

## 2021 Legislative Priorities

### **Construction Defects**

(HB 21 – Representative Alex Andrade/SB 270 – Senator Keith Perry)

The original purpose of Chapter 558 was to serve as an alternative dispute resolution process to allow owner and contractor to work out claims of defects without immediately involving their respective attorneys and insurance. Unfortunately, Chapter 558 is now mainly utilized as a pre-suit process which runs counter to the original intent. This collaborative effort between ABC of Florida and other industry partners seeks to secure smaller reforms within 558 that we feel will help reduce the overall abuse of the Chapter 558 process. The current proposed language would: require owners to sign off on the claim of defect under oath, to attest to their personal knowledge of the existence of the defect, to exhaust any applicable warranty options, would amend the definition of material violation, and would require subsequent proof that any financial awards secured were utilized to repair the alleged defect.

### **Public Works Projects**

(HB 53 – Representative Nick DiCeglie/SB pending – Senator Jason Brodeur)

Billions of dollars go to fund public procurement projects. While the funding may come from a variety of sources (Federal, State, Local, etc.), ultimately, the funding ultimately comes from taxpayer revenue. ABC believes therefore, that that the bidding process should be as competitive as possible. Projects should be awarded to the lowest, most qualified, most responsible, and responsive bidder. Unfortunately, however, the current trend is for public entities to establish various mandates that serve as mandatory conditions of the bidding process. Things like hiring mandates, wage and benefit requirements, training, and training location requirements, or establishing preferences based on geography of a company's headquarters or where their employees live – are all too prevalent in the process. None of these preferences speak to the ability of a company to perform on a job and therefore, this legislative effort would seek to preempt them.

### **Apprenticeship and Pre-Apprenticeship Programs**

(HB 175 – Representative Jason Shoaf/SB 508 – Senator Jeff Brandes)

The DeSantis Administration has done a great job highlighting the importance and benefits of Apprenticeship Education. This pivot in thinking is a tremendous breath of fresh air. We know however, that with a few changes to existing regulations, policies, and mindsets, that Florida could dramatically increase the number of Apprentices educated annually. This legislation would: clarify that the state does not intend for any government to mandate Apprenticeship Education as a part of public procurement, would establish a seat on the State Apprenticeship Advisory Council for someone from the Department of Economic Opportunity, would require the Department of Education to clarify the exact process an educational institution must take in order to serve as an LEA for a private Apprenticeship Education provider and publish that information on their website, publish the FTE reimbursement rate by trade by industry on their website, publish the amount of workforce education funding drawn down by each educational institution and what the money is being utilized for. This legislation will also require, under the Florida Student's Bill of Rights, that parents receive information about workforce education opportunities throughout the state for their children including information on pathways to careers, anticipated industry salaries, etc. The state currently requires that parents receive information about choice programs and charter schools, and we feel that they should also receive information about available career and technical education, pre-apprenticeship, and apprenticeship education opportunities.