



## 2023 Legislative Wrap-Up

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The Florida legislature concluded the 2023 session around 11:00 am on Friday, May 5. A true reflection of the presiding officers, President Kathleen Passidomo and Speaker Paul Renner, the final hours went smoothly and the conclusion was full of professional and complimentary words from both chambers.

Looking through the raw data from session, there were 1828 bills filed this session; ultimately 356 (19%) made it through passage by both chambers. In addition, the legislature passed a roughly \$114 billion budget and a tax package with an estimated \$2.4 billion in relief to Floridians.

Legislatively, the Governor certainly flexed his political muscle, and the super majorities in the Senate and the House delivered significant and bold policies. To be clear, Florida is a red state in representation as well as in policy!

Academically, one might ponder why a historically purple state like Florida has shifted clearly to the red side of the spectrum, yet, practically, one might surmise that we are on the verge of Governor DeSantis announcing a run for President of the United States.

### **Department of Agriculture and Consumer Services: SB 1164 (Sen. Collins) / HB 1279 (Rep. Alvarez):**

This legislation, also referred to as “the agency package,” contains a broad list of clean-up clarifications and modernizations within the Department of Agriculture and Consumer Services. Of specific interest to Association members, both the Senate and House bills create the Florida Farm TEAM card. Similar in concept to the Georgia GATE card, the Farm Team card would enable agriculture producers to present the card at time of purchase to receive the sales-tax exemptions on items used in agriculture which are exempt from sales-tax. The Farm Team Card presents a significant opportunity to modernize and enhance efficiency for agricultural and silvicultural operations as the card would replace the certification and affidavit forms producers are currently required to file with a retailer in order to receive the sales-tax exemptions to which they are entitled.

To view a copy of the final bill, please click the link:

<https://www.flsenate.gov/Session/Bill/2023/1279/?Tab=BillText>

**Immigration (SB 1718):** This legislation, which was a priority of Governor DeSantis, updates several sections of Florida law. Most notably the new law requires all business entities with **more** than 25 employees to verify employment eligibility of **\*new\*** hires using E-Verify. Governor DeSantis has already signed this bill into law. It will become effective July 1, 2023.

In addition to the employment verification, the bill prohibits counties and municipalities, respectively, from providing funds to any person, entity, or organization to issue identification documents to an individual who does not provide proof of lawful presence in the United States; specifies that certain driver licenses and permits issued by other states exclusively to unauthorized immigrants are not valid in this state; requires certain hospitals to collect patient immigration status data information on admission or registration forms; and requires the Department of Economic Opportunity to enter a certain order and require repayment of certain economic development incentives if the department finds or is notified that an employer has knowingly employed an unauthorized alien without verifying the employment eligibility of such person.

The Association opposes this legislation because it creates undue, burdensome regulations by, at a minimum, placing employer hiring decisions in the hands of an unreliable federal database system.

To view a copy of the final bill please click the link:

<https://www.flsenate.gov/Session/Bill/2023/1718/?Tab=BillText>

**Taxation (HB 7063):** The legislature spent the last several weeks of session negotiating a sweeping tax overhaul which included a sales tax exemption for materials used to construct or repair permanent or temporary fencing to contain, confine, or process cattle. Most notably, however, the package **prohibits local municipalities from levying special assessments on agricultural land**. This specific piece of the larger tax package was a priority for Commissioner of Agriculture Wilton Simpson, the Association, and the agricultural industry at large.

To read a copy of the final legislation please click on the link and read the last version of the bill:

<https://www.flsenate.gov/Session/Bill/2023/7063/?Tab=BillText>

**Interest of Foreign Countries (SB 264):** The focus of this legislation has popped up around the country in various forms and fashions. Shortly after the November election, several Florida elected officials, including Commissioner Simpson, held public events expressing an interest in prohibiting ownership of agricultural lands by foreign countries. To be clear, as defined in this legislation, the foreign countries which are the focus of the bill are defined as “foreign countries of concern” and are listed as the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

This legislation would, among other things, prohibit any individual, partnership, corporation or other individual or business organizations located in or owned by an individual or other business instrument tied to a Foreign Country of Concern from purchasing agricultural land.

To view a copy of the final bill please click the

link: <https://www.flsenate.gov/Session/Bill/2023/264/?Tab=BillText>

**Agricultural Lands SB 1184 (Sen. Collins) /HB 1343 (Rep. Tuck):** As amended, this legislation prohibits the levy of any special assessment of lands classified as agriculture; authorizes construction or installation of housing for agricultural employees on agricultural lands; prohibits local governments from adopting land use or zoning restrictions, conditions, or regulations that require termination or surrender of agricultural classifications for certain property; and authorizes the use of portable restrooms as permanent facilities on agricultural lands.

This legislation **failed** on day 60 of session, yet some of its pieces found their way into other bills which passed this session.

**Trespassing SB 648 (Sen. Collins) / HB 933 (Rep. Alvarez):** This legislation is proof you do not need 1,200 page bills to make an impact. Quite simply, this legislation would have opened another pathway for agricultural lands to be “posted” for the purposes of Florida’s trespass laws. Specifically, the bills would have given an agricultural landowner the ability to only post at a point of ingress and the corner boundaries of the property. The legislation would not have changed the existing rules or parameters which agricultural landowners follow today for purposes of “posting” their lands but would have provided an alternative for future legal posting.

This legislation **failed** to pass both chambers.

**Organic Material SB 1472: (Sen. Bradley) / HB 1361 (Rep. Truenow):** This legislation would have prohibited local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit collection, storage, processing, or distribution of organic material products and provided that such activities are bona fide farm operation & lands associated with such activities are agricultural.

This legislation **failed** to pass both chambers.

**Budget:**

**FDACS**

During the legislative session, the Florida Forestry Association enjoys the opportunity to work with the Department and the legislature on key appropriations requests from the Florida Forest Service specifically and the Department generally. The 2023 Session provided many budget success stories which are a reflection of the respect the legislature has for Commissioner Simpson and his staff. The Association wishes to thank Commissioner Simpson and the Florida legislature for their commitment to these key budget items.

There was continued robust support for the **Fresh From Florida Program** (\$17 million). In addition, the legislature invested \$100 million in the **Rural and Family Lands Program**.

Specifically within the Florida Forest Service, the legislature provided:

- \$4.1 Million **Road, Bridges and Maintenance**;
- \$12 Million for **Replacement Fire Equipment**;
- \$1.4 Million for the acquisition of (2) **Fixed-wing aircraft**; and
- \$4 Million for **Reforestation**.

Furthermore, the legislature provided the Department with the budget authority to spend the remainder of a \$97 million appropriation from 2022 which was designed to fund **Wildfire Suppression Activities**.

Lastly, the legislature also provided the Department the authority to spend the remaining balance of **Reforestation** funds which were allocated in 2022.

### **FDEP**

Through the Working Forest Partnership and other groups, the Association often lends support where appropriate on budget items of importance to our many partners. Most specifically, the Association is pleased that the legislature continued funding at the \$50 million level for **Springs Restoration** projects. In addition, the legislature included \$100 million for the **Florida Forever Program**.