

“I grew up in the restaurant business and it’s hard to make a living on a normal day much less during a period of time when our state’s economy is trying to get back on its feet from the government shutdowns. We can’t allow our state’s recovery to be inhibited by the constant threat of lawsuits that will put people out of business and inevitably jack up insurance rates for people who are trying to make an honest living. I think it’s important that leaders take a stand sooner-than-later to make it clear to Florida businesses that we’ve got their backs.”

– FLORIDA CHIEF FINANCIAL OFFICER JIMMY PATRONIS

CFO PATRONIS ON LIABILITY PROTECTIONS - GUIDING PRINCIPLES

Principle #1 – Businesses Must Do Right by Employees and Customers

In these unprecedented times much is being asked of every American to fight the spread of the COVID-19 virus, and both large and small businesses alike must do their part to fight its spread. If the Florida Legislature is to take steps to protect businesses from legal liabilities, there should be an expectation that business owners have taken reasonable steps to ensure they’re watching out for the health and safety of their employees and customers. Not only does promoting good behavior by businesses to combat the Coronavirus make good business sense, but also it sends a message to the nation that Florida can both open its economy and keep people safe.

Principle #2 – Protections Must be Consistent and Simple

Whether operating a restaurant, a gift shop or major health care facility, Florida’s economic rebound will meet its full potential when employers feel comfortable that they can hire and grow without facing an army of law firms aimed at growing their margins through sue-and-settle tactics. Tallahassee has a way of muddying up and over-complicating good ideas. Drawing arbitrary distinctions across sectors and empowering unelected bureaucrats to make decisions on who is protected from frivolous lawsuits is bad policy. For liability protections to work, business owners and taxpayers need clear and concise direction, and a convoluted law won’t make people safer – it will incentivize employers to skirt the law.

Principle #3 – Justice Should Come First, Not Attorney Profits

Florida’s court system should be a place for justice, and any employer that’s willfully negligent and puts their employees at risk should face the consequences. But that doesn’t mean every case is a good one. Any protections passed by the Legislature must ensure there are no huge moneymaking opportunities to be made for attorneys. The only incentive for bringing suits forward should be justice. Any suits that are brought forward should be done so because there is a good case to be made – not because the pandemic presents itself as a lucrative business opportunity.

Now Is The Time...

Businesses cannot wait to see how the courts address the numerous trial balloons certain law firms have deployed to see how the court system will address COVID-19. Florida must be proactive in its approach to support its continued economic rebound. Now is the time...



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