

FECA's Florida Legislative Report

February 14, 2025

The official start of the 2025 Legislative Session will be Tuesday, March 4, 2025. Today marks the conclusion of the fifth committee week for both the House and Senate. There is one committee week left ahead of the start of session. As of today, a total of 658 bills have been filed.

The substance of committee meetings to this point has been focused on agency, department and legislative presentations in an effort to bring new members of the Legislature up to speed on the policy and appropriations aspects of government. There is an old saying which continues to hold true, "Budget Drives Policy", so the initial process of developing the year's proposal began with legislative budget requests being submitted by state entities to the Legislature. Governor Ron DeSantis subsequently released his budget recommendations for fiscal year 2025–2026 on Monday, February 3. The budget totals \$115.6 billion, while holding \$14.6 billion in reserves to account for any unanticipated economic or disaster related issues. Included in the budget is \$2.2 billion in tax relief highlighted by repeal of the business rent tax, a permanent extension of the sales tax exemption for Data Center Property to incentivize artificial intelligence infrastructure growth, two 14-day "Disaster Preparedness" sales tax holidays for hurricane related supplies, a seven-day "Tool Time" sales tax holiday for skilled workers, a two-month boating fuel tax holiday (saving Floridians \$27 million by reducing the motor fuel taxes levied on 90 octane ethanol free gasoline), a 2-year delay of the imposition of natural gas fuel taxes that would otherwise go into effect January 1, 2026, and a 14-day "Back-to-School" sales tax holiday on school supplies, clothing and computers. It also provides \$1.24 billion in state and federal funding for disaster recovery, mitigation and emergency management for those impacted by a disaster while preparing for future ones. The Governor's recommended budget serves as a guide, but the Legislature is charged with the task of developing a final spending plan which will not be completed until after the House and Senate conclude budget negotiations during the final days of session.

In between committee meetings the Legislature held three special sessions over the last two weeks, with the final gavel closing out Special Session C on Thursday, February 13. The result was an immigration package to assist the Federal Government in their efforts to alter existing policy as it relates to illegal aliens and border security to better conform with the Trump Administration's directives. Governor DeSantis immediately signed SB 2C and SB 4C upon the conclusion of yesterday's special session. SB 2C requires unqualified noncitizen electors convicted of willfully voting, be charged with a felony and bars ignorance of citizenship status as a defense; mandates the Department of Highway Safety and Motor Vehicles from issuing licenses or identification cards to unauthorized aliens; establishes reporting and compliance measures for local law enforcement regarding the immigration status of detainees and interaction with federal immigration authorities; creates the Unauthorized Alien Transport Program within the Division of Emergency Management to facilitate the transport of unauthorized aliens based on federal request and reimbursement; and increases penalties for crimes committed by unauthorized aliens.

SB 4C instigates criminal consequences for unauthorized aliens 18 and older, including mandatory imprisonment, for entering or attempting to enter Florida after bypassing U.S. immigration checks; mandates detainment of unauthorized aliens charged with related offenses throughout trial preparations without eligibility for civil citation or diversion programs; and provides that unauthorized aliens convicted of capital felonies will automatically face the death penalty.

Bills have been filed at a slower than usual pace this year, but it is anticipated Legislators will increase their efforts prior to the upcoming bill filing deadlines. Of note, SB 700, related to the Department of Agriculture and Consumer Services, was filed yesterday afternoon by Sen. Keith Truenow. This bill is the annual “Ag Bill” filed on behalf of the Commissioner of Agriculture which typically contains a wish list from the industry of priorities for the upcoming session. Upon initial review, there are several sections relating to all electric utilities which are being evaluated and deserve your attention.

- Section 2 relates to the Ten Year Site Plans currently submitted annually by Florida electric generating utilities to the PSC. The bill states if a proposed power plant site is located on land that has been classified as agricultural in the last 5 years, the electric utility must submit the Ten Year Site Plan to the county commission of the county in which the proposed site is located. It requires the county commission to follow the same process and procedure as the PSC, evaluating the plan and making a determination whether the plan is suitable or unsuitable. The county must then provide the PSC with the its findings. This section appears to be duplicative and unnecessary, but also inserts county commissions into a resource planning process for which they lack the expertise to participate. Any additional hurdles in resource planning hamper electric utilities’ efforts to ensure affordable, reliable, and safe electricity to Floridians.
- Section 3 provides that land owned or leased by an electric utility which may also contain a solar energy system and is used for any other agriculture use must be classified by the property appraiser as agricultural. While this section may provide a tax benefit for agrivoltaics, it also operates with Sections 2 and 6 of the bill to further restrict utilities’ resource planning and property rights.
- Section 6 requires an electric utility to offer to sell development rights to the State of Florida for any land acquired by the utility, which has been classified as agricultural lands within five years from the date of acquisition.
- Section 6 further requires an electric utility to offer to sell development rights to the State of Florida prior to the sale or transfer of any land owned by an electric utility which were classified as agricultural any time in the five years preceding the date of acquisition by the utility. These restrictions severely impinge on a utility’s ability to acquire, own, or transfer real property in the State of Florida. When such restrictions are tied to agricultural land designation, they are more burdensome on the utilities that serve agricultural communities.
- Section 7 broadens the Department of Agriculture’s authority to regulate electric vehicle charging stations, expanding the definition of a charging station and giving broader enforcement powers to the department.

Below are bills of interest filed thus far. Due to the listed bills being recently filed they have been classified as new legislation. Moving forward each successive week, the report will be prioritized in the following manner: new legislation filed, priority, monitor, and tracking. Any new activities will be highlighted in **RED**. If you would like more detailed information or an explanation of any legislation or why it is located in a specific area, please do not hesitate to reach out to Drew or Mike.

NEW LEGISLATION FILED

Department of Agriculture and Consumer Services

(SB 700/HB __)

Sponsors: Sen. Truenow/Rep. __

Summary:

The bill requires electric utilities submit Ten-Year Site Plans for proposed power plants on agricultural lands to county commissions. It adjusts criteria for land to qualify as agricultural, impacting land owner obligations and benefits. It requires electric utilities offer lands for less than fee acquisition by the state prior to private sale, depending on past agricultural classification. It requires electric vehicle charging stations include equipment and parking spaces while permits must comply with department rules and standards. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 700: Filed, not referenced

HB __: Filed, not referenced

ACTION RECOMMENDED: NEUTRAL (Due to the bill being filed late in the day after legislators had left town, staff was unable to speak directly with the sponsor. We plan to have in person conversations next week.)

Department of Transportation/Transportation

(SB 462/HB 567)

Sponsors: Sen. DiCeglie/Rep. McFarland

Summary:

The bill updates utility installation standards, including making facilities electronically detectable and compensation for damages or delays caused by utility owners, including electric co-ops. The bill provides an effect date of July 1, 2025.

Committee Assignments:

SB 462: Transportation; Regulated Industries; Fiscal Policy

HB 567: Filed, not referenced

ACTION RECOMMENDED: OPPOSE

Public Service Commission

(SB 354/HB __)

Sponsors: Sen. Gaetz/Rep. __

Summary:

The bill increases the number of PSC commissioners from five to seven, of which one shall be a certified public accountant and one be a chartered financial analyst. It directs the PSC to establish a schedule for public utilities to submit rate change requests. The bill mandates the PSC keep utility returns on equity close to the risk-free rate with deviations requiring justification and revises annual reporting requirements to include economic analyses related to rate changes, cost impacts of excess returns on equity, long term impacts of regulated returns on equity, executive compensation and utility benchmarking. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 354: Regulated Industries; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

HB ___:

ACTION RECOMMENDED: NEUTRAL

Residential Utility Disconnections

(SB 330/HB 419)

Sponsors: Sen. Berman/Rep. Tendrich

Summary:

The bill prohibits utility disconnections when forecasted heat indices reach 90 degrees, temperatures drop to 32 degrees or below, or during a state of emergency. It requires waiving of reconnection and late fees or disconnecting services on weekends, state holidays, and days preceding holidays. It prevents utilities from passing compliance costs to customers and disallows service disconnections for accounts less than 60 days overdue. It requires utilities to offer payment assistance information and inform customers of disconnection suspensions through public alerts in multiple languages based on the primary languages spoken in a particular service area.

The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 330: Regulated Industries; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

HB 419: Economic Infrastructure; Civil Justice & Claims; Commerce

ACTION RECOMMENDED: NEUTRAL (The bill is not expected to move. If the bill gains traction, staff will recommend opposing it.)

Heat Illness Prevention

(SB 510/HB 35)

Sponsors: Sen. Rouson/Rep. Gottlieb

Summary:

The bill requires implementation of an outdoor heat exposure safety program by employers in sectors where work is primarily outdoors and greater than 15-minute intervals. It provides for training in heat illness prevention along with response to heat related symptoms and establishes provisions for access to drinking water and shade. It provides an effective date of October 1, 2025.

Committee Assignments:

SB 510: Filed, not referenced

HB 35: Industries & Professional Activities; Human Services; Commerce

ACTION RECOMMENDED: NEUTRAL (The bill is not expected to move. If the bill gains traction, staff will recommend opposing it.)