industries & Professional Activities Subcommittee; and Rep. Duggan and others (CS/SB 1400 by Commerce and Tourism Committee and Senator Calatayud)

The bill requires certain internet platforms to establish a process by which a person may notify and request removal of an altered sexual depiction that was published without the person's consent. Altered sexual depictions are photos or videos which are digitally modified with nude body parts or sexual conduct, colloquially known as deepfake porn, as defined in s. 836.13, F.S. Covered internet platforms are those which primarily provide a forum for user-generated content or for which it is in the regular course of business to publish, curate, or host content of nonconsensual altered sexual depictions.

The bill requires a covered platform, by December 31, 2025, to provide clear and conspicuous notice of its notice and removal process for an individual, or an authorized person acting on their behalf, to request removal of altered sexual depictions posted without the individual's consent. Within 48 hours of receiving a valid notification and request for removal, the covered platform must remove the altered sexual depiction and make reasonable efforts to identify and remove identical copies of such depiction.

Under the bill, a failure to reasonably comply with the notice and removal process constitutes an unfair or a deceptive act or practice under the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). Under FDUTPA, the Department of Legal Affairs or the state attorney's office in the appropriate judicial circuit may seek declaratory judgment, injunctive relief, actual damages on behalf of consumers; cease and desist orders; and civil penalties of up to \$10,000 per violation. An affected individual may also seek relief under FDUTPA, including declaratory judgment, injunctive relief, actual damages, attorney fees, and court costs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming a law.

Vote: Senate 38-0; House 116-0

Committee on Commerce and Tourism

CS/CS/CS/HB 1219 — Employment Agreements

by Commerce Committee; Judiciary Committee; Industries & Professional Activities Subcommittee; and Rep. Koster (CS/CS/CS/SB 922 by Rules Committee; Judiciary Committee; Commerce and Tourism Committee; and Senator Leek)

This bill creates the “Florida Contracts Honoring Opportunity, Investment, Confidentiality, and Economic Growth (CHOICE) Act,” which establishes the framework for the use of a covered garden leave agreement and a covered noncompete agreement between a covered employer and a covered employee. The bill provides that a covered garden leave agreement or a covered noncompete agreement does not violate state antitrust laws. In specified circumstances, an employee must be given 7 days to review a covered agreement before signing. The bill limits covered agreements to 4 years and provides for the enforcement of covered agreements.

A covered employee is an employee or an individual contractor who earns or is reasonably expected to earn a salary greater than twice the annual mean wage of the county in Florida which the employer has its principal place of business, or the county in Florida in which the employee resides if the employer is not principally based in this state. A covered garden leave agreement is an agreement to keep paying an existing covered employee even though the employee is not required to appear at work or produce any output. The employee agrees not to take any other employment during that period, which is up to 4 years pursuant to the agreement, without the permission of the employer. A covered noncompete agreement is an agreement usually signed at the beginning of employment whereby the covered employee agrees not to work for a competitor for a set length of time, up to 4 years, and within a geographic area after termination of employment.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 28-9; House 91-21

Committee on Commerce and Tourism

CS/CS/HB 1359 — Feasibility Study Relating to Statewide Pawn Data Database

by Information Technology Budget & Policy Subcommittee; Criminal Justice Subcommittee and Rep. Michael (CS/CS/SB 1252 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; and Senator Yarborough)

The bill requires the Department of Law Enforcement (FDLE) to conduct a feasibility study on the creation of a statewide pawn data database. The creation of a statewide pawn data database, at a minimum, must:

- Allow law enforcement agencies in all counties in this state to access, update, and share pawn data in real time;
- Be provided free of charge to all law enforcement agencies in this state;
- Be interoperable with different law enforcement databases, software solutions, and jurisdictions and meet established data standards to facilitate seamless communication between law enforcement agencies; and
- Ensure compliance with applicable privacy and security laws.

The FDLE must complete the study as authorized and consistent with funding specifically appropriated in the General Appropriations Act and report the feasibility study results to the President of the Senate and the Speaker of the House of Representatives by January 1, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 113-0