



## Capitol Update

### Florida Legislative Session

### 2024 Wrap-Up

*Provided by Jim Spratt, Association lobbyist*

The legislature adjourned the 2024 legislative session sine die on Friday, March 8<sup>th</sup> at 2:25 pm. By the numbers, 1,902 total bills were filed in the Senate and House (general bills, concurrent resolutions, resolutions, local bills, joint resolutions and memorials) and 325 of those passed both chambers.

After more than a week of budget negotiations, the legislature passed HB 5001 - General Appropriations Act for the state's FY 2024-25. Coming in at \$117.46 billion, the budget exceeds by more than \$1 billion the proposed budgets of the Senate and House when the budget conference began. Once Governor DeSantis receives the budget, he will have 15 days to take action. In Florida, the governor has the "power of the pen" and can line item veto any appropriation contained within the budget the Legislature passed.

The Legislature also passed a sales-tax packages **SB 7074/ HB 7073 (Sen. Blaise Ingoglia/ Rep. Stan McClain)** with roughly \$1.5 billion in savings. Highlights of the package includes sales tax holidays for back-to-school, disaster preparedness, "Freedom Month" (outdoor activities, musical events, etc.), and "Tool Time" (equipment for skilled workers).

### POLICY THAT PASSED

#### **SB 7040/ HB 7053 (Sen. Gayle Harrell/ Rep. Thad Altman) *Ratification of Department of Environmental Protection Stormwater Rules***

In 2021 the Legislature directed the Florida Department of Environmental Protection to update its statewide stormwater rules. In so doing, the cost of development will increase in Florida. While inferred in the stormwater rules, the legislation ratifying the rules clarifies grandfathering of existing Environmental Resource Permits as well as clarifying that agricultural producers who are enrolled in Best Management Practices program are not subject to duplicative inspections.

#### **SB 1084/ HB 1071 (Sen. Jay Colins/ Rep. Danny Alvarez) *Florida Department of Agriculture and Consumer Services***

This legislation, the omnibus agency package, contains a myriad of provisions relating to the department's powers and duties. Specially, for forestry landowners, the bill codifies the department's rules and authority regarding the sale and harvesting of saw palmetto berries, including requiring permits and maintaining records. In addition, the bill updates and consolidates the sections on law dealing with criminal penalties on agricultural property. Lastly, the bill provides a commonsense update which mandates excused absences for students participating in 4-H or Future Farmers of America (FFA) activities.

#### **SB 632/ HB 87 (Sen. Corey Simon/ Rep. Jason Shoaf) *Taking of Bears***

Not the whole enchilada but the legislation exempts individuals from penalties for taking bears with lethal force for self-defense or property protection. The bill allows lethal force against bears without penalties if used to prevent imminent threat of death, serious bodily injury to a person or pet, or substantial property damage. The bill stipulates persons must not have intentionally or recklessly put themselves in danger and must report the incident to the commission within 24 hours. The legislation also requires bears taken under these

circumstances be handled by the Fish and Wildlife Conservation Commission, prohibiting the individual from possessing, selling, or otherwise disposing of the bear or its parts.

**SB 1492/ HB 433 (Sen. Jay Trumbull/ Rep. Tiffany Esposito) *Employment Regulation***

This legislation, which was one of the final two policy bills passed in 2024, establishes a statewide preemption over employment regulations and workplace heat exposure requirements, invalidating local government ordinances that exceed or conflict with state or federal labor laws.

This bill is a huge win for agriculture and all outside businesses. Miami-Dade County was poised to pass a significantly bad local ordinance, and it appears other local governments (Orange, Alachua, Hillsborough, Pinellas) had groups actively working to advocate for similar ordinances.

It is also important to understand this local effort is just another skirmish in the ongoing saga with organized labor, worker advocate groups, and activists against Florida's business and "Right to Work" employment laws in Florida.

**SB 1082/ HB 1051 (Sen. Jay Collins/ Rep. Kaylee Tuck) *Housing for Legally Verified Agricultural Workers***

The legislation preempts local government from prohibiting the construction of housing for legally verified agricultural workers on lands classified as agriculture. In order to comply with SB 718 Employment Verification (passed by the 2023 legislature), employers with more than 25 employees are required to use the federal E-Verify program to verify employment eligibility. This law has forced more agricultural producers to rely on the H2A Guest worker program to address employment needs. One of the requirements to the H2A program is the producer must provide housing for the employees and, shockingly, some local jurisdictions have gone above and beyond to prohibit or deny this housing.

**POLICY THAT FAILED**

**SB 1560/ HB 1251 (Sen. Jay Collins/ Rep. Danny Alvarez) *Tangible Personal Property***

This legislation started with a focus on exemption all Tangible Personal Property taxes on lands classified as agriculture. It was amended to apply an additional \$25,000 increase in the Tangible Personal Property Exemption for all Florida businesses. Unfortunately, this legislature could not come to an agreement on this legislation. It is important to note that there was much support for doing something; however, given this effort required a 2/3rds vote of both chambers, there was not enough support in both chambers for either the underlying or the amended versions of the bill.

