

FECA's Florida Legislative Report

April 18, 2025

As the Legislature completed the seventh week of the 2025 Legislative Session and prepared to leave for a long Easter weekend, law enforcement answered the call to assist in the horrific tragedy on Florida State's campus. The aftermath of this tragedy will certainly have an impact on the final two weeks of Session. Policy and budget subcommittees have concluded their business, while full committees are authorized to meet through Tuesday, April 22. Both chambers should begin budget conference negotiations next week, if they plan to end on time.

HB 1137, relating to Utility Service Restrictions, was approved by the Commerce Committee while the companion, SB 1002, was temporally postponed on the Senate Floor. The House Commerce Committee amended HB 1137 with concerning provisions prohibiting electric co-ops from taking any action which has the effect of restricting fuel sources used or delivered by any utility. This was a last-minute effort by the Florida Natural Gas Association to address an isolated concern. Further, the language as written is very broad and would have the potential for significant implications for G&Ts. Staff met with the bill sponsors to better understand the issue and identify a way to address their concerns. After doing so, a structured clarifying amendment was offered which states the co-ops may only charge fees that do not have a discriminatory effect on natural gas service. However, the bill sponsors have not accepted our proposed changes. We will continue pursuing every available avenue to mitigate the negative effects of the bill.

SB 700, Department of Agriculture, passed the Full Senate with an amendment and is now in House Messages. The bill contains the provision that any land owned by electric utilities on or after January 1, 2009, which was classified as agricultural lands prior to their acquisition, must be offered for sale to the Department of Agriculture before it is offered for sale or transferred by the utility. It also has language addressing the timing for notifying the Department and a response to the utility. It provides that implementation of the section is delayed until July 2026. The Companion, HB 651, was approved by the Commerce Committee and is ready for consideration on the House Floor. Both bills have language which address the concerns we expressed during meetings with the Commissioner and his staff. If any additional concerns remain after implementation, the Commissioner has given his commitment to address them in the next Legislative Session.

SB 1386, relating to Assault or Battery on a Utility Worker, passed the Fiscal Policy Committee and is ready for the floor. HB 857 is also ready for Floor consideration. The bill increases penalties for criminal offenses committed against utility employees working on critical infrastructure. It upgrades assault charges to a first-degree misdemeanor and battery or aggravated assault to a felony.

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

PRIORITY

Utility Service Restrictions

(SB 1002/CS HB 1137)

Sponsors: Sen. Truenow/Rep. Shoaf

Summary:

The bill prohibits Electric Cooperatives from enacting bylaws or policies that restrict or ban fuel sources used for energy production and appliances. The bill, as amended, can have a negative impact on G&T's. It expands the preemption over utility restrictions to include all local government entities, closing a possible loophole for some entities to restrict utilities. It states a municipality, county, special district, board, agency, commission, authority of a county, municipal corporation, community development district, or other political subdivision of the State are prohibited from enacting or enforcing any measures that limit or prohibit fuel sources utilized by public or electric utilities, natural gas utilities, etc. to serve authorized customers. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 1002: Floor

HB 1137: Floor

ACTION RECOMMENDED: OPPOSE

ACTION ITEM: SENATE - TEMPORARILY POSTPONED 4/16

ACTION ITEM: HOUSE COMMERCE – PASSED 4/16

ACTION ITEM: HOUSE FLOOR – 4/23

Department of Agriculture and Consumer Services

(CS SB 700/HB 651)

Sponsors: Sen. Truenow/Rep. Tuck

Summary:

The bill requires an electric utility to offer the Department of Agriculture first right of refusal for fee simple acquisition for any land offered for sale or transferred by the utility, which was classified as agricultural lands within five years before the date of acquisition by the utility. It provides a retroactive date of January 1, 2009. The bill provides that a utility must notify the Commissioner of Agriculture of the intent to sell or transfer land 30 days before offering for sale to a private individual or entity. It states the Commissioner has 30 days from receipt of an intent to sell to issue an intent to purchase. It provides that if an intent to purchase is not issued or declined then a utility can move forward with the sale or transfer to a private individual or entity. It 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. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 700: House Messages

HB 651: Floor

ACTION RECOMMENDED: NEUTRAL

ACTION ITEM: SENATE – PASSED 4/16

ACTION ITEM: HOUSE COMMERCE – PASSED 4/15

Assault or Battery on a Utility Worker

(SB 1386/HB 857)

Sponsors: Sen. Yarborough/Rep. Kincart Jonsson

Summary:

The bill increases penalties for criminal offenses committed against utility workers involved in work on critical infrastructure, including upgrading assault to a first-degree misdemeanor and battery or aggravated assault to a felony. It defines "utility worker," for the purposes of this law, as an employee or contractor visibly identified by a patch, emblem, or identification that links them to their utility, including those in electricity, gas, water, wastewater, telephone, or communications services. The bill provides an effective date of October 1, 2025.

Committee Assignments:

SB 1386: Floor

HB 857: Floor

ACTION RECOMMENDED: SUPPORT

ACTION ITEM: SENATE FISCAL POLICY – PASSED 4/17

MONITOR

Rural Communities

(SB 110/HB 1427)

Sponsors: Sen. Simon/Rep. Griffiths

Summary:

The bill requires the State land planning agency to prioritize technical assistance funding for government in rural areas and mandates consultation with the newly created Office of Rural Prosperity, within the Department of Commerce, to assist local governments in navigating procurement of state and federal resources. It revises sales and use tax revenue distributions to include fiscally constrained counties in support of public safety and infrastructure. The bill modifies definitions for fiscally constrained counties to account for population growth and increasing property values. It seeks to increase infrastructure funding directed to rural road projects along with economic development initiatives through grants for business growth, site preparedness, and technology adoption. It further requires the Office of Broadband to consult with each rural community liaison within the Office of Rural Prosperity to report annually on the implementation of broadband activities in rural, unserved, or underserved areas of the state. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 110: House Messages

HB 1427: Health & Human Services; Budget

ACTION RECOMMENDED: NEUTRAL

Utility Relocation

(SB 818/HB 703)

Sponsors: Sen. McClain/Rep. Robinson (W.)

Summary:

The bill requires all utilities to submit a relocation schedule within 30 days and begin relocation work within 60 days of notification of utility facilities interfering with the use, maintenance, or expansion of a publicly owned right of way. Under certain circumstances, government entities must reimburse relocation costs for broadband facilities. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 818: Appropriations

HB 703: Floor

ACTION RECOMMENDED: NEUTRAL

ACTION ITEM: SENATE RULES – PASSED 4/16

ACTION ITEM: SENATE APPROPRIATIONS – 4/22

Unmanned Aircraft or Unmanned Aircraft Systems

(SB 1422/HB 1121)

Sponsors: Sen. Truenow/Rep. Canady

Summary:

The bill increases penalties for operating drones over or near critical infrastructure from a second-degree misdemeanor to a third-degree felony. The bill provides an effective date of October 1, 2025.

Committee Assignments:

SB 1422: Floor

HB 1121: Floor

ACTION RECOMMENDED: SUPPORT

ACTION ITEM: HOUSE RULES – PASSED 4/16

ACTION ITEM: HOUSE FLOOR – 4/23

TRACKING

Department of Transportation/Transportation

(SB 462/HB 567)

Sponsors: Sen. DiCeglie/Rep. McFarland

Summary:

The House and Senate Bills no longer contain the utility relocation language. Therefore, the bill is no longer a priority bill.

Committee Assignments:

SB 462: Floor

HB 567: Commerce

ACTION RECOMMENDED: NEUTRAL

MOST LIKELY DEAD

Solar Facilities

(SB 1304/HB 1595)

Sponsors: Sen. Bradley/Rep. Koster

Summary:

The bill provides it is the intent of the Legislature that agricultural land used for solar facilities be returned to its original state and be viable for agricultural use after a solar facility has been decommissioned or reached the end its lifespan. It authorizes a county to require a solar facility over 2 megawatts to be decommissioned upon reaching the end of its useful life. It states a county can determine a solar facility is no longer viable if it does not produce power for a period of 12 months after construction has been completed or the facility has been abandoned. It provides the 12-month period does not include a solar facility unable to produce power due to a disaster or other event beyond the control of the owner. It authorizes a county to require financial assurance from a facility owner in the form of a bond, irrevocable letter of credit, or other financial device deemed acceptable to the county to cover the cost of decommissioning the facility. The Senate Bill removes from statute the provision allowing solar facilities on lands classified as agricultural in a local government's comprehensive plan while the House Bill retains this provision. It excludes solar facility sites whose construction applications have been submitted before July 1, 2025. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 1304: Community Affairs; Fiscal Policy

HB 1595: Commerce; State Affairs

ACTION RECOMMENDED: NEUTRAL

Cybersecurity Incident Liability

(SB 1576/HB 1183)

Sponsors: Sen. DiCeglie/Rep. Giallombardo

Summary:

The bill provides that a county, municipality, corporation, cooperative, commercial entity, or third party, etc. is not liable in connection with a cybersecurity incident if the entity is in compliance with Florida Statutes section 501.171 (existing Florida law about confidential personal information) and has adopted a security program that aligns with the current version of the standards, guidelines, or regulations of any of the following: 1) The National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity; 2) NIST special publication 800-171; 3) NIST special publications 800-53 and 800-53A; 4) The Federal Risk and Authorization Management Program security assessment framework; 5) The Center for Internet Security (CIS) Critical Security Controls; and 6) The International Organization for Standardization/International Electrotechnical Commission 27000-series family of standards. It provides this act shall take effect upon becoming law.

Committee Assignments:

SB 1576: Judiciary; Government Oversight & Accountability; Rules

HB 1183: State Affairs

ACTION RECOMMENDED: SUPPORT

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: 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 or above, temperatures drop to 32 degrees or below, or during a state of emergency. It requires waiving 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: Commerce & Tourism; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

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.)

State Renewable Energy Goals

(SB 1496/HB 621)

Sponsors: Sen. Berman/Rep. Eskamani

Summary:

The bill modifies the definition of “renewable energy” to exclude energy produced using high quality synthetic gas produced from waste petroleum coke with carbon capture and sequestration. In addition, the bill would prohibit the drilling or exploration of, or production or transportation of, oil, gas, or other petroleum products on the land and waters of the state. The Office of Energy would be directed to develop a unified statewide plan to have 100% of the state’s energy generated from renewable resources by 2050 and by 2051 will have net zero carbon emissions statewide. The bill would create the Renewable Energy Workforce Development Advisory Committee consisting of 13 members appointed by the Commissioner of Agriculture. The committee would make recommendations to promote employment growth and access to jobs in the energy efficiency and renewable energy industry. A report of the committee’s findings would be presented to the President of the Senate and the Speaker of the House by January 1, 2026, and each January 1 thereafter. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 1496: Environment & Natural Resources; Appropriations Committee on Agriculture, Environment & General Government; Fiscal Policy

HB 621: Economic Infrastructure; Agriculture & Natural Resources Budget Subcommittee; Commerce

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

Carbon Sequestration

(SB 1148/HB 1063)

Sponsors: Sen. Rodriguez/Rep. Cross

Summary:

The bill creates the Carbon Sequestration Task Force as an adjunct to DEP to provide recommendations for the development of a statewide carbon sequestration program. The task force must operate in a manner consistent with the requirements of S. 20.052, F.S., regarding advisory bodies, commissions, and boards. The task force must be composed of the following members or their designee: Secretary of DEP, Commissioner of Agriculture, Executive Director of the Fish and Wildlife Conservation Commission, Chief Resilience Officer, representative from the National Estuary Program, a member of an environmental not-for-profit, a landowner of working agriculture lands, representative with expertise in energy or sustainability, representative from UF IFAS, and a representative from the Florida Sea Grant Program. It requires appointments to the task force be made by September 1, 2025. It requires the task force to submit to the Governor, President of the Senate, and Speaker of the House a report that compiles the findings and recommendations of the task force by October 1, 2027. It provides the task force must terminate on April 30, 2028. The main difference in the two bills is SB 1148 provides an appropriation of \$350,000 to DEP for administrative support services while HB 1063 was amended to remove the funding mechanism. The bill provides an effective date of July 1, 2025.

Committee Assignments:

SB 1148: Appropriations Committee on Agriculture, Environment & General Government; Rules

HB 1063: Agriculture & Natural Resources Budget Subcommittee; State Affairs

ACTION RECOMMENDED: NEUTRAL