

Tab 1	SB 422 by Bradley; (Identical to H 00533) Fair Repair of Agricultural Equipment					
Tab 2	SB 942 by Calatayud (CO-INTRODUCERS) Martin, Rodriguez; (Identical to H 00941) Authorization of Restrictions Concerning Dogs					
Tab 3	SB 1376 by Rodriguez; (Similar to H 00243) School Nutrition Program Requirements					
461774	A	S	RCS	AG, Rodriguez	Delete L.25 - 27:	03/20 06:32 PM
Tab 4	SB 1472 by Bradley; (Similar to H 01361) Organic Material Products					
Tab 5	SB 1608 by Rodriguez; (Identical to H 00809) Retail Fresh Market Farm Stand Signage					
Tab 6	SB 1610 by Rodriguez; (Identical to H 00811) Fees/Fresh From Florida Retail Fresh Market Farm Stand Signage Program					
278624	A	S	RCS	AG, Rodriguez	Delete L.24:	03/20 06:34 PM
Tab 7	SB 1676 by Burton (CO-INTRODUCERS) Rodriguez; (Identical to H 01475) Hemp					
733840	A	S	RCS	AG, Burton	Delete L.60 - 165:	03/20 06:34 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Collins, Chair
Senator Boyd, Vice Chair

MEETING DATE: Monday, March 20, 2023

TIME: 3:30—6:00 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Collins, Chair; Senator Boyd, Vice Chair; Senators Baxley, Berman, Grall, Mayfield, Rouson, Simon, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 422 Bradley (Identical H 533)	Fair Repair of Agricultural Equipment; Citing this act as the "Agricultural Equipment Fair Repair Act"; requiring original equipment manufacturers of agricultural equipment to make certain manufacturing, diagnostic, and repair information available to independent repair providers and owners; prohibiting the original equipment manufacturers from excluding certain information concerning security-related functions, etc. AG 03/20/2023 Favorable CM RC	Favorable Yeas 8 Nays 0
2	SB 942 Calatayud (Identical H 941)	Authorization of Restrictions Concerning Dogs; Authorizing public housing authorities to adopt certain policies relating to dogs; removing an exemption for local breed-specific ordinances adopted before a specified date, etc. CA 03/07/2023 Favorable AG 03/20/2023 Favorable RC	Favorable Yeas 7 Nays 1
3	SB 1376 Rodriguez (Similar H 243)	School Nutrition Program Requirements; Requiring school districts, upon the request of a certain student or his or her parent or guardian, to provide certain alternative meals and snacks to students; providing cost requirements for such meals and snacks; authorizing that such request be made at the beginning of each semester, etc. AG 03/20/2023 Fav/CS ED FP	Fav/CS Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Monday, March 20, 2023, 3:30—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1472 Bradley (Similar H 1361)	Organic Material Products; Defining the term "organic material" and revising definitions; prohibiting local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit the collection, storage, processing, or distribution of organic material products, etc. AG 03/20/2023 Favorable CA RC	Favorable Yeas 8 Nays 0
5	SB 1608 Rodriguez (Identical H 809, Compare H 811, Linked S 1610)	Retail Fresh Market Farm Stand Signage; Defining the term "retail fresh market farm stand"; establishing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program within the Department of Agriculture and Consumer Services to provide directional signage for certified retail fresh market farm stands; authorizing the Commissioner of Agriculture to designate certified retail fresh market farm stands as state tourist attractions; requiring owners and operators of certified retail fresh market farm stands to pay specified fees; establishing the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council within the department, etc. AG 03/20/2023 Favorable AEG FP	Favorable Yeas 8 Nays 0
6	SB 1610 Rodriguez (Identical H 811, Compare H 809, Linked S 1608)	Fees/Fresh From Florida Retail Fresh Market Farm Stand Signage Program; Requiring the Department of Agriculture and Consumer Services to include specified application, permit, placement, and removal fees in rules implementing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program, etc. AG 03/20/2023 Fav/CS AEG FP	Fav/CS Yeas 8 Nays 0
7	SB 1676 Burton (Identical H 1475)	Hemp; Providing that hemp extract is considered a food subject to certain requirements; revising the requirements that hemp extract must meet before being distributed and sold in this state; providing that hemp extract may only be sold to businesses in this state which meet certain permitting requirements; requiring the Department of Agriculture and Consumer Services to adopt rules, etc. AG 03/20/2023 Fav/CS FP	Fav/CS Yeas 6 Nays 2

Other Related Meeting Documents

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Monday, March 20, 2023, 3:30—6:00 p.m.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 422

INTRODUCER: Senator Bradley

SUBJECT: Fair Repair of Agricultural Equipment

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			CM	
3.			RC	

I. Summary:

SB 422 creates the “Agricultural Equipment Fair Repair Act,” requiring original equipment manufacturers of agricultural equipment to provide certain manufacturing, diagnostic, and repair information to independent repair providers and owners. Original equipment manufacturers are prohibited from excluding certain information concerning security-related functions. The bill does not apply to motor vehicle manufacturers or motor vehicle dealers. Additionally, a civil penalty may be collected from any original equipment manufacturer who is found to be in violation.

The bill takes effect July 1, 2023.

II. Present Situation:

Agricultural Equipment Manufacturers and Dealers Act

S. 686.401, F.S., states that the distribution and sale of equipment primarily designed for or used in agriculture affects the general economy of the state, the public interest, and the public welfare. It is therefore deemed necessary to regulate the conduct of manufacturers, distributors, and dealers of agricultural equipment doing business in Florida in order to prevent fraud, unfair business practices, unfair methods of competition, impositions, and other abuses upon its citizens. Currently, the State does not regulate the distribution of information related to manufacturing, diagnostic, and repair between original equipment manufacturers (OEM) and independent repair providers and owners.

Right to Repair Legislation

Over the years, 44 states have considered right to repair legislation. Massachusetts,¹ Colorado,² and New York³ have been the only states successful in this endeavor to date. Texas,⁴ Washington,⁵ Missouri,⁶ Colorado,⁷ and New Jersey⁸ are among the states that have introduced legislation surrounding the availability of diagnostic and repair information to any independent repair provider or owner of products manufactured by an OEM.

Massachusetts

Mass. Gen. Laws Ann. chapter 165, § 93K (2013)⁹ requires vehicle owners and independent repair facilities in Massachusetts to have access to the same vehicle diagnostic and repair information made available to the manufacturers, dealers located in Massachusetts, and authorized repair facilities. This legislation includes provisions similar to that of SB 422, including protections surrounding trade secrets and the terms of an authorized repair agreement.

Colorado

Colorado HB 22-1031 (2022)¹⁰ requires that a powered wheelchair manufacturer facilitate the repair of its powered wheelchairs by providing certain other persons with the resources needed to repair the manufacturer's powered wheelchairs. This legislation includes provisions similar to that of SB 422.

New York

NY Gen. Bus. chapter 20, § 399-nn (2022)¹¹ requires OEMs to make diagnostic and repair information for digital electronic parts and equipment available to independent repair providers and consumers if such parts and repair information are also available to OEM authorized repair providers. This legislation also includes provisions similar to that of SB 422.

Association of Equipment Manufacturers and Equipment Dealers Association

The Association of Equipment Manufacturers and the Equipment Dealers Association created R2R Solutions,¹² which compiles maintenance, diagnostic, and repair information for tractors and combines.¹³ The publication is available online and includes access to manuals, product guides,

¹ Mass. Gen. Laws Ann. ch. 165, § 93K (2013).

² Colorado HB 22-1031 (2022)

³ NY Gen. Bus. Ch. 20, § 399-nn (2022).

⁴ Texas HB 515 (2022).

⁵ Washington HB 1392 (2023).

⁶ Missouri HB 698 (2023).

⁷ Colorado HB HB23-1011 (2023).

⁸ New Jersey A1538 (2022).

⁹ Mass. Gen. Laws Ann. ch. 165, § 93K (2013).

¹⁰ Colorado HB 22-1031 (2022)

¹¹ NY Gen. Bus. Ch. 20, § 399-nn (2022)

¹² Association of Equipment Manufacturers and Equipment Dealers Association, *Right to Repair Solutions*, R2R Solutions.org, <https://r2rsolutions.org/> (last visited March 17, 2023).

¹³ Association of Equipment Manufacturers, *Right to Repair*, <https://www.aem.org/advocacy-old/right-to-repair> (last visited March 17, 2023).

product service demonstrations, fleet management information, and more. R2R Solutions provides owners with access to descriptions for fault codes on equipment, allowing owners the ability to choose whether to repair machinery independently or turn to an authorized repair provider.

American Farm Bureau Federation and John Deere

In January 2023, the American Farm Bureau Federation ("AFBF") and John Deere signed a Memorandum of Understanding¹⁴ to ensure farmers' right to repair their own farm equipment. The MOU became effective January 8, 2023 and set guidelines for how the agreement would operate moving forward.¹⁵ The agreement ensures farmers' access to manuals, trainings, seminars, on-board diagnostics and other publications with information on service, parts, operation, and safety.¹⁶

American Farm Bureau Federation, Case IH and New Holland

In March 2023, the American Farm Bureau Federation ("AFBF"), Case IH and New Holland signed a Memorandum of Understanding¹⁷ granting farmers the right to repair their own farm equipment. The MOU became effective March 9, 2023 and contained similar guidelines and access to those in the MOU with John Deere signed in January 2023.¹⁸ This MOU now gives farmers the right to repair their own farm equipment with three major farm equipment manufacturers.

III. Effect of Proposed Changes:

The Agricultural Equipment Fair Repair Act

The bill creates s. 686.35, F.S., known as the "Agricultural Equipment Fair Repair Act." The bill requires that original equipment manufacturers (OEM) provide diagnostic and repair documentation, including updates and corrections to embedded software, to any independent repair provider or owner of equipment manufactured by the OEM. Such information must be available free of charge or provided to an independent repair provider or owner in the same manner that the OEM would divulge such information to an authorized repair provider.

Following the dissemination of this information, the OEM is not responsible for the content and functionality of such aftermarket diagnostic tools, diagnostics, or service information systems.

Definitions

The bill provides definitions for the following terms:

- Authorized repair provider,
- Embedded software,
- Equipment,
- Fair and reasonable terms,

¹⁴ See https://www.fb.org/files/AFBF_John_Deere_MOU.pdf (last visited March 17, 2023).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ See https://www.fb.org/files/AFBF_John_Deere_MOU.pdf (last visited March 17, 2023).

¹⁸ See https://www.fb.org/files/AFBF_John_Deere_MOU.pdf (last visited March 17, 2023).

- Firmware,
- Independent repair provider,
- Motor vehicle,
- Motor vehicle dealer,
- Motor vehicle manufacturer,
- Original equipment manufacturer,
- Owner,
- Part, and
- Trade secret.

Information Concerning Security-Related Functions

The bill requires that diagnostic, service, and repair documentation needed to reset a security-related electronic function be provided to an owner or independent repair provider as long as this documentation is not excluded under the terms defined within this bill. If so, the necessary documentation must be obtained by an owner or independent repair provider through the appropriate secure data release systems.

Exclusions

The bill explicitly does not:

- Require that an OEM divulge a trade secret.
- Interfere with the terms of an agreement between the OEM and an authorized repair provider with the exception of any provision within the agreement that waives, avoids, restricts, or limits and OEM's compliance with the terms defined within this bill.
- Require that OEMs or authorized repair providers give an owner or independent repair provider access to non-diagnostic and repair documentation provided by an OEM to an authorized repair provider pursuant the terms of an authorized repair agreement.
- Apply to motor vehicle manufacturers, any product or service of a motor vehicle manufacturer, or motor vehicle dealers.

Other Provisions

The bill provides that any OEM found in violation is liable to a civil penalty of not more than \$500 for each violation.

This bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Original equipment manufacturers may be susceptible to liability if modifications are made on equipment that result in serious injury. Original equipment manufacturers may also be subject to a decrease in revenue related to repairs as owners will be authorized to seek repair services from independent repair providers and may be subject to a civil penalty of not more than \$500.

Owners of equipment will acquire the ability to maintain, service, repair, and rebuild their agricultural equipment on their own accord or by the repair shop of their choice as a result of the provisions implemented by this bill. This may cause a positive fiscal impact for owners as they will no longer bear the cost of transportation of faulty equipment to an authorized repair provider or dealer for service.

C. Government Sector Impact:

The bill creates a new civil penalty of not more than \$500, which may increase revenue if the provisions set forth by this bill are violated.

VI. Technical Deficiencies:

Line 41 defines “fair and reasonable terms,” but that definition is not used in the substance of the bill.

VII. Related Issues:

As written, the bill allows equipment owners autonomy over repairs. Equipment owners will have the ability to make modifications that may lead to environmental, safety, and liability implications for customers and dealers.

VIII. Statutes Affected:

This bill creates section 686.35 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Bradley

6-00603-23

2023422__

A bill to be entitled

An act relating to the fair repair of agricultural equipment; providing a short title; creating s. 686.35, F.S.; defining terms; requiring original equipment manufacturers of agricultural equipment to make certain manufacturing, diagnostic, and repair information available to independent repair providers and owners; prohibiting the original equipment manufacturers from excluding certain information concerning security-related functions; providing construction and applicability; providing civil liability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Agricultural Equipment Fair Repair Act."

Section 2. Section 686.35, Florida Statutes, is created to read:

686.35 Fair repair of agricultural equipment.—

(1) As used in this section, the term:

(a) "Authorized repair provider" means an individual or an entity that has an arrangement for a definite or indefinite period in which an original equipment manufacturer grants to a separate individual or entity a license to use a trade name, service mark, or related characteristic for the purpose of offering repair services under the name of the original equipment manufacturer.

(b) "Embedded software" means any programmable instructions

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6-00603-23

2023422__

provided on firmware delivered with equipment for the purpose of equipment operation, including all relevant patches and fixes made by the original equipment manufacturer for this purpose. The term includes, but is not limited to, a basic internal operating system, an internal operating system, a machine code, an assembly code, a robot code, or a microcode.

(c) "Equipment" means digital electronic equipment, or a part for such equipment, which is originally manufactured for farm equipment, including combines, tractors, implements, self-propelled equipment, and related attachments and implements, and which is manufactured for distribution and sale in this state.

(d) "Fair and reasonable terms" means an equitable price in light of relevant factors, including, but not limited to:

1. The net cost to the authorized repair provider for similar information obtained from an original equipment manufacturer, excluding any discounts, rebates, or other incentive programs;

2. The cost to the original equipment manufacturer for preparing and distributing the information, excluding any research and development costs incurred in designing and implementing, upgrading, or altering the product, but including amortized capital costs for the preparation and distribution of the information;

3. The price charged by other original equipment manufacturers for similar information;

4. The price charged by original equipment manufacturers for similar information before the launch of original equipment manufacturer websites;

5. The ability of aftermarket technicians or shops to

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-00603-23

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59 afford the information;

60 6. The means by which the information is distributed;

61 7. The extent to which the information is used, including
 62 the number of users and the frequency, duration, and volume of
 63 use; and

64 8. Inflation.

65 (e) "Firmware" means a software program or set of
 66 instructions programmed on a hardware device to allow the device
 67 to communicate with other computer hardware.

68 (f) "Independent repair provider" means a person or
 69 business operating in this state which is not affiliated with an
 70 original equipment manufacturer or an original equipment
 71 manufacturer's authorized repair provider and which is engaged
 72 in the diagnosis, service, maintenance, or repair of equipment.
 73 However, an original equipment manufacturer meets the definition
 74 of an independent repair provider when such original equipment
 75 manufacturer engages in the diagnosis, service, maintenance, or
 76 repair of equipment that is not affiliated with the original
 77 equipment manufacturer.

78 (g) "Motor vehicle" means any vehicle that is designed for
 79 transporting persons or property on a street or highway and is
 80 certified by the motor vehicle manufacturer under all applicable
 81 federal safety and emissions standards and requirements for
 82 distribution and sale in the United States. The term does not
 83 include a motorcycle or a recreational vehicle or manufactured
 84 home equipped for habitation.

85 (h) "Motor vehicle dealer" means a person or business that,
 86 in the ordinary course of business, is engaged in the selling or
 87 leasing of new motor vehicles to a person or business pursuant

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2023422

88 to a franchise agreement; is engaged in the diagnosis, service,
 89 maintenance, or repair of motor vehicles or motor vehicle
 90 engines pursuant to such franchise agreement; and has obtained a
 91 license under s. 320.27.

92 (i) "Motor vehicle manufacturer" means a person or business
 93 engaged in the manufacturing or assembling of new motor
 94 vehicles.

95 (j) "Original equipment manufacturer" means a person or
 96 business that, in the ordinary course of business, is engaged in
 97 the selling or leasing of new equipment to a person or business
 98 and is engaged in the diagnosis, service, maintenance, or repair
 99 of such equipment.

100 (k) "Owner" means a person or business that owns or leases
 101 a digital electronic product purchased or used in this state.

102 (l) "Part" means a replacement part, either new or used,
 103 which the original equipment manufacturer makes available to the
 104 authorized repair provider for the purpose of effecting repair.

105 (m) "Trade secret" means anything tangible or intangible or
 106 electronically stored or kept which constitutes, represents,
 107 evidences, or records intellectual property, including secret or
 108 confidentially held designs, processes, procedures, formulas,
 109 inventions, or improvements or secret or confidentially held
 110 scientific, technical, merchandising, production, financial,
 111 business, or management information. The term also includes any
 112 other trade secret as defined in 18 U.S.C. s. 1839, as such
 113 section existed on January 1, 2020.

114 (2) For equipment sold and used in this state, the original
 115 equipment manufacturer shall make available diagnostic and
 116 repair documentation, including repair technical updates and

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117 updates and corrections to embedded software, to any independent
 118 repair provider or owner of equipment manufactured by such
 119 original equipment manufacturer. The information must be made
 120 available for no charge or provided in the same manner as the
 121 original equipment manufacturer makes such diagnostic and repair
 122 documentation available to an authorized repair provider.
 123 Thereafter, the original equipment manufacturer is not
 124 responsible for the content and functionality of such
 125 aftermarket diagnostic tools, diagnostics, or service
 126 information systems.

127 (3) Original equipment manufactured by the original
 128 equipment manufacturer which is sold or used in this state to
 129 provide security-related functions may not exclude from
 130 information provided to an owner or independent repair provider
 131 any diagnostic, service, and repair documentation necessary to
 132 reset a security-related electronic function. If such
 133 documentation is excluded under this section, the documentation
 134 necessary to reset an immobilizer system or a security-related
 135 electronic module must be obtained by an owner or independent
 136 repair provider through the appropriate secure data release
 137 systems.

138 (4) This section may not be construed to do any of the
 139 following:

140 (a) Require an original equipment manufacturer to divulge a
 141 trade secret.

142 (b) Abrogate, interfere with, contradict, or alter the
 143 terms of an agreement executed and in force between an
 144 authorized repair provider and an original equipment
 145 manufacturer, including, but not limited to, the performance or

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146 provision of warranty or recall repair work by an authorized
 147 repair provider on behalf of an original equipment manufacturer
 148 pursuant to such authorized repair agreement, except that any
 149 provision in such an authorized repair agreement which purports
 150 to waive, avoid, restrict, or limit an original equipment
 151 manufacturer's compliance with this section is void and
 152 unenforceable.

153 (c) Require original equipment manufacturers or authorized
 154 repair providers to provide an owner or independent repair
 155 provider access to nondiagnostic and repair documentation
 156 provided by an original equipment manufacturer to an authorized
 157 repair provider pursuant to the terms of an authorized repair
 158 agreement.

159 (5) This section does not apply to motor vehicle
 160 manufacturers, any product or service of a motor vehicle
 161 manufacturer, or motor vehicle dealers.

162 (6) Any original equipment manufacturer found in violation
 163 of this section is liable for a civil penalty of not more than
 164 \$500 for each violation.

165 Section 3. This act shall take effect July 1, 2023.

The Florida Senate
APPEARANCE RECORD

Meeting Date

3/20/23

Bill Number or Topic

422

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Tim Nungesser

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830-445-5307

Address

110 E. Jefferson St.

Email

tim.nungesser@nfib.org

Street

Tallahassee

State

32301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

NFIB

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/20/27

Meeting Date

Agriculture

Committee

SB 422

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Markes Dudley

Phone

850 681 0024

Address

108 S. Monroe St.

Email

Cdudley@flapartners.com

Street

Tallahassee FL 32301

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

John Deere / Case New Holland

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 422

Bill Number or Topic

8/20/23

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Alleigh Reitz

Phone

561 261 0128

Address

14559 Autumn Ave

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areitz@cf1963.com

Street

Wellington

FL

33414

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-20-2023

Meeting Date

SB 422

Bill Number or Topic

Senate Ag

Committee

Amendment Barcode (if applicable)

Name

Jackie Flizewood

Phone

229-733-5577

Address

2836 E. River Rd

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Brainbridge

City

State

CA 39817

Zip

jflizewood@tidewaterguy.com

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

March 20, 2023

APPEARANCE RECORD

SB 422

Meeting Date

Committee on Agriculture

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Susan K Miller**Phone **904-699-3168**Address **500 World Commerce Parkway**Email **sue.miller@ringpower.com**

Street

St Augustine**FL****32092**

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information**OR**Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☒ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [Click Here to Register to Lobby](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 942

INTRODUCER: Senators Calatayud and Martin

SUBJECT: Authorization of Restrictions Concerning Dogs

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hunter	Ryon	CA	Favorable
2.	Becker	Becker	AG	Favorable
3.			RC	

I. Summary:

SB 942 makes changes to Florida’s “Dangerous Dogs” law. Currently a county or municipality may address safety and welfare concerns caused by attacks on persons or domestic animals by dogs by ordinance as long as such ordinance is not breed specific. The bill adds weight and size as prohibited ordinance topics in addition to breed.

The bill also incorporates “public housing authorities” into the statute, authorizing a public housing authority to enact policies pertaining to dangerous dogs, but such policy may not be specific to breed, size, or weight. This change effectively nullifies any existing restrictions imposed by housing authorities pertaining to specific breeds and sizes of dogs on housing authority property.

Finally, the bill removes the grandfather provision in statute which allows local governments to enforce dog breed-specific regulations if the ordinance enacting such regulations was adopted before October 1, 1990. This change effectively nullifies Miami-Dade County’s and the City of Sunrise’s existing regulations and restrictions on owners of “pit bull dogs.”

The bill takes effect October 1, 2023.

II. Present Situation:

Dangerous Dogs

Part II of ch. 767, F.S., outlines the state’s “Dangerous Dogs” provisions, originally enacted in 1990.¹ The Legislature found that “dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals; that such attacks are in part attributable to the failure

¹ Ch. 90-180, Laws of Fla.

of the owners to confine and properly train and control their dogs; that existing laws inadequately address this growing problem; and that it is appropriate and necessary to impose uniform requirements on the owners of dangerous dogs.”²

A “dangerous dog” is defined as a dog that:

- Has aggressively bitten, attacked, endangered or inflicted severe injury on a person on public or private property;
- Has more than one time severely injured or killed a domestic animal while the dog is off the owner’s property; or
- Has, when unprovoked, chased or approached a person in public in a menacing fashion, or with an attitude of attack.³

Process for Classification of Dogs as Dangerous

An animal control officer⁴ is typically the person who would investigate an incident involving a dog. In areas unserved by an animal control authority,⁵ the sheriff assumes the duties required of an animal control officer.⁶

Upon receiving a report of a potentially dangerous dog, the animal control authority must investigate the incident, interview the owner, and require a sworn affidavit from any person who seeks to have a dog classified as dangerous.⁷ An animal that is the subject of a dangerous dog investigation because of severe injury to a human being may be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held.⁸ A dog that is being investigated as a dangerous dog that is not impounded with the animal control authority must be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation.⁹

The animal control authority may not declare a dog as dangerous if:

- The injured person was unlawfully on the property, or if lawfully on the property was tormenting, abusing, or assaulting the dog or its owner or a family member; or
- The dog was protecting a person within the immediate vicinity of the dog from an unjustified attack or assault.¹⁰

² Section 767.10, F.S.

³ Section 767.11(1), F.S., requires an appropriate authority to document a dog as a dangerous dog. Section 767.11(2), F.S., further defines what is meant by “unprovoked” as that the victim whom while acting peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog. A severe injury is any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery, pursuant to s. 767.11(3), F.S.

⁴ “Animal control officer” means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve seizure and impoundment of any animal. See s. 767.11(6), F.S.

⁵ “Animal control authority” means an entity acting alone or in concert with other local governmental units and authorized by them to enforce the animal control law of the city, county, or state. See s. 767.11(5), F.S.

⁶ Section 767.11(5) and (6), F.S.

⁷ Section 767.12(1), F.S.

⁸ Section 767.12(1)(a), F.S.

⁹ Section 767.12(1)(b), F.S.

¹⁰ Section 767.12(2)(a-b), F.S.

After investigating, the animal control authority must initially determine whether sufficient cause exists to classify the dog as dangerous and if sufficient cause is found, provide the owner an opportunity for a hearing before making a final determination regarding the classification or penalty.¹¹ The animal control authority must provide written notice of sufficient cause and proposed penalty to the owner by registered mail, certified hand delivery, or service in conformity with how service of process is made.

The owner has seven calendar days from receiving the notice to file a written request for a hearing. The hearing officer must hold the hearing as soon as possible, no more than 21 calendar days, and no sooner than five days after receiving the request for hearing.¹² If a hearing is not timely requested the authority's determination becomes final.

Within 14 days after the classification as a dangerous dog by the animal control authority, the owner must register the dog with the animal control authority and renew the certification annually. Vaccination, enclosure, warning sign, and identification requirements must then be followed. The owner must immediately notify the animal control authority if the dog is loose, bites or attacks a person or another animal, or if there is any other change in status. A dangerous dog must remain in its enclosure at all times unless it is muzzled and restrained by a chain or leash. Any violation of these requirements is a noncriminal infraction punishable by a fine, not to exceed \$500.¹³

In addition to civil penalties, the owner of a dangerous dog can be charged with the following criminal violations:

- 1st degree misdemeanor if the dog has previously been declared "dangerous" and it attacks or bites a person or domestic animal without provocation.¹⁴
- 2nd degree misdemeanor if the dog has not previously been declared "dangerous" but causes severe injury to or death of any human and the owner had prior knowledge of, but recklessly disregarded, the dog's dangerous propensities.¹⁵
- 3rd degree felony if the dog has previously been declared "dangerous" and it attacks and causes severe injury to or death of any human.¹⁶

Local Government Regulation of Dangerous Dogs

Current law authorizes local governments to address safety and welfare concerns caused by attacks on persons or domestic animals, place further restrictions and additional requirements on owners of dogs that have bitten or attacked persons or domestic animals, and to develop procedures and criteria to implement the "dangerous dogs" provisions in ch. 767, F.S.¹⁷ However, no local regulation may be breed-specific, or lessen the provisions of ch. 767, F.S., unless the regulation was adopted prior to October 1, 1990.¹⁸ Breed-specific regulation is a term used for laws and ordinances that seek to reduce dog attacks on humans and other animals by regulating or banning

¹¹ Section 767.12(3), F.S.

¹² Section 767.12(3), F.S.

¹³ Section 767.12 (7), F.S.

¹⁴ Section 676.13(1), F.S.

¹⁵ Section 767.136(1), F.S.

¹⁶ Section 767.13(2), F.S.

¹⁷ Section 767.14, F.S.

¹⁸ Section 767.14, F.S.

a specific breed of dog.¹⁹ Florida is one of twenty-one states that prohibit local governments from enacting breed specific ordinances.²⁰

Because of the 1990 grandfather provision, Miami-Dade County²¹ and the City of Sunrise²² are known to be the only two local governments in Florida with breed specific ordinances currently in effect. Miami-Dade's ordinance provides that pit bull dogs are banned from purchase, from being brought into Miami-Dade County, or otherwise acquired and regulated due to unique history, nature and characteristics which require special regulation. The county defines "pit bull dog" with reference to the descriptions given by the American Kennel Club and the United Kennel Club. In 2012, Miami-Dade County held a referendum to gauge public opinion on keeping the ordinance in place. Over 63 percent of voters chose to keep the county's regulation of pit bull dogs in place.²³

Public Housing Authorities

The federal government has created programs to provide housing assistance to lower-income households since the 1930s. Public housing developments which provide low-rent opportunities are generally owned and operated by the local public housing authorities (PHAs) in each state and subsidized and regulated by the federal government. Families are eligible to live in public housing if they are low-income²⁴ but 40 percent of public housing units that become available in a year must be given to families that are extremely low-income.²⁵ Families living in public housing typically are required to pay 30 percent of their adjusted income toward rent.

PHAs receive several streams of funding from United States Department of Housing and Urban Development (HUD) to help make up the difference between what tenants pay in rent and what it costs to maintain public housing.²⁶ PHAs receive operating funds and capital funds through a formula allocation process; operating funds are used for management, administration and day-to-day costs of running a housing development, and capital funds are used for modernization needs (i.e., replacing a roof or heating and cooling system).²⁷ Most PHAs own and manage the public housing developments themselves, but some contract with private management companies or transfer ownership to a private subsidiary or another entity that operates the development under public housing rules.²⁸

¹⁹ ASPCA, *What Is Breed-Specific Legislation?* Available at: <https://www.asPCA.org/improving-laws-animals/public-policy/what-breed-specific-legislation> (last visited March 17, 2023).

²⁰ *Id.*

²¹ Ord. No. 89-22, § 2, 4-4-89

²² Ord. No. 251-A, § 2(4-17), 5-2-89. The ordinance is "designed to regulate pit bull dogs and to ensure responsible handling by their owners through registration and confinement."

²³ Miami-Dade County Supervisor of Elections, *2012 Primary Election Results* (see Repeal of County's Pit Bull Dog Ban results), available at <https://enr.electionsfl.org/DAD/3042/Summary/> (last visited March 17, 2023).

²⁴ Congressional Research Service, *Overview of Federal Housing Assistance Programs and Policy*, available at: <https://crsreports.congress.gov/product/pdf/RL/RL34591> (last visited March 17, 2023). Low-income is defined as earning at or below 80 percent of area median income for these purposes.

²⁵ *Id.* Extremely low-income is defined as earning at or below the greater of 30 percent of area median income or the federal poverty guidelines.

²⁶ *Id.*

²⁷ *Id.*

²⁸ Center on Budget and Policy Priorities, *Policy Basics: Public Housing*, available at: <https://www.cbpp.org/research/public-housing> (last visited March 17, 2023).

There are 99 active HUD-registered PHAs in Florida,²⁹ of which 91 are special districts.³⁰ PHAs are created pursuant to Florida law at municipal, county, and regional levels, and become active through resolution by the applicable governing body. The powers of each authority are vested in housing authority commissioners and action may be taken upon a majority vote of the commissioners.³¹ Housing authorities have the power to:

- Acquire, lease, and operate housing projects.
- Provide for the construction, reconstruction, improvement, alteration, or repair of any housing project.
- Lease or rent dwellings, houses, accommodations, lands, buildings, structures, or facilities embraced in any housing project.
- Invest funds held in reserves or sinking funds.³²

Pet Regulation in Public Housing Authorities

HUD regulations permit public housing tenants to own common household pets.³³ However, HUD allows local PHAs to enforce reasonable restrictions on the types of common household pets allowed in their rules and policies.³⁴ A tenant in public housing must maintain each pet responsibly, in accordance with relevant state and local public health, animal control and anti-cruelty laws, and in accordance with the policies established in the PHA's Annual Plan.³⁵

A PHA's reasonable requirements for pet policies in general occupancy developments may include but are not limited to tenant and pet density; size, weight, and type of pets; pet fees and deposits; pet care and handling; and pet registration. PHAs have discretion to consider additional factors if reasonable and consistent with state or local law.³⁶

Currently, some PHAs include provisions in their policies prohibiting pets based on breed, size, weight, behavior, or training of the pet.³⁷ However, some regulations based on breed do not depend on a finding that the pet is vicious or dangerous. Additionally, the definition of "dangerous dog" under Florida law is not uniformly applied in all PHA policies.³⁸

²⁹ HUD, *Public Housing Authority Contact Information*, available at:

https://www.hud.gov/sites/dfiles/PIH/documents/PHA_Contact_Report_FL.pdf (last visited March 17, 2023).

³⁰ Florida Department of Economic Opportunity, *Official List of Special Districts*, available at:

<https://specialdistrictreports.floridajobs.org/OfficialList/CustomList> (last visited March 17, 2023). To generate the special district list, select "Housing Authority" from the "Option 7: Select Special Purposes" field.

³¹ Section 421.05(2), F.S.

³² Section 421.08, F.S.

³³ See HUD's *Public Housing Occupancy Guidebook: Pet Ownership in Public Housing*, (Dec. 2020), available at:

<https://www.hud.gov/sites/dfiles/PIH/documents/PHOGPetOwnership.pdf> (last visited March 17, 2023).

³⁴ 24 CFR § 5.318(a); § 960.707(b)

³⁵ 24 CFR § 960.707(a)

³⁶ 24 CFR § 960.707

³⁷ See e.g., Tampa Housing Authority, <https://www.thafl.com/Departments/Real-Estate-Development/library/PHA-PLAN.pdf> (last visited March 27, 2023) (forbidding certain breeds and regulating weight of dog); St. Petersburg Housing Authority, https://www.stpeteha.org/plugins/show_image.php?id=1912 (last visited March 17, 2023) (certain breeds may be prohibited at the discretion of [St. Petersburg Housing Authority]); Key West Housing Authority, https://www.kwha.org/egov/documents/1614973714_73249.pdf (last visited March 17, 2023) (prohibiting certain breeds of dog and regulating weight).

³⁸ See s. 767.11(1), F.S.

III. Effect of Proposed Changes:

SB 942 amends s. 767.14, F.S., to add size and weight to the prohibited topics which a local government may not use to regulate dogs in their jurisdiction. Currently only breed-specific ordinances are not allowable.

The bill also authorizes PHAs to adopt rules or policies imposing restrictions or further requirements on owners of dogs, as long as such requirements are not specific to breed, weight, or size. This change effectively nullifies any existing restrictions imposed by housing authorities pertaining to specific breeds or sizes of dogs for housing authority tenants.

The bill also removes a provision that exempts local ordinances adopted before October 1, 1990, from the prohibition on enacting ordinances that are specific to certain breeds of dogs. This change nullifies any breed-specific local ordinances currently in place.

The bill takes effect on October 1, 2023.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 767.14 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Calatayud

38-01050B-23

2023942__

A bill to be entitled

An act relating to the authorization of restrictions concerning dogs; amending s. 767.14, F.S.; authorizing public housing authorities to adopt certain policies relating to dogs; restricting the types of ordinances and policies that may be adopted; removing an exemption for local breed-specific ordinances adopted before a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 767.14, Florida Statutes, is amended to read:

767.14 Additional local restrictions authorized.—This act does not limit any local government or public housing authority from adopting an ordinance or a policy, respectively, to address the safety and welfare concerns caused by attacks on persons or domestic animals, placing further restrictions or additional requirements on owners of dogs that have bitten or attacked persons or domestic animals, or developing procedures and criteria for the implementation of this act, provided that no such regulation is specific to breed, weight, or size and that the provisions of this act are not lessened by such additional regulations or requirements. ~~This section does not apply to any local ordinance adopted prior to October 1, 1990.~~

Section 2. This act shall take effect October 1, 2023.

03/20/2023

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 942

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Heather Turnbull**

Phone **850-681-9111**

Address **101 E College Ave**

Email **heather@rubinturnbull.com**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Best Friends Animal Society

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 942

3/20/23

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Ag.

Committee

Amendment Barcode (if applicable)

Name

Kate MacFall

Phone

850 508-1001

Address

1206 Walton Dr.

Email

kmacfallehsus.org

Street

Tallahassee FL. 32312

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Humane Society of the United States

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 1376

INTRODUCER: Senator Rodriguez

SUBJECT: School Nutrition Program Requirements

DATE: March 21, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Fav/CS
2.			ED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

SB 1376 requires school districts, upon the request of a certain student or his or her parent or guardian, to provide certain alternative meals and snacks to students. The bill provides cost requirements for such meals and snacks. The bill also provides that such request be made at the beginning of each semester.

The Department of Agriculture and Consumer Services estimates the bill could have a fiscal impact, see Section V for more information.

The bill takes effect July 1, 2023.

II. Present Situation:

School Nutrition Program Requirements

Under s. 595.405, F.S., district school boards must adopt policies to provide for an appropriate food and nutrition program for students consistent with federal law and Department of Agriculture and Consumer Services (department) rules.¹

¹ Section 595.405, F.S.

District school boards are required to annually set prices for breakfast meals at rates that, combined with federal reimbursements and state allocations, are sufficient to defray costs of school breakfast programs without requiring allocations from the district's operating funds.²

District school boards are encouraged to provide universal, free school breakfast meals to all students in each elementary, middle, and high school. A universal school breakfast program must be implemented in each school in which 80 percent or more of the students are eligible for free or reduced-price meals, unless the district school board, after considering public testimony at two or more regularly scheduled board meetings, decides not to implement such a program in such schools.³

To increase school breakfast and universal school breakfast program participation, each district school board must, to the maximum extent practicable, make breakfast meals available to students through alternative service models as described in publications of the Food and Nutrition Service of the U.S. Department of Agriculture (USDA) for the federal School Breakfast Program.⁴

Florida Free and Reduced Priced School Meal Participation

Currently, roughly 52 percent of all students enrolled in a Florida school that provides access to breakfast meals consume school breakfast.⁵ Children from families with incomes between 130 percent (\$34,450 for a family of four) and 185 percent (\$49,025 for a family of four) of the poverty level are eligible for reduced-price meals, where a student pays 30 cents for breakfast and 40 cents for lunch.⁶

The federal rate of reimbursement has not kept pace with the cost to produce a breakfast meal. A recent USDA study showed that the full cost of producing school meals exceeds reported costs by an average of 19 percent.⁷ According to the School Nutrition Association's estimates, U.S. schools will incur a loss of about \$5 million to \$8 million each school day in order to feed 30 million children.⁸ Without sufficient federal resources, many states and school districts often have to rely on the sales of popular but less nutritious foods, like pizza, french fries, and sodas to help generate the revenue needed to subsidize healthier meal options.

In some cases, higher food prices are forcing programs to question whether they can continue participating in the federal nutrition program altogether, meaning that fewer children may have access to healthy meals.

² Except if the district school board approves lower rates. See s. 595.405(3), F.S.

³ Section 595.405(5), F.S.

⁴ Section 595.405(6), F.S.

⁵ Food Research and Action Center, *School Breakfast Scorecard*, https://frac.org/wp-content/uploads/FRAC_BreakfastScorecard_2021.pdf (last visited March 14, 2023).

⁶ Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, *Poverty Guidelines*, available at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines> (last March 14, 2023).

⁷ U.S. House of Representatives, *Hearing before the Committee on Education and Labor*, available at <https://www.govinfo.gov/content/pkg/CHRG-110hhrg43312/pdf/CHRG-110hhrg43312.pdf> (last visited March 14, 2023).

⁸ School Nutrition Association, *Impact of COVID-19 on School Nutrition Programs*, available at https://schoolnutrition.org/uploadedFiles/6_News_Publications_and_Research/8_SNA_Research/Impact-of-Covid-19-on-School-Nutrition-Programs-Back-to-School-2020.pdf (last visited March 14, 2023).

National School Lunch Program

The National School Lunch Program (NSLP) is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or no-cost lunches to children each school day. The program was established under the Richard B. Russell National School Lunch Act, signed into law by President Harry Truman in 1946.⁹

The Florida Department of Agriculture and Consumer Services (department) administers the National School Lunch Program at the state level. The department provides guidance, training, outreach and technical support to schools operating the program, and ensures compliance with regulatory guidelines.¹⁰

III. Effect of Proposed Changes:

SB 1376 requires school districts, upon the request of a student who is eligible for free or reduced-price meals, or his or her parent or guardian, to provide certain alternative meals and snacks to students. The bill requires a school district to provide the student with a plant-based, kosher, or halal meal or snack that complies with federal nutrition mandates at the same cost to the student as a non-plant-based, non-kosher, or non-halal meal or snack.

The request by the student or parent, for an alternative meal or snack, may be made at the beginning of each semester. The bill requires each school district to publish information about meal and snack alternatives on its website.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁹ See <https://www.fns.usda.gov/nslp/nslp-fact-sheet> (last visited March 14, 2023).

¹⁰ See <https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/National-School-Lunch-Program> (last visited March 14, 2023).

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the department, there is currently no fiscal impact to the department. However, the department may need to train staff or hire additional staff to oversee the implementation of SB 1376.

Under the federal regulations, school districts participating in NSLP are eligible for reimbursement for meals served according to rates set by the USDA.¹¹ These rates are standard based on the type of meal served (i.e., breakfast, lunch, snack) and irrespective of cost to the school district. SB 1376 requires school districts to provide alternative meals at the same cost as non-alternative meals which tend to be lower in price. Since the federal meal reimbursement rates are set,¹² school districts would be responsible for paying the difference between the reimbursed rate and the cost of the alternative meal, unless supplemental funding is provided.

The department estimates the costs for each category of meals provided:

Kosher Meals

Example: SY 22/23 Rates

- Average cost per meal of Kosher lunch = \$6.23
- NSLP Lunch Free Category Reimbursement Rate = \$3.95

\$6.23 - \$3.95 = loss of \$2.28 per meal in the Free Category only. In this example, a school district would be responsible for paying \$2.28 per eligible free category meal served.

Plant-Based Meals

Example: SY 22/23 Rates

- Average cost per meal of plant-based lunch = \$3.89
- \$3.89 would not be eligible for reimbursement under the NSLP, since a plant-based meal would not include fluid cow's milk

¹¹ See <https://www.govinfo.gov/content/pkg/FR-2022-07-26/pdf/2022-15892.pdf> (last visited March 14, 2023).

¹² Id.

Under federal guidelines, meals must contain certain components to be eligible for reimbursement. These components include meats or meat alternatives, grains, vegetables, fruits, and fluid cow's milk, as defined by federal regulations. School districts would be responsible for funding the entire cost of any meals that do not meet the meal component requirements.

Halal Meals

Based on the department's research, the average cost per Halal meal is \$3.24. This may vary depending on the menu being offered. At this time, there is not an anticipated increase to the provider.¹³

VI. Technical Deficiencies:

None.

VII. Related Issues:

School districts will have to plan to have alternative meals and snacks available when ordering meals for the school year to meet requirements of this bill.

VIII. Statutes Affected:

This bill substantially amends section 595.405 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 20, 2023:

The committee substitute removes the requirement for school districts to provide one alternative meal or snack for every two non-plant-based, non-kosher, or non-halal meals or snacks offered.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹³ Florida Department of Agriculture and Consumer Services, *SB 1376 Analysis* (on file with the Senate Committee on Agriculture).



461774

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
	.	
	.	
	.	

The Committee on Agriculture (Rodriguez) recommended the following:

Senate Amendment

Delete lines 25 - 27
and insert:
The request by

By Senator Rodriguez

40-00927A-23

20231376__

1 A bill to be entitled
 2 An act relating to school nutrition program
 3 requirements; amending s. 595.405, F.S.; requiring
 4 school districts, upon the request of a certain
 5 student or his or her parent or guardian, to provide
 6 certain alternative meals and snacks to students;
 7 providing cost requirements for such meals and snacks;
 8 authorizing that such request be made at the beginning
 9 of each semester; requiring school districts to
 10 publish information about such alternative snacks and
 11 meals on their websites; providing an effective date.
 12
 13 Be It Enacted by the Legislature of the State of Florida:
 14
 15 Section 1. Subsection (9) is added to section 595.405,
 16 Florida Statutes, to read:
 17 595.405 School nutrition program requirements.—
 18 (9) Upon the request of a student who is eligible for free
 19 or reduced-price meals or snacks under the National School Lunch
 20 Program or any other program, or upon the request of his or her
 21 parent or guardian, a school district must provide the student
 22 with a plant-based, kosher, or halal meal or snack that complies
 23 with federal nutrition mandates at the same cost to the student
 24 as a non-plant-based, non-kosher, or non-halal meal or snack.
 25 Each school district must offer at least one plant-based,
 26 kosher, or halal meal or snack for every two non-plant-based,
 27 non-kosher, or non-halal meals or snacks offered. The request by
 28 such student or his or her parent or guardian for an alternative
 29 meal or snack may be made at the beginning of each semester.

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

40-00927A-23

20231376__

30 Each school district must publish information about meal and
 31 snack alternatives on its website.
 32 Section 2. This act shall take effect July 1, 2023.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate

APPEARANCE RECORD

3/20/23
Meeting Date

Agriculture
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 1376
Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D (Florida PTA) Phone 407 855-7604

Address 1747 Orlando Central Pkwy Email legislative@floridapta.org
Orlando, FL 32809
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-20-2023

Meeting Date

Ag - Senate

Committee

1376

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Martina Brawer

Phone

850-878-1832

Address

124 Salem Ct.

Street

Email

mbrawer@floridaschoolnutrition.org

Tallahassee FL 32301

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida School

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This form is part of the public record for this meeting.

nutrition Assoc.
Executive Director

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1472

INTRODUCER: Senator Bradley

SUBJECT: Organic Material Products

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			CA	
3.			RC	

I. Summary:

SB 1472 defines “organic material” and revises other definitions. The bill prohibits local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit the collection, storage, processing, or distribution of organic material products.

The bill takes effect July 1, 2023.

II. Present Situation:

“Right to Farm” Laws; Generally

In the 1970s, states began to identify the potential conflicts between farmers and developers as urban sprawl crept into rural, agricultural areas. One of the initial concerns was that the relocation of city dwellers into agricultural areas would result in a rash of very expensive nuisance lawsuits once the new neighbors were confronted with the sensory nature of farm life, complete with an inescapable array of odors, loud noises, dust, and other side-effects.¹

In an effort to protect farms and agricultural operations from the encroaching sprawl, states passed anti-nuisance laws that are referred to as “Right to Farm” laws. These laws, enacted in all 50 states, protect agricultural production against some nuisance lawsuits. The laws do not grant absolute immunity but generally provide protections for defendants based upon a “coming to the nuisance” defense theory. These laws provide a liability shield for pre-existing agricultural operations when changes are made to the use of nearby parcels, such that the plaintiffs are described as “coming to the nuisance.”² The Florida Right to Farm Act was enacted in 1979.³

¹ Alexia B. Borden and Thomas R. Head, III, *The “Right To Farm” In The Southeast – Does it Go Too Far?* (2007).

² *Id.*

³ Chapter 79-61, ss. 1-2, Laws of Fla.

Nuisance

A nuisance is described as an activity, condition, or situation created by someone that significantly interferes with another person's use or enjoyment of their property. A private nuisance affects a person's private right that is not common to the public while a public nuisance is an interference that affects the general public, for example, a condition that is dangerous to health or community standards.⁴

The Florida Right to Farm Act

The Florida Right to Farm Act protects farm operations from nuisance lawsuits if the operations comply with generally accepted agricultural and management practices.⁵

The Florida Right to Farm Act states that a farm operation cannot be classified as a public or private nuisance if the farm:

- Has been in operation for 1 year or more since its established date of operation;
- Was not a nuisance when it was established; and
- Conforms to generally accepted agricultural and management practices.⁶

However, the following four unsanitary conditions constitute evidence of a nuisance:

- The presence of untreated or improperly treated human waste, garbage, offal, dead animals, dangerous waste materials, or gases which are harmful to human or animal life;
- The presence of improperly built or improperly maintained septic tanks, water closets, or privies;
- The keeping of diseased animals which are dangerous to human health, unless the animals are kept in accordance with a current state or federal disease control program; or
- The presence of unsanitary places where animals are slaughtered, which may give rise to diseases which are harmful to human or animal life.⁷

Additionally, a farm operation cannot be classified as a public or private nuisance due to a change:

- In ownership;
- In the type of farm product that is produced;
- In conditions in or around the locality of the farm; or
- Made in compliance with Best Management Practices adopted by local, state, or federal agencies.⁸

The Florida Right to Farm Act, however, may not be construed to permit an existing farm operation to increase to a more excessive farm operation with regard to noise, odor, dust, or fumes where the existing operation is adjacent to an established homestead or business.^{9,10}

⁴ BLACK'S LAW DICTIONARY (11th ed. 2019).

⁵ Section 823.14, F.S.

⁶ Section 823.14(4)(a), F.S.

⁷ *Id.*

⁸ Section 823.14(4)(b), F.S.

⁹ Section 823.14(5), F.S.

¹⁰ In an effort to eliminate duplication of regulatory authority over farm operations, local governments may not adopt an

III. Effect of Proposed Changes:

SB 1472 revises definitions for the following terms:

- “Farm”
- “Farm operation”
- “Farm product”

The bill defines “organic material,” to mean vegetative matter resulting from landscaping maintenance or land clearing operations. The term includes clean wood and materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils.

The bill provides the collection, storage, processing, or distribution of organic material products are deemed a bona fide farm operation and the lands associated with the operation are deemed agricultural and are protected from local government oversight.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

ordinance or similar policy to prohibit or limit an activity of a bona fide farm operation on land that is classified as agricultural land in accordance with statute, where the activity is regulated through implemented best management practices or certain interim measures. The full text of this prohibition is contained in s. 823.14(6), F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 823.14 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Bradley

6-01355-23

20231472__

A bill to be entitled

An act relating to organic material products; amending s. 823.14, F.S.; defining the term "organic material" and revising definitions; prohibiting local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit the collection, storage, processing, or distribution of organic material products; providing that such activities are a bona fide farm operation and lands associated with such activities are agricultural; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (c), (d), and (e) of subsection (3) and subsection (6) of section 823.14, Florida Statutes, are amended, and paragraph (g) is added to subsection (3) of that section, to read:

823.14 Florida Right to Farm Act.—

(3) DEFINITIONS.—As used in this section:

(c) "Farm" means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm, organic material, or aquaculture products.

(d) "Farm operation" means all conditions or activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products or in connection with complementary agritourism activities, or the collection, storage, processing, and distribution of organic material

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

6-01355-23

20231472__

products. These conditions and activities include, but are not limited to, the marketing of farm products at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, fumes, and particle emissions; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; agritourism activities; and the employment and use of labor.

(e) "Farm product" means any plant, as defined in s. 581.011, organic material, or animal or insect useful to humans and includes, but is not limited to, any product derived therefrom.

(g) "Organic material" means vegetative matter resulting from landscaping maintenance or land clearing operations. The term includes clean wood and materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils.

(6) LIMITATION ON DUPLICATION OF GOVERNMENT REGULATION.—

(a) It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit:

1. An activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is regulated through implemented best management

Page 2 of 3

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6-01355-23

20231472__

practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under chapter 120 as part of a statewide or regional program.

2. The collection, storage, processing, or distribution of organic material products. For purposes of this section, the collection, storage, processing, or distribution of organic material products are deemed a bona fide farm operation and the lands associated with the operation are deemed agricultural.

(b) When an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a local government, and the adopted best management practice or interim measure does not specifically address wellfield protection, a local government may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided for in s. 373.4592 or limit the powers and duties of any local government to address an emergency as provided for in chapter 252.

Section 2. This act shall take effect July 1, 2023.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/20/2023
Meeting Date

SB 1472
Bill Number (if applicable)

Topic SB 1472

Amendment Barcode (if applicable)

Name Levin Gaston

Job Title Chief OPERATING officer

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Street

Phone 352-494-6918

Gainesville FL 32653
City State Zip

Email Levin@GastonTDR.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing My Self

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1608

INTRODUCER: Senator Rodriguez

SUBJECT: Retail Fresh Market Farm Stand Signage

DATE: March 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			AEG	
3.			FP	

I. Summary:

SB 1608 defines the term “retail fresh market farm stand.” The bill establishes the Fresh From Florida Retail Fresh Market Farm Stand Signage Program (program) within the Department of Agriculture and Consumer Services (department) to provide directional signage for certified retail fresh market farm stands. The bill authorizes the Commissioner of Agriculture to designate certified retail fresh market farm stands as state tourist attractions. The bill also permits the Department of Transportation to place directional signage promoting on interstate highways and roads. It establishes the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council within the department.

The Department of Agriculture and Consumer Services estimates the bill could have a fiscal impact, see Section V for more information.

The bill takes effect July 1, 2023.

II. Present Situation:

Fresh From Florida

The “Fresh From Florida” program promotes Florida agricultural products through consumer marketing campaigns, partnerships with 100+ domestic and international retailers, and an established presence at prominent industry tradeshow¹.

By joining the “Fresh From Florida” program, both small and large producers can benefit from the widely recognized brand, marketing campaigns, retail partnerships and industry outreach

¹ See <https://www.fdacs.gov/Agriculture-Industry/Fresh-From-Florida-Industry-Membership> (last visited March 15, 2023)

conducted by the Florida Department of Agriculture and Consumer Services. There are two types of memberships: Paid Membership \$50/year and Non-Paid Membership.²

Division of Marketing and Development

The Division of Marketing and Development (division) administers the "Fresh From Florida" program to help Florida growers and producers market their products. The division partners with retail grocery stores on product promotions and encourages the use of the "Fresh From Florida" logo for advertising to increase the purchase of Florida-grown commodities.³

The division's culinary team develops healthy recipes using Florida products and educates consumers about the importance of making nutritious food choices.⁴

The division also operates 12 state farmers markets, promotes and issues permits for county fairs and livestock shows, and gathers agricultural data to assist producers in making production and marketing decisions.⁵

III. Effect of Proposed Changes:

SB 1608 defines "retail fresh market farm stand" to mean any facility located on a farm and used to market farm products defined in s. 823.14(3), F.S. The bill establishes the Fresh From Florida Retail Fresh Market Farm Stand Signage Program (program) within the department to provide directional signage for certified retail fresh market farm stands. The bill also provides the requirements to qualify as a certified retail fresh market, participate in the program, and maintain designation as certified retail fresh market farm stand. It excludes agricultural facilities that produce wine, but do not have a growing area on the property from qualifying for the program.

The bill permits the commissioner to officially recognize a certified retail fresh market farm stand as a state tourist attraction.

The bill authorizes the department, in consultation with the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council, to develop uniform directional signage with a uniform Fresh From Florida Retail Fresh Market Farm Stand logo and emblem. The bill also authorizes the Department of Transportation to, upon request a certified retail fresh market farm stand, to place directional signage with market farm stand logo and emblems on the rights-of-way of interstate highways and primary and secondary roads.

The bill requires the department to adopt rules to implement this program.

The bill creates the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council (council). The council shall consist of 12 members to be appointed by the commissioner. Initially, 6 members shall be appointed by the commissioner for a 1-year term and 6 members for a 2-year

² Id.

³ See <https://www.fdacs.gov/Divisions-Offices/Marketing-and-Development> (last visited March 15, 2023).

⁴ Id.

⁵ Id.

term. Thereafter, members shall be appointed for 2-year terms. The bill permits the council to annually submit recommendations related to the program to the commissioner .

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The department estimates that the fiscal impact on the private sector is unknown, although increased awareness through directional roadside signage will likely increase the customer base of the participating farms.

Owners and operators of qualified retail fresh market farm stands will have to pay application and registration fees to apply to program. They will also have to pay if they want additional signage on interstate highways, primary and secondary roads.

C. Government Sector Impact:

The department estimates that this bill would have an indeterminate fiscal impact on the department. Resources will likely be needed to administer the signage program, though the extent of coordination and industry participation are unknown. The department reports they

would likely implement the program with existing resources in the first year and evaluate the appropriate staffing levels for a legislative budget request in the next fiscal year.

The department estimates the fiscal impact on local governments is indeterminate because the number of qualifying farms is unknown and participation in the program is voluntary.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates sections 570.851 and 570.8511 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Rodriguez

40-01535A-23

20231608__

A bill to be entitled

An act relating to retail fresh market farm stand signage; creating s. 570.851, F.S.; defining the term "retail fresh market farm stand"; establishing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program within the Department of Agriculture and Consumer Services to provide directional signage for certified retail fresh market farm stands; providing qualification and certification requirements; providing an exception; authorizing the Commissioner of Agriculture to designate certified retail fresh market farm stands as state tourist attractions; requiring the department, in consultation with the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council, to develop uniform directional signage; requiring the Department of Transportation, upon request, to place signage at specified locations; requiring owners and operators of certified retail fresh market farm stands to pay specified fees; requiring the department to adopt rules; providing construction; creating s. 570.8511, F.S.; establishing the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council within the department; providing for council membership, meetings, powers, duties, and procedures; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 570.851, Florida Statutes, is created to

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

40-01535A-23

20231608__

read:

570.851 Fresh From Florida Retail Fresh Market Farm Stand Signage Program.—

(1) As used in this section, the term "retail fresh market farm stand" means any facility located on a farm and used to market farm products as those terms are defined in s. 823.14(3).

(2) The Fresh From Florida Retail Fresh Market Farm Stand Signage Program is established within the department to provide directional signage for certified retail fresh market farm stands.

(3)(a) To qualify as a certified retail fresh market farm stand, a stand must:

1. Offer farm products for sale that are produced on the premises.

2. Be open for business at least 4 days a week, 10 months of the year.

3. Have an actual growing area of at least 87,120 square feet.

4. Offer tours of the growing area located on the premises.

5. Display permanent signage on the premises specifying the times for the tours and hours of operation of the agricultural facility.

(b) To participate in the program, the owner or operator of a qualified retail fresh market farm stand must apply to the department to register as a certified retail fresh market farm stand and pay application and registration fees.

(c) To maintain designation as a certified retail fresh market farm stand, a stand must annually meet the requirements under paragraphs (a) and (b).

Page 2 of 4

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20231608

(d) An agricultural facility that produces wine or other agricultural products but does not have a growing area on the property does not qualify for the program.

(e) The commissioner may officially recognize a certified retail fresh market farm stand as a state tourist attraction.

(4)(a) The department, in consultation with the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council, shall develop uniform directional signage bearing a uniform Fresh From Florida retail fresh market farm stand logo and emblem.

(b) Upon request of a certified retail fresh market farm stand, the Department of Transportation shall place directional signage bearing the uniform Fresh From Florida retail fresh market farm stand logo and emblem on the rights-of-way of interstate highways and primary and secondary roads. The owner or operator of the certified retail fresh market farm stand must pay a fee for the signage placement.

(5) The department shall adopt rules to implement this section.

(6) This section does not prevent retail fresh market farm stands from qualifying as an agritourism activity as defined in s. 570.86.

Section 2. Section 570.8511, Florida Statutes, is created to read:

570.8511 Fresh From Florida Retail Fresh Market Farm Stand Advisory Council.—

(1) The Fresh From Florida Retail Fresh Market Farm Stand Advisory Council, an advisory council as defined in s. 20.03(7), is established within the department. The council shall consist of 12 members to be appointed by the commissioner. Initially, 6

40-01535A-23

20231608

members shall be appointed by the commissioner for a 1-year term and 6 members for a 2-year term. Thereafter, members shall be appointed for 2-year terms.

(2) The meetings, powers, duties, procedures, and recordkeeping of the advisory council shall be pursuant to s. 570.232.

(3) The council may annually submit to the commissioner recommendations relating to the Fresh From Florida Retail Fresh Market Farm Stand Signage Program.

Section 3. This act shall take effect July 1, 2023.

3/20/23

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1608

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Lena Juarez

Phone

850 212 8330

Address

PO Box 10390

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lenajejassoc.com

Street

Tallahassee FL 32302

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Agnitourism Association

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 1610

INTRODUCER: Senator Rodriguez

SUBJECT: Fees/Fresh From Florida Retail Fresh Market Farm Stand Signage Program

DATE: March 15, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Fav/CS
2.			AEG	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

SB 1610 requires the Department of Agriculture and Consumer Services to include specified application, permit, placement, and removal fees in rules implementing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program.

The bill will take effect on the same date that SB 1608 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

II. Present Situation:

SB 1608 (2023 Regular Session)

SB 1608 (2023 Regular Session) by Senator Rodriguez, defines the term “retail fresh market farm stand.” The bill establishes the Fresh From Florida Retail Fresh Market Farm Stand Signage Program (program) within the Department of Agriculture and Consumer Services (department) to provide directional signage for certified retail fresh market farm stands. The bill authorizes the Commissioner of Agriculture to designate certified retail fresh market farm stands as state tourist attractions. The bill also permits the Department of Transportation to place directional signage promoting on interstate highways and roads. Establishes the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council within the department. SB 1608 does not authorize the assessment of any fees or taxes.

If passed and signed into law, the bill takes effect July 1, 2023.

III. Effect of Proposed Changes:

Section 1 amends s. 570.851, F.S., as created by SB 1608 (2023 Regular Session), requiring the department to adopt rules to implement the Fresh From Florida Retail Fresh Market Farm Stand Signage Program. The rules must include the following fees:

- An annual application and permit fee, not to exceed \$50.
- A signage placement fee, not to exceed \$250.
- A signage removal fee, not to exceed \$100.

Section 2 provides that the bill will take effect on the same date that SB 1608 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Section 19, Art. VII of the State Constitution limits the authority of the legislature to enact legislation that imposes or raises a state tax or fee by requiring such legislation to be approved by a 2/3 vote of each chamber of the legislature.¹ Such state tax or fee imposed, authorized, or raised must be contained in a separate bill that contains no other subject.²

The constitution defines “fee” to mean any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.³

The bill authorizes the department to adopt, by rule, an annual application fee of \$50, a signage placement fee, not to exceed \$250 and a signage removal fee, not to exceed \$100. The department does not have authority under current law so the provisions of Section 19, Art. VII of the State Constitution appear to apply, requiring this legislation to be approved by a 2/3 vote of each house of the legislature.

¹ FLA. CONST. art. VII, s. 19(a)(b)

² FLA. CONST. art. VII, s. 19(e)

³ FLA. CONST. art. VII, s. 19(d)(1)

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Owners and operators of qualified retail fresh market farm stands will have to pay an annual application fee of \$50, a signage placement fee, not to exceed \$250 and possibly a signage removal fee, not to exceed \$100.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 570.851 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 20, 2023:

The committee substitute links this bill with SB 1608 (2023) to make them both effective on the same date.

B. Amendments:

None.



278624

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
	.	
	.	
	.	

The Committee on Agriculture (Rodriguez) recommended the following:

Senate Amendment (with directory amendment)

Delete line 24
and insert:
SB 1608 or similar legislation takes effect, if such legislation

===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete line 13

and insert:



278624

11 Statutes, as created by SB 1608 or similar legislation, is

By Senator Rodriguez

40-01536A-23

20231610__

A bill to be entitled

An act relating to fees; amending s. 570.851, F.S.; requiring the Department of Agriculture and Consumer Services to include specified application, permit, placement, and removal fees in rules implementing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 570.851, Florida Statutes, as created by SB __ or similar legislation, is amended to read:

570.851 Fresh From Florida Retail Fresh Market Farm Stand Signage Program.—

(5) The department shall adopt rules to implement this section. The rules must include the following fees:

(a) An annual application and permit fee, not to exceed \$50.

(b) A signage placement fee, not to exceed \$250.

(c) A signage removal fee, not to exceed \$100.

Section 2. This act shall take effect on the same date that SB __ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

THE FLORIDA SENATE
APPEARANCE RECORD

3/20/23

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1610

Bill Number (if applicable)

Topic Retail Fresh Market Farm Stand Signage

Amendment Barcode (if applicable)

Name Lena Juárez

Job Title _____

Address PO Box 10390

Street

Tallahassee FL

City

State

32301

Zip

Phone

71ena ejgassoc.com

Email

850 212 8330

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Agri-tourism Association

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 1676

INTRODUCER: Senators Burton and Rodriguez

SUBJECT: Hemp

DATE: March 21, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Fav/CS
2.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1676 makes a number of changes to the regulation of hemp in this state. Specifically, the bill:

- Adds hemp extract to the definition of “food.”
- Revises the definition of “hemp” to exempt hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis and specifies the term does not include synthetically derived cannabinoids.
- Adds snuff, chewing gum, and smokeless products derived from or containing hemp to the definition of “hemp extract.”
- Defines “synthetically derived cannabinoid.”
- Defines “total tetrahydrocannabinol.”
- Modifies how hemp extract may be sold in this state, including:
 - Requiring the batch to be processed in a facility that meets certain requirements;
 - Requiring it to be sold in a container that meets certain requirements, one of which is that the container is not attractive to children; and
 - Requiring it to only be sold to businesses that meet certain requirements.
- Prohibits hemp extract products intended for human ingestion from being sold to a person who is under 21 years of age.
- Specifies that hemp extract products may not exceed .5 milligrams of total tetrahydrocannabinol per serving or 2 milligrams total tetrahydrocannabinol per package.
- Revises the Department of Agriculture and Consumer Services (department) rulemaking authority to reflect the approval of the state hemp plan and to require the department to adopt rules relating to the packaging of hemp extract products.

The bill shall take effect July 1, 2023.

II. Present Situation:

Industrial Hemp

Industrial hemp is a *Cannabis sativa* plant (cannabis) that has been cultivated for approximately 10,000 years as a fiber and grain crop. It is used for fiber, building materials, forages (animal feed), and pain relief as a topical oil.¹

Cannabis

Cannabis is a Schedule I controlled substance.² It is a felony of the third degree³ to sell, manufacture, deliver, or possess with intent to sell, manufacture, or deliver, cannabis in Florida.⁴

As a controlled substance in chapter 893, F.S., “cannabis” is defined to mean: all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. The term does not include “marijuana,” as defined in s. 381.986, F.S., if manufactured, possessed, sold, purchased, delivered, distributed, or dispensed, in conformance with s. 381.986, F.S., [the Compassionate Medical Cannabis Act of 2014], hemp as defined in s. 581.217, F.S., [the state hemp program], or industrial hemp as defined in s. 1004.4473, F.S., [industrial hemp pilot projects].⁵

Medical Marijuana

On November 4, 2016, Amendment 2 was approved by the electors and is codified in Article X, section 29, of the Florida Constitution. This section of the constitution became effective on January 3, 2017, and created several exemptions from criminal and civil liability for:

- Qualifying patients medically using marijuana in compliance with the amendment;
- Physicians, solely for issuing physician certifications with reasonable care and in compliance with the amendment; and
- Medical marijuana treatment centers (MMTCs), their agents, and employees for actions or conduct under the amendment and in compliance with rules promulgated by the Florida Department of Health.

¹ See University of Florida, *UF/IFAS Industrial Hemp Pilot Project* at: <https://programs.ifas.ufl.edu/hemp/> (last visited March 17, 2023).

² Section 893.03(1)(c)7., F.S.

³ Section 775.082, F.S., provides that a felony of the third degree is punishable by a term of imprisonment not to exceed 5 years. Section 775.083, F.S., provides that a felony of the third degree is punishable by a fine not to exceed \$5,000.

⁴ Section 893.13(1)(a)2., F.S.

⁵ Section 893.02(3), F.S.

Subsequently, the Legislature passed SB 8-A in Special Session A of 2017.⁶ The bill revised the Compassionate Medical Cannabis Act of 2014⁷ in s. 381.986, F.S., to implement Article X, section 29 of the Florida Constitution.

The term medical marijuana includes two distinct forms of the plant genus *Cannabis*:

- Marijuana without any limitation or restriction on the percentage of THC;⁸ and
- “Low-THC cannabis” in which the percentage of THC is limited to 0.8 percent or less and has more than 10 percent of cannabidiol⁹ weight for weight.¹⁰

The Coalition for Medical Marijuana Research and Education located at the H. Lee Moffitt Cancer Center and Research Institute, Inc., is authorized to conduct medical marijuana research and education.¹¹

A MMTC and a qualified patient or caregiver are specifically exempt from the criminal prohibition against the possession of cannabis.¹²

2014 Federal Farm Bill and State Industrial Hemp Pilot Programs

The Agricultural Improvement Act of 2014 (2014 Farm Bill) defined industrial hemp and allowed state departments of agriculture or universities to grow and produce industrial hemp as part of research or pilot programs. Specifically, the law allowed universities and state departments of agriculture to grow or cultivate industrial hemp if:

- The industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and
- The growing or cultivating of industrial hemp is allowed under the laws of the state in which such institution of higher education or state department of agriculture is located and such research occurs.¹³

The 2014 Farm Bill defines “industrial hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁴

⁶ Chapter 2017-232, Laws of Fla.

⁷ Chapter 2014-157, Laws of Fla.

⁸ THC, or tetrahydrocannabinol, is the main active ingredient in cannabis and is responsible for most of the psychological effects of cannabis.

⁹ Cannabidiol (CBD) is a chemical compound, known as a cannabinoid, found in cannabis. CBD does not have the same psychoactivity as THC. See Michael J Breus, *Despite What You May Think... CBD Is Not Weed* (Sept. 20, 2018), Psychology Today, available at: <https://www.psychologytoday.com/us/blog/sleep-newzzz/201809/despite-what-you-may-think-cbd-is-not-weed> (last visited March 16, 2023).

¹⁰ See s. 381.986(1)(e) and (f), F.S.

¹¹ Section 1004.4351, F.S.

¹² See s. 381.986(14), F.S.

¹³ Agricultural Improvement Act of 2014, Pub. L. No. 113-79, s. 7606, 128 Stat. 912 (2014) (codified at 7 U.S.C. s. 5940).

¹⁴ *Id.*

Section 1004.4473, F.S., authorizes the Florida Department of Agriculture and Consumer Services (department) to oversee the development of industrial hemp pilot projects for the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida, Florida Agricultural and Mechanical University, any land grant university in the state that has a college of agriculture, and any Florida College System institution or state university that has an established agriculture, engineering, or pharmacy program.¹⁵ The purpose of the pilot projects is to cultivate, process, test, research, create, and market safe and effective commercial applications for industrial hemp in the agricultural sector in this state. The department has adopted a rule addressing safety, compliance, and accountability and other concerns.¹⁶

2018 Federal Farm Bill

In the Agricultural Improvement Act of 2018 (2018 Farm Bill), the U.S. Congress legalized industrial hemp as an agricultural product by removing hemp's classification as a controlled substance.¹⁷ The 2018 Farm Bill defines "hemp" to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁸

The 2018 Farm Bill allows a state department of agriculture or an Indian tribe to submit a plan to the United States Secretary of Agriculture and apply for primary regulatory authority over the production of hemp in their state or tribal territory. A state or tribal plan must include:

- A procedure for tracking land upon which hemp will be produced;
- Testing methods for determining THC concentration levels of hemp;
- Methods for effective disposal of noncompliant products;
- Enforcement procedures;
- Inspection procedures; and
- Certification procedures for the persons authorized to produce hemp producers, test hemp products, inspect hemp producers, and enforce the provisions of the state or tribal plan.¹⁹

State Hemp Program

The state hemp program was created within the department to regulate the cultivation of hemp in Florida.²⁰

¹⁵ Section 1004.4473(2)(a), F.S.

¹⁶ Fla. Admin. Code R. 5B-57.013 (2018).

¹⁷ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 12619, 132 Stat. 409 (2018) (codified at 21 U.S.C 802(16)).

¹⁸ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639o).

¹⁹ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639p).

²⁰ See s. 581.217, F.S.

Section 581.217(3)(d), F.S., defines the term “hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.

Section 581.217(3)(e), F.S., defines the term “hemp extract” to mean “a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which is derived from or contains hemp and which does not contain other controlled substances.” The term does not include synthetic CBD or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.²¹ Products that are intended for inhalation and contain hemp extract may not be sold in this state to a person who is under 21 years of age.²²

The department was required to seek federal approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture (USDA) in accordance with the 2018 Farm Bill within 30 days of adopting rules.²³ A license is required to cultivate hemp²⁴ and to obtain a license, a person must apply to the department and submit a full set of fingerprints.²⁵ A person seeking to cultivate hemp must provide the department with a legal land description and GPS coordinates of where the hemp will be cultivated.²⁶ The department must deny an application under certain circumstances.²⁷

CDC Health Advisory

In September 2021, the Center for Disease Control (CDC) sent out a Health Alert Network (HAN) Health Advisory alerting public health departments and the public about the increased availability of cannabis products containing delta-8-THC and the potential for adverse events due to insufficient labeling of products containing THC and cannabidiol (CBD).²⁸ The advisory reports that there is an increase in delta-8 THC products appearing in both marijuana and hemp marketplaces and are also available online.²⁹ The advisory suggests that some products containing delta-8 THC are only labeled as containing delta-9 THC, which leads consumers to underestimate the psychoactive potential. Consumers may get confused at businesses that sell delta-8 THC in the same place that sell hemp or CBD, products that are not intoxicating, and may experience unexpected or increased THC intoxication.³⁰

²¹ Section 581.219(3)(e), F.S.

²² Section 581.217(7)(c), F.S.

²³ Section 581.217(4), F.S.

²⁴ Section 581.217(5)(a), F.S.

²⁵ Section 581.217(5)(b), F.S.

²⁶ Section 581.217(5)(d), F.S.

²⁷ Section 581.217(5)(e), F.S.

²⁸ See https://emergency.cdc.gov/han/2021/pdf/CDC_HAN_451.pdf (last visited March 17, 2023).

²⁹ Id.

³⁰ Id.

Delta-8 THC-involved adverse events

In 2021, the American Association of Poison Control Centers (AAPCC) introduced a delta-8 THC product code into its National Poison Data System (NPDS), to monitor adverse events. From January 1 to July 31, 2021, 660 delta-8 THC exposures were recorded with the new product code, and one additional case was recoded as a delta-8 THC exposure from October 2020. Eighteen percent of exposures (119 of 661 cases) required hospitalization, and 39% (258 of 661 cases) involved pediatric patients less than 18 years of age.³¹

The advisory warned that delta-8 intoxication can cause adverse effects similar to those observed during delta-9 THC intoxication, which may include:

- Lethargy,
- Uncoordinated movements and decreased psychomotor activity,
- Slurred speech,
- Increased heart rate progressing to slowed heart rate,
- Low blood pressure,
- Difficulty breathing,
- Sedation, and
- Coma.³²

CDC Recommendations

The CDC also provided recommendations for consumers, public health departments/poison control centers, retailers and healthcare providers. The recommendations included, but are not limited to:

- Consumers should be aware of possible limitations in the labeling of products containing THC and CBD even from approved marijuana and hemp retailers. Products reporting only delta-9 THC concentration, but not total THC, may underestimate the psychoactive potential for consumers.
- Consumers should be aware that products labeled as hemp or CBD may contain delta-8 THC, and that products containing delta-8 THC can result in psychoactive effects. Delta-8 THC products are currently being sold in many states, territories, and tribal nations where non-medical adult cannabis use is not permitted by law. In addition, retailers may sell products outside of regulated dispensaries in states, territories, and tribal nations where cannabis use is permitted by law. This may provide consumers with a false sense of safety, as delta-8 THC products may be labeled as hemp or CBD, which consumers may not associate with psychoactive ingredients.
- States, territories, and tribal nations that have passed laws allowing non-medical use of adult cannabis or that may allow such use in the future may consider requiring the reporting of total THC content, including ingredients like delta-8 THC and other compounds that may be synthetically produced, on product labeling.

³¹ Id.

³² Id.

- Retailers selling cannabis products should report total THC content on product labeling, including ingredients like delta-8 THC that may be synthetically produced to create a psychoactive effect.
- Healthcare providers should be vigilant in observing patients presenting with THC-like intoxication symptoms who do not report an exposure to marijuana or history of use. Symptomatic patients should be questioned about their use of CBD or delta-8 THC products.³³

FDA Consumer Update: Delta-8 THC

In 2022, the Food and Drug Administration (FDA) released a consumer report to inform the public about Delta-8 THC.³⁴ The consumer report outlined five points on delta-8 THC:

- Products containing delta-8 THC have not been approved by the FDA and may be marketed as “hemp products,” which consumers associate with being “non-psychoactive.”
- The FDA has received 104 reports of adverse events in patients who consumed delta-8 THC products between December 1, 2020, and February 28, 2022. Additionally, national poison control centers received 2,362 exposure cases of delta-8 THC products between January 2021 and February 2022.
- Delta-8 THC contains psychoactive and intoxicating effects, similar to delta-9 THC (i.e., the component responsible for the “high” people may experience from using cannabis).
- The natural amount of delta-8 THC in hemp is very low, and additional chemicals are needed to convert other cannabinoids in hemp, like CBD, into delta-8 THC (i.e., synthetic conversion). The FDA reports that some manufacturers may use potentially unsafe household chemicals to make delta-8 THC through a chemical synthesis process.
- Some Delta-8 THC marketing may appeal to children and may be purchased online. As such the FDA is recommending keeping delta-8 THC products out of the reach of children and due to pets to decrease the potential occurrence of adverse events.³⁵

III. Effect of Proposed Changes:

CS/SB 1676 makes a number of changes to the regulation of hemp in the state. The bill adds hemp extract as defined in s. 581.217, F.S., to the definition of “food” and specifies that hemp extract is considered a food that requires time and temperature control for safety and integrity of the product.

Current law provides that hemp-derived cannabinoids, including, but not limited, to cannabidiol, are not controlled substances.³⁶ The bill changes cannabidiol to cannabitol and specifies these are not controlled substances if they are in compliance with s. 581.217, F.S. The bill revises the definition of “hemp” to exempt hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis and specifies the term does not include synthetically derived cannabinoids.

³³ Id.

³⁴ See <https://www.fda.gov/consumers/consumer-updates/5-things-know-about-delta-8-tetrahydrocannabinol-delta-8-thc> (last visited March 17, 2023).

³⁵ Id.

³⁶ Section 581.217(2)(b), F.S.

It adds snuff, chewing gum, and smokeless products derived from or containing hemp, excluding cannabinoids that are synthetically derived, to the definition of “hemp extract.” It defines “synthetically derived cannabinoid” as any cannabinoid created by any process other than direct extraction from hemp and without further reacting with other chemicals to increase the concentration of a present cannabinoid. It defines “total tetrahydrocannabinol” as the sum of all cannabinoids as defined by the department in milligrams.

Current law provides regulation of how hemp extract may be sold in this state.³⁷ The bill specifies that hemp extract may only be sold in this state if the product has a certificate of analysis prepared by an independent testing laboratory that states the batch contained .05 milligrams total cannabinoids per serving. It adds a requirement that the batch be processed in a facility that holds a current and valid permit issued by a human health or food safety regulatory entity with authority over the facility, and that facility meets the human health or food sanitization requirements of the regulatory entity. Such compliance must be documented by a report from the regulatory entity confirming that the facility meets such requirements.

The bill adds a requirement that hemp extract be distributed or sold in a container that:

- Is suitable to contain products for human consumption;
- Is composed of materials designed to minimize exposure to light;
- Mitigates exposure to high temperatures;
- Is not attractive to children; and
- Is compliant with the United States Poison Prevention Packaging Act of 1970.

The bill requires that hemp extract only be sold to a business in this state if that business is properly permitted by s. 581.217(7), F.S. It clarifies that hemp extract distributed or sold in this state is subject to the applicable requirements of ch. 500, ch. 502, or ch. 508, removing the specification that a violation of this shall be considered adulterated or misbranded.

Current law provides that hemp extract products that are intended for inhalation may not be sold to a person who is under 21 years of age.³⁸ The bill adds a requirement that such products intended for human ingestion may not be sold to a person who is under 21 years of age. It also specifies that such products may not exceed .5 milligrams of total tetrahydrocannabinol per serving or 2 milligrams total tetrahydrocannabinol per package.

The bill revises the department’s rulemaking authority, granting it the authority to adopt rules to administer the state hemp program. It also requires the department to adopt rules to provide for packaging and labeling requirements that ensure that hemp extract intended for human ingestion or inhalation is not attractive to children and for advertising regulations that ensure hemp extract intended for human ingestion or inhalation is not marketed or advertised in a manner that specifically targets or is attractive to children.

The bill requires the department to adopt rules pursuant to s. 120.536(1), F.S., and s. 120.54, F.S., to establish the cannabinoids to include in calculating total cannabinoids, which must include, at a minimum, delta-8 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, delta-9

³⁷ Section 581.217(7), F.S.

³⁸ Section 581.217(7)(c), F.S.

tetrahydrocannabibonic acid, delta-10 tetrahydrocannabinol, delta-9,11 tetrahydrocannabinol, exo-tetrahydrocannabinol, and hexahydrocannabinol.

The bill reenact s. 893.02(3), F.S., the definition of “cannabis,” to reflect changes made by the bill.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Businesses may be impacted by the additional regulations, specifically packaging requirements and THC limits.

C. Government Sector Impact:

The department will be able to inspect and regulate hemp extract as a food product. It is unclear whether or not this will have a fiscal impact to the department.

VI. Technical Deficiencies:

There are conflicting limits for how many milligrams of total cannabinoids that each container/package may include.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 500.03 and 581.217 of the Florida Statutes.
This bill reenacts section 893.02 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 20, 2023:

The CS reverts what the term hemp-derived cannabinoids includes back to current law, revises the definition of “hemp” to add that hemp extract may not exceed 0.5 total cannabinoids per container, revises the definition of “synthetically derived cannabinoid,” revises the definition of “total tetrahydrocannabinol,” requires that hemp extract may only be sold in the state if the batch contains less than 0.5 milligrams total cannabinoids per serving, requires that products that are intended for human consumption or ingestion may not exceed .5 total tetrahydrocannabinol per serving or 2 milligrams total tetrahydrocannabinol per package, and revises the department’s rulemaking authority.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
	.	
	.	
	.	

The Committee on Agriculture (Burton) recommended the following:

Senate Amendment

Delete lines 60 - 165
and insert:
to, cannabidiol, are not controlled substances or adulterants if
they are in compliance with this section.

(3) DEFINITIONS.—As used in this section, the term:

(d) "Hemp" means the plant *Cannabis sativa* L. and any part
of that plant, including the seeds thereof, and all derivatives,
extracts, cannabinoids, isomers, acids, salts, and salts of
isomers thereof, whether growing or not, that has a total delta-



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9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exception of hemp extract, which may not exceed 0.5 milligrams total cannabinoids per container, and 0.3 percent total delta-9 tetrahydrocannabinol on a wet-weight basis. The term does not include synthetically derived cannabinoids.

(e) "Hemp extract" means a substance or compound intended for ingestion, containing more than trace amounts of a cannabinoid, or for inhalation which is derived from or contains hemp and which does not contain ~~other~~ controlled substances. The term includes snuff, chewing gum, and smokeless products derived from or containing hemp, but does not include cannabinoids that are synthetically derived ~~synthetic CBD~~ or seeds or seed-derived ingredients ~~that are~~ generally recognized as safe by the United States Food and Drug Administration.

(g) "Synthetically derived cannabinoid" means any cannabinoid created by any process other than direct extraction from hemp and without further reacting with other chemicals to increase the concentration of a present cannabinoid or to create a new or different cannabinoid not originally found in the extract.

(h) "Total tetrahydrocannabinol" means the sum of all cannabinoids as defined by the department in milligrams.

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in the state if the product:

1. Has a certificate of analysis prepared by an independent testing laboratory that states:

a. The hemp extract is the product of a batch tested by the



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independent testing laboratory;

b. The batch contained 0.5 milligrams total cannabinoids per serving ~~a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent~~ pursuant to the testing of a random sample of the batch; ~~and~~

c. The batch does not contain contaminants unsafe for human consumption; and

d. The batch was processed in a facility that holds a current and valid permit issued by a human health or food safety regulatory entity with authority over the facility, and that facility meets the human health or food safety sanitization requirements of the regulatory entity. Such compliance must be documented by a report from the regulatory entity confirming that the facility meets such requirements.

2. Is distributed or sold in a container that includes:

a. A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;

b. The batch number;

c. The Internet address of a website where batch information may be obtained;

d. The expiration date; and

e. The number of milligrams of each marketed cannabinoid per serving.

3. Is distributed or sold in a container that:

a. Is suitable to contain products for human consumption;

b. Is composed of materials designed to minimize exposure to light;

c. Mitigates exposure to high temperatures;



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d. Is not attractive to children; and
e. Is compliant with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq, without regard to provided exemptions.

(b) Hemp extract may only be sold to a business in this state if that business is properly permitted as required by this section.

(c) Hemp extract distributed or sold in this state is subject to the applicable requirements of ~~violation of this section shall be considered adulterated or misbranded pursuant to~~ chapter 500, chapter 502, or chapter 580.

(d)~~(e)~~ Products that are intended for human ingestion or inhalation and contain hemp extract may not:

1. Be sold in this state to a person who is under 21 years of age; or-

2. Exceed 0.5 milligrams total tetrahydrocannabinol per serving or 2 milligrams total tetrahydrocannabinol per package.

(12) RULES.—

(a) ~~By August 1, 2019, The department shall adopt rules, in consultation with the Department of Health and the Department of Business and Professional Regulation, shall initiate rulemaking to administer the state hemp program. The rules must provide for:~~

1.~~(a)~~ A procedure that uses post-decarboxylation or other similarly reliable methods for testing the delta-9-tetrahydrocannabinol concentration of cultivated hemp.

2.~~(b)~~ A procedure for the effective disposal of plants, whether growing or not, that are cultivated in violation of this section or department rules, and products derived from those



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plants.

3. Packaging and labeling requirements that ensure that hemp extract intended for human ingestion or inhalation is not attractive to children.

4. Advertising regulations that ensure hemp extract intended for human ingestion or inhalation is not marketed or advertised in a manner that specifically targets or is attractive to children.

(b) The department shall adopt rules pursuant to ss. 120.54 and 120.56, establishing the cannabinoids to include in calculating total cannabinoids, which must include, at a minimum, delta-8 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, delta-9 tetrahydrocannalibonic acid, delta-10 tetrahydrocannabinol, delta-9,11 tetrahydrocannabinol, exo-tetracannabinol, and hexahydrocannabinol.

By Senator Burton

12-01289C-23

20231676__

A bill to be entitled

An act relating to hemp; amending s. 500.03, F.S.; revising the definition of the term "food"; providing that hemp extract is considered a food subject to certain requirements; amending s. 581.217, F.S.; revising legislative findings for the state hemp program; revising and defining terms; revising the requirements that hemp extract must meet before being distributed and sold in this state; providing that hemp extract may only be sold to businesses in this state which meet certain permitting requirements; providing that hemp extract distributed or sold in this state must meet certain requirements; prohibiting products intended for human ingestion which contain hemp extract from being sold to persons under a specified age; providing a requirement for products intended for human ingestion or inhalation; requiring the Department of Agriculture and Consumer Services to adopt rules; removing obsolete provisions; reenacting s. 893.02(3), F.S., relating to the definition of the term "cannabis," to incorporate the amendment made to s. 581.217, F.S., in a reference thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (n) of subsection (1) of section 500.03, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

Page 1 of 7

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

12-01289C-23

20231676__

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(n) "Food" includes:

1. Articles used for food or drink for human consumption;

2. Chewing gum;

3. Articles used for components of any such article;

4. Articles for which health claims are made, which claims are approved by the Secretary of the United States Department of Health and Human Services and which claims are made in accordance with s. 343(r) of the federal act, and which are not considered drugs solely because their labels or labeling contain health claims; ~~and~~

5. Dietary supplements as defined in 21 U.S.C. s.

321(ff)(1) and (2); and

6. Hemp extract as defined in s. 581.217.

The term includes any raw, cooked, or processed edible substance; ice; any beverage; or any ingredient used, intended for use, or sold for human consumption.

(4) For the purposes of this chapter, hemp extract is considered a food that requires time and temperature control for safety and integrity of product.

Section 2. Paragraph (b) of subsection (2), paragraphs (d) and (e) of subsection (3), and subsections (7) and (12) of section 581.217, Florida Statutes, are amended, and paragraphs (g) and (h) are added to subsection (3) of that section, to read:

581.217 State hemp program.—

(2) LEGISLATIVE FINDINGS.—The Legislature finds that:

Page 2 of 7

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20231676

(b) Hemp-derived cannabinoids, including, but not limited to, cannabinol ~~cannabidiol~~, are not controlled substances or adulterants if they are in compliance with this section.

(3) DEFINITIONS.—As used in this section, the term:

(d) "Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exception of hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis. The term does not include synthetically derived cannabinoids.

(e) "Hemp extract" means a substance or compound intended for ingestion, containing more than trace amounts of a cannabinoid, or for inhalation which is derived from or contains hemp and which does not contain ~~other~~ controlled substances. The term includes snuff, chewing gum, and smokeless products derived from or containing hemp, but does not include cannabinoids that are synthetically derived synthetic CBD or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.

(g) "Synthetically derived cannabinoid" means any cannabinoid created by reacting a cannabis- or noncannabis-derived extract with solvent or acid to increase the concentration of a present cannabinoid or to create a new cannabinoid not originally found in the extract.

(h) "Total tetrahydrocannabinol" means the sum of all tetrahydrocannabinol isomers, with a concentration of more

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tetrahydrocannabinol-A multiplied by 0.877, in milligrams per gram multiplied by the labeled weight of the product.

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in the state if the product:

1. Has a certificate of analysis prepared by an independent testing laboratory that states:

a. The hemp extract is the product of a batch tested by the independent testing laboratory;

b. The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent pursuant to the testing of a random sample of the batch; ~~and~~

c. The batch does not contain contaminants unsafe for human consumption; and

d. The batch was processed in a facility that holds a current and valid permit issued by a human health or food safety regulatory entity with authority over the facility, and that facility meets the human health or food safety sanitization requirements of the regulatory entity. Such compliance must be documented by a report from the regulatory entity confirming that the facility meets such requirements.

2. Is distributed or sold in a container that includes:

a. A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;

b. The batch number;

c. The Internet address of a website where batch information may be obtained;

d. The expiration date; and

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e. The number of milligrams of each marketed cannabinoid per serving.

3. Is distributed or sold in a container that:

a. Is suitable to contain products for human consumption;

b. Is composed of materials designed to minimize exposure to light;

c. Mitigates exposure to high temperatures;

d. Is not attractive to children; and

e. Is compliant with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

(b) Hemp extract may only be sold to a business in this state if that business is properly permitted as required by this section.

(c) Hemp extract distributed or sold in this state is subject to the applicable requirements of ~~violation of this section shall be considered adulterated or misbranded pursuant to~~ chapter 500, chapter 502, or chapter 580.

(d) ~~(e)~~ Products that are intended for human ingestion or inhalation and contain hemp extract may not:

1. Be sold in this state to a person who is under 21 years of age; or-

2. Exceed 0.5 milligrams total tetrahydrocannabinol per dose or 2 milligrams total tetrahydrocannabinol per container.

(12) RULES.—

(a) ~~By August 1, 2019, The department shall adopt rules, in consultation with the Department of Health and the Department of Business and Professional Regulation, shall initiate rulemaking to administer the state hemp program. The rules must provide for:~~

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20231676

~~1.(a)~~ A procedure that uses post-decarboxylation or other similarly reliable methods for testing the delta-9-tetrahydrocannabinol concentration of cultivated hemp.

~~2.(b)~~ A procedure for the effective disposal of plants, whether growing or not, that are cultivated in violation of this section or department rules, and products derived from those plants.

3. Packaging and labeling requirements that ensure that hemp extract intended for human ingestion or inhalation is not attractive to children.

4. Advertising regulations that ensure hemp extract intended for human ingestion or inhalation is not marketed or advertised in a manner that specifically targets or is attractive to children.

(b) The department shall adopt rules pursuant to s. 120.54 and s. 120.536 to establish tetrahydrocannabinol isomers to include in calculating total tetrahydrocannabinol, which must include, at a minimum, delta-8 tetrahydrocannabinol, delta-9 tetrahydrocannabinol, delta-10 tetrahydrocannabinol, exo tetrahydrocannabinol, and hexahydrocannabinol.

Section 3. For the purpose of incorporating the amendment made by this act to section 581.217, Florida Statutes, in a reference thereto, subsection (3) of section 893.02, Florida Statutes, is reenacted to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

(3) "Cannabis" means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin

12-01289C-23

20231676__

175 extracted from any part of the plant; and every compound,
176 manufacture, salt, derivative, mixture, or preparation of the
177 plant or its seeds or resin. The term does not include
178 "marijuana," as defined in s. 381.986, if manufactured,
179 possessed, sold, purchased, delivered, distributed, or
180 dispensed, in conformance with s. 381.986. The term does not
181 include hemp as defined in s. 581.217 or industrial hemp as
182 defined in s. 1004.4473.

183 Section 4. This act shall take effect July 1, 2023.

3/20/2023

Meeting Date

Committee on Agriculture

Committee

Name **Bill Helmich**

Address **120 S. Monore St**

Street

Tallahassee

City

FL

State

32301

Zip

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SB 1676

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Amendment Barcode (if applicable)

Phone **850-251-3126**

Email **bill@helmichconsulting.com**

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Healthy Alternatives Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

Monday, March 20, 2023

The Florida Senate
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1676 By Burton - Hemp

Meeting Date

Agriculture

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Committee

Henry Calix

Amendment Barcode (if applicable)

786-223-7677

Name

Phone

Address

1850 NE 172nd ST

Email

henry@weedsies.com

Street

North Miami Beach

FL

33162

City

State

Zip

Reset Form

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Hemp

1676
Bill Number or Topic

Amendment Barcode (if applicable)

Name

Teresa Miller

Phone

8138423073

Address

3608 W Corona St

Email

embraceLife911@gmail.com

Street

Tampa

City

FL

State

33629

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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1676

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ellen Snelling

Phone

813-731-2696

Address

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Email

cr.snelling@verizon.net

Street

Temple Terrace

City

State

FL 33617

Zip

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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1676

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Isabelle Garbarino**

Phone **(850) 617-7700**

Address **400 S. Monroe St., PL-10**

Street

Email **isabelle.garbarino@fdacs.gov**

Tallahassee

City

FL

State

32399

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

**Florida Department of Agriculture
& Consumer Services (DACS)**

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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Committee

Amendment Barcode (if applicable)

Name Joseph McCormickPhone 407-508-0340Address 120 S. Monroe St.
StreetEmail jd@healthyFlorida.orgTallahassee
CityFL
State32301
Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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March 20th 2023

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Committee

Amendment Barcode (if applicable)

Name

Dr. Sean Norris

Phone

720 235 2613

Address

14828 W 6th Ave 9B

Email

Sean@mcNutraceuticals.com

Street

Golden

City

CO

State

80401

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

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In Support

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Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

McNutraceuticals

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Amendment Barcode (if applicable)

Name Philip Snow

Phone 828-333-8647

Address 84 W. Walnut Street Suite 201
Street

Email philip@kightlaw.com

Asheville
City

NC
State

28801
Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Florida Healthy Alternatives Assn.

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Bill Number or Topic

Amendment Barcode (if applicable)

Name ANDREW TRIEU

Phone (725) 233-9022

Address 333 FALLENBURG DR UNIT A131
Street

Email ANDREWTTRIEU@GMAIL.COM

TAMPA

City

FL

State

33619

Zip

Speaking:

☐

For

☒

Against

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Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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Amendment Barcode (if applicable)

Name JJ Coombs

Phone 305-322-9622

Address 180 SE 4th ter
Street

Email JJ@arvida.labsi.com

pompano Beach
City

FL
State

33066
Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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Amendment Barcode (if applicable)

Name

Jason Brubaker

Phone

954 873-6965

Address

4757 SW 51st St

Email

jasonbrubaker@flsenate.gov

Street

Davie

City

FL

State

33314

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☒I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1, [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name Kassidy Stuart

Phone (850) 212 7930

Address 6265 Old Water Oak Rd 102-B

Street

Email kstuv313@aol.com

Tallahassee

City

FL

State

32312

Zip

Reset Form

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-JointRules.pdf)

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Committee

Amendment Barcode (if applicable)

Name

Christopher Perine

Phone

941-376-6050

Address

2124 Princeton St

Email

chris@highlyconcentrated.com

Street

Sarasota

City

FL

State

34237

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

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In Support

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Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Informed Families

Amendment Barcode (if applicable)

Name

Beth LABASKY of FIA

Phone

850 3227335

Address

1400 Village Square Blvd

Email

bethlabasky@aol.com

Street

Tallevast

City

Fla

State

32312

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Informed Families
of FLORIDA

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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Committee

1676
Bill Number or Topic

Name Ramon NAVAR Phone 850 222 1568

Address P.O. Box 10245 Email RN @ RamonNavar.com
Street

TALL FL 32302
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Informed Families

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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1676

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Mary Galeski

Phone

(317) 242-9053

Address

308 Cinnamon Bark Ln

Street

Email

mgaleski48@gmail.comOrlando

City

FL

State

32835

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

5/20/23

APPEARANCE RECORD

1676

Meeting Date

AG

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

JAMES VANHOEN

Phone

352 817 7951

Address

1000K DR

Email

VANHOEN.N.JAMES@gmail.com

Street

OCAIA

City

FL

State

34472

Zip

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

20 March 2023

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

1676

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Dalton Rowan

Phone

850-716-0168

Address

530 Potter Woodberry rd

Email

daltonrowan97@gmail.com

Street

Havana

FL

32333

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20

Meeting Date

11676

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Matt Schwarman

Phone

407-864-6292

Address

15647 Gallop Drive

Email

MattSchwarman@gmail.com

Street

Orlando

City

FL

State

32825

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

March 20th 2023

APPEARANCE RECORD

1676

Meeting Date

Bill Number or Topic

Agriculture
CommitteeDeliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Drew J Hull

Phone (940) 230-0168

Address 8210 NE Manzey Court
Street

Email Drew.h@true terpenes.com

Hillsboro
CityOR
State97124
ZipSpeaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20

Meeting Date

Agriculture

Committee

SB 1676

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Carlos Hermida

Phone

954 616 9282

Address

1714 E 24th Ave

Email

Carlos Hermida

Street

Tampa

City

FL

State

33605

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

03/20/2023

Meeting Date

Agriculture

Committee

1676 Hemp

Bill Number or Topic

Amendment Barcode (if applicable)

Name David Millard

Phone 954 683 7270

Address 8440 Montraville Cir. #423

Street

Email dmillz@ gmail.com

Temple Terr.

City

FL

State

33637

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Argument
Meeting Date

1676
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Randy Rembert

Phone 727-851-7422

Address 230 Cessna Way
Street

Email Rembertfamilyfarm@gmail.com

Hawthorne FL 32640
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/20/2023

The Florida Senate
APPEARANCE RECORD

SB 1676

Meeting Date

Agriculture

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

VINODE SEUDATH

Phone

(813) 334-9311

Address

9529 Lake Park DR.

Email

VSEUDATH@GMAIL.COM

Street

Thonotosassa, FL 33592

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/2023

Meeting Date

Agriculture

Committee

1676

Bill Number or Topic

~~933876~~

Amendment Barcode (if applicable)

Name

Matt Winters

Phone

714-261-3288

Address

1038 Arlington st.

Street

Email

matt@savageenterprises.com

Orlando

City

FL

State

32805

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

Hemp 11676
Bill Number or Topic

Meeting Date

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For



☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-20-23

Meeting Date

1676

Bill Number or Topic

AG

Committee

Amendment Barcode (if applicable)

Name

Pablo Biccu

Phone

813-723-0103

Address

6720 Sparkling Way

Email

1620Marine

Street

Wesley Chapel FL 33685

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD3-20-2023

Meeting Date

1676

Bill Number or Topic

AGRICULTURE

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name DAVE H. WILLIAMSPhone 817-832-2731Address 474262 EAST STATE RD 200
StreetEmail DAVE@LOVINGBOTANICALS.COMFERMANDINA BEACH, FL 32034
City State ZipSpeaking: ☐ For ☒ Against ☐ Information**OR**Waive Speaking: ☐ In Support ☐ Against**PLEASE CHECK ONE OF THE FOLLOWING:**☒ I am appearing without
compensation or sponsorship.☐ I am a registered lobbyist,
representing:☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

MARCH 20, 2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

1676

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Agriculture

Committee

Amendment Barcode (if applicable)

Name

MAXIM LAROCHE

Phone

310 270 6003

Address

471 N FEDERAL HWY

Email

info@liftoffsmoke.com

Street

Boca Raton

FL

33432

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

March 20, 2023

Meeting Date

Agriculture

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

1676

Bill Number or Topic

~~733810~~

Amendment Barcode (if applicable)

Name

Abel Sahagun / Savage Enterprises

Phone

818-482-6278

Address

1038 Arlington St

Email

abelsahagun@honestppd.com

Street

Orlando

City

FL

State

32805

Zip

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.☐I am a registered lobbyist,
representing:☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/2023

Meeting Date

Agriculture

Committee

1676

Bill Number or Topic

~~733870~~

Amendment Barcode (if applicable)

Name

Ernie Ciaccio

Phone

661-309-5892

Address

1038 Arlington St

Email

ernieciaccio@honestppd.com

Street

Orlando FL

32825

City

State

Zip

Speaking:

☐ For



Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/23
Meeting Date
Agriculture
Committee

1676
Bill Number or Topic

Name Melissa Villar Phone (850) 354-8424
Address PO Box 11254 Email melissa@normtallahassee.org
TLH FL 32302
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

NORM
Tallahassee

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/23

Meeting Date

Ag

Committee

1676

Bill Number or Topic

~~XXXXXXXXXX~~