**SB 738/ HB 789 (Sen. Danny Burgess/ Rep. Toby Overdorf) *Environmental Management***

This legislation proposed to correct a 2019 court decision which provided for expanded legal liabilities which were never intended to apply to permitted activities under the Water Quality Assurance Act. The legislation correctly limited liability to the standard of strict liability for individuals following a legally authorized discharge permit. It is also worth noting the legislation did not limit legal actions for damages to real or personal property resulting from and unauthorized pollution without the need to prove negligence.

This nuanced yet important tort reform made it through most of session before the Florida Justice Association and other pro-lawsuit groups finally overloaded the legislature and "poisoned the well" (emphasis added and pun intended).

In all likelihood this concept will return next session for another round of session bingo!

**SB 1772/ HB 1075 (Sen. Jay Collins/ Rep. Keith Truenow) *Soil and Water Conservation Districts***

Florida's Soil and Water Conservation districts fall into a broad range of categories ranging from highly effective and useful to abjectly defunct. As filed, this legislation proposed to repeal all soil and water conservation districts in Florida and replace the districts with seven regional boards. The legislation also would have created a statewide advisory board to oversee and direct the activities of the seven regional boards.

Although this wholesale change to the soil and water districts did not survive session, there was much work done to improve the bill and chart a new path forward for the operation of and activities conducted by the districts. This legislation will certainly be back in 2025.

**SB 272/ HB 297 (Sen. Jennifer Bradley/ Rep. Lindsey Cross) *Appointment of Courtroom Animal Advocates***

In the realm of "well-intended yet misguided," this legislation, like many animal rights bills, portrays a wholesome concern of a divorce or a death in a family and the "pet" being lost in the legal shuffle. There are many folks who believe the pet should have a court appointment advocate, a "Doggy Public Defender" if you will. Yet the details in legislation such as this always matter. This legislation was but another step in establishing rights and protections for animals to be in line with human rights. If we can have animal advocates for dogs and cats, the jump to having advocates for cows, horses, hogs, deer and turkey is not a huge jump.

This legislation has been filed in several sessions and it would be logical to assume it will again return in 2025. If it reappears, it will require diligence to make sure the "Purr-view" of the law is narrow and that we aren't "dogged" by the sneaky "law of unintended consequences."

**SB 1252/ HB 347 (Sen. Jay Collins/ Rep. Keith Truenow) *Exemptions from Product Liability***

Simple and straightforward bills should be the rule, not the exception, in Tallahassee and Washington DC. This legislation was as straightforward as they come, spanning all of two pages. This legislation provided product liability protection to agricultural employers, distributors, dealers, and applicators. This legislation would have further strengthened the protection to agricultural employers and applicators from frivolous lawsuits.

Quite simply, if we believe the label is the law and we respect the significant testing which takes place to even get a product to market under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA), then as a policy we should provide strong protections for those who sale, distribute, and apply these products per labeling instructions.

This legislation died on the last day of the 2024 Session in the Florida Senate as the Senate refused to bring the bill up for a vote on final reading. This legislation again highlights the "fight" between the business community and plaintiffs' attorneys in the legislative process.

**BUDGET**

**Florida Department of Agriculture and Consumer Services**

**Rural and Family Lands: \$100 million (recurring)**

Agricultural Best Management Practices: \$35 million

New Facility at the Conner Complex (Tallahassee): \$80 million

Agricultural Water Supply Planning: \$1.5 million

Fresh from Florida: \$20 million

**Florida Forest Service**

**Replacement Fire Equipment: \$13.4 million**

Land Management: \$8.9 million

Road/ Bridge/ Stream maintenance: \$5 million

**Reforestation: \$4 million**

Replacement Forest Stations: \$3.1 million

**UF/IFAS**

Ongoing Agricultural Fertilizer Rate Study: \$4 million

**Workload: \$2 million**

Center for Artificial Intelligence: \$19 million

**Forestry Education: \$1.1 million**

Wild Turkeys Statewide research initiative: \$1.5 million

**Florida Department of Environmental Protection**

**Florida Forever: \$100 Million**

**Springs Protection: \$55 Million**

Florida Communities Trust: \$15 Million

Alternative Water Supply Grants: \$55 Million

Waste Water Grants (septic to sewer): \$135 Million

We would be remiss if we didn't take the opportunity to thank several elected officials who were true champions for Florida agriculture:

**Commissioner Wilton Simpson** continues to hang victories of the wall while unapologetically promoting Florida's agriculture industry. The Commissioner and his staff will never be accused of sitting on the sidelines waiting to be put in the game, in fact they have proven time and again they will start, control and finish the game when it comes to Florida agriculture.

**President Kathleen Passidomo** and **Speaker Paul Renner** oversaw significant victories for agriculture, the Florida business community, and all Floridians.

**President-Designate Ben Albritton** and **Senators Jay Collins, Jay Trumbull, Travis Hutson, Cory Simon** and **Jason Brodeur** all played their parts in the session successes. On the House side, **Representatives Bobby Payne, Stan McClain, Lawrence McClure, Josie Tomkow, Toby Overdorf, Kaylee Tuck, Keith Truenow, Jason Shoaf, Danny Alvarez, and Tiffany Esposito** fought to get key priorities through the House.