

DAILY BRIEF

For the 2022 Legislative Session



FROM FEBRUARY 3, 2022

AGRICULTURE

HB 909 – Relating to Development of Current or Former Agricultural Land

On Thursday, February 3, [HB 909](#) by Representative Bobby Payne (R-Palatka) was heard by the House Environment, Agriculture & Flooding Subcommittee and was reported favorable with 14 yeas and 3 nays. **AIF’s Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

As a matter of common practice in real estate transactions and other permitting, environmental assessments are conducted to ensure there are not any environmental contamination issues. In a vast majority of transactions on agricultural lands, a relatively simple “phase 1” assessment suffices. However, recently some municipalities have implemented new criteria which presume all agricultural lands are contaminated. As such, they must complete a “phase 2” assessment which includes taking representative samples throughout the entire parcel for analysis.

The bill specifies that the Secretary of Environmental Protection (Secretary) has exclusive jurisdiction in setting standards or procedures for evaluating environmental conditions and assessing potential liability for the presence of contaminants on land that is classified as agricultural and is being converted to a nonagricultural use. The bill prohibits the Secretary from delegating such authority to a city, a county, or another unit of local government through a local pollution control program.

HB 909 will now go to the House Agriculture and Natural Resources Appropriations Subcommittee.

AIF supports legislation which protects the normal and customary procedures for environmental assessments on agricultural lands. AIF further supports unifying regulatory authority over site assessments for current or former agricultural lands by making the Florida Department of Environmental Protection the sole authority for evaluating environmental conditions and assessing potential liability for the presence of contaminants on current or former agricultural properties.

ECONOMIC DEVELOPMENT

SB 434 – Relating to Florida Tourism Marketing

On Thursday, February 3, [SB 434](#) by Senator Ed Hooper (R-Palm Harbor) was read a third time on the Senate floor and passed with 36 yeas and 1 nay.

VISIT FLORIDA is the name for the Florida Tourism Industry Marketing Corporation, a non-profit that serves as Florida's statewide destination marketing organization and represents the state's tourism industry. Under the bill, the scheduled repeal date for VISIT FLORIDA and the Division of Tourism Marketing is extended from October 1, 2023, to October 1, 2031.

SB 434 will now go to the House for consideration.

[HB 489](#), the House companion bill, will be considered on the House floor.

AIF supports investment in building a world-class marketing engine with top talent, analytics, and funding that develops and executes data-driven branding strategies to bolster tourism and further the economic growth of Florida.

ENERGY

HB 741 – Relating to Net Metering

On Thursday, February 3, [HB 741](#) by Representative Lawrence McClure (R-Plant City) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 13 yeas and 3 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

Net metering is a metering and billing methodology where customer-owned renewable generation (such as rooftop solar panels) is allowed to offset the customer's electricity consumption from utility providers. Under net metering, customers are credited for excess energy produced which flows back to the grid. A meter is used to record both electricity drawn from the grid and excess electricity that flows to the grid from the customer.

HB 741 will now go to the House State Administration and Technology Appropriations Subcommittee.

AIF supports legislation that allows Florida's utility providers to best serve the state and the businesses located here while reducing the financial burden passed on to the general customer base.

GENERAL GOVERNMENT

HB 943 – Relating to Preemption of Local Government Wage Mandates

On Thursday, February 3, [HB 943](#) by Representative Joe Harding (R-Ocala) was heard by the House Regulatory Reform Subcommittee and was reported favorable with 10 yeas and 7 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill prohibits political subdivisions from enacting, maintaining, or enforcing any wage mandates in an amount greater than the state minimum wage rate calculated pursuant to the State Constitution, and provides that any wage mandates in conflict with the state minimum wage are void.

HB 943 will now go to the House State Affairs Committee.

AIF supports legislation that allows Florida businesses to adhere to state or federal wage requirements, thus eliminating onerous regulations set by municipalities.

TAXATION

SB 1090 – Relating to Corporate Income Tax

On Thursday, February 3, [SB 1090](#) by Senator Joe Gruters (R-Sarasota) was heard by the Senate Finance and Tax Committee and was reported favorable with 5 yeas and 3 nays. **AIF's Legislative Affairs Assistant, BD Jogerst, stood in support of this legislation.**

The bill updates Florida's Corporate Income Tax Code by adopting the federal Internal Revenue Code in effect on January 1, 2022. Additionally, the bill:

- Adopts the changes originally made in the Tax Cuts and Jobs Act of 2017 to s. 174 of the Internal Revenue Code, relating to the treatment of research and development expenditures.
- Allows taxpayers to use the bonus depreciation deduction for property placed in service in taxable years beginning on or after January 1, 2023.
- Revises the calculation of the business interest expense deduction for Florida tax purposes for taxable years beginning on or after January 1, 2023, to allow taxpayers to deduct the amount that would have been allowed prior to the federal Tax Cuts and Jobs Act of 2017.

SB 1090 will now go to the Senate Appropriations Committee.

AIF supports legislation decouples Florida's Corporate Income Tax from provisions enacted in late 2017 by the federal government to support job and business growth.

TELECOMMUNICATIONS

HB 1543 – Relating to Broadband Infrastructure

On Thursday, February 3, [HB 1543](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 16 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates the Broadband Pole Replacement Program, to be administered by the Office. The program will reimburse fixed, wireline broadband service providers for their costs incurred for the removal and replacement of existing utility poles in areas of Florida that are unserved by broadband Internet service. Reimbursements under the program are limited to 50 percent of the broadband Internet service provider's eligible pole replacement cost or \$5,000, whichever is less, in addition to their administrative costs related to the preparation and submission of the application for reimbursement.

HB 1543 will now go to the House Infrastructure and Tourism Appropriations Subcommittee.

AIF supports efforts to increase economic development in Florida's rural areas by expanding access to broadband internet which allows residents to connect with employers and educators which in turn strengthens the workforce and access to high wage jobs.

HB 1545 – Relating to Trust Funds/Broadband Pole Replacement Trust Fund/DEO

On Thursday, February 3, [HB 1545](#) by Representative Josie Tomkow (R-Auburndale) was heard by the House Tourism, Infrastructure and Energy Subcommittee and was reported favorable with 16 yeas and 0 nays. **AIF's Vice President of Governmental Affairs, Adam Basford, stood in support of this legislation.**

The bill creates the Broadband Pole Replacement Trust Fund within the Department of Economic Opportunity (DEO) and provides that the trust fund is established as a depository for funds appropriated by the Legislature, federal funds received from the Coronavirus Capital Projects Fund, funds transferred by DEO, interest earnings, grants, gifts, and other contributions made directly to the fund. The bill is linked to HB 1545 which creates the Broadband Pole Replacement Program within the Department's Office of Broadband.

HB 1545 will now go to the House Infrastructure and Tourism Appropriations Subcommittee.

AIF supports efforts to increase economic development in Florida's rural areas by expanding access to broadband internet which allows residents to connect with employers and educators which in turn strengthens the workforce and access to high wage jobs.

TRANSPORTATION

SB 474 - Relating to Recreational Off-Highway Vehicles

On Thursday, February 3, [SB 474](#) by Senator Keith Perry (R-Gainesville) was read a second and third time on the Senate floor and passed with 37 yeas and 0 nays.

The bill increases the dry weight allowed for recreational off-highway vehicles (ROV) from 2,500lbs to 3,500lbs. This increase is necessary to allow for the development of electric powered ROVs because the battery components often weigh significantly more than internal combustion vehicles.

SB 474 will now go to the House for consideration.

[HB 145](#), the House companion bill, will now go to the House floor for consideration.

AIF supports legislation that encourages revisions to outdated regulations that bolster the business climate and drive competition for new and better products for Florida's businesses and consumers.