



Legislative Report: 3.5.21

Provided by Jim Spratt, Magnolia Strategies LLC

The 2021 Florida Legislature convened on Tuesday morning, March 2, beginning the 60-day sprint known as “session.” Undeniably, things are different in Tallahassee this year as protocols remain in place to prevent the spread of Covid-19. The Senate doesn’t all in-person meetings and public testimony during committee meetings is accepted remotely from the Donald Tucker Center. The House allows in-person meetings, but visitors must be escorted into the building.

With such restricted access, relationships with elected officials matter this year more than ever before. We are fortunate to have worked diligently to build these relationships so that our elected officials recognize the association as a trusted source of information. As the next few weeks progress, we will depend upon and utilize these relationships to help advance good policy as well as to stop well-intended yet misguided policy which could impact our members.

While there was a good deal of ceremony surrounding the opening of session, business was also conducted this week.

On Tuesday, the Senate Environment and Natural Resources Committee approved **SB 94 Water Storage North of Lake Okeechobee** by Sen. Jason Brodeur. Quite simply this legislation directs the South Florida Water Management District to enter into agreements with the Army Corp of Engineers to seek Congressional approval of the project implementation report for the Lake Okeechobee Watershed Restoration project. This bill further directs the utilization of aquifer storage and recovery wells in the areas north of Lake Okeechobee as a critical tool to help treat and capture water runoff before it gets into Lake Okeechobee.

Also on Tuesday, the Senate Judiciary Committee approved **SB 920 Liability of Persons Providing Areas for Public Outdoor Recreational Purposes** by Sen. Jennifer Bradley. This legislation provides liability protections for landowners who, through agreement with the state, allow the public ingress and egress through their property for the purpose of access to state-owned lands.

On Thursday, the Senate Rules Committee approved **SB 88 Farming Operations** by Sen. Brodeur. This legislation, which is an association priority, would strengthen Florida’s Right to Farm Law. More specifically, it expands the list of items which may be generated by normal farming activities; it expands the definition of nuisance to cover all other potential tort claims; it reduces the universe of individuals who can bring a suit to those who are located within ½ mile of the farm activity; and, it provides caps on both compensatory and punitive damages which may be awarded.

On Thursday in the House of Representatives, the Civil Justice and Property Rights Committee approved **HB 287 Liability of Persons Providing Areas for Public Outdoor Recreational Purposes** by Rep. Jason Shoaf. This legislation is identical too **SB 920** by Sen. Bradley, which was discussed above.

In addition, the Civil Justice and Property Rights Committee approved **HB 421 Government Actions Affecting Private Property Rights** by Rep. Kaylee Tuck. This legislation provides some necessary updates to the Bert Harris Private Property Rights Act. Specifically, the legislation compresses the timeclock for local government response from 150 days down to 90 days; it provides a mechanism for a judge to directly rule as opposed to going through the process of a jury trial; and it provides for property owner's attorneys' fees to be covered by the local government should the property owner prevail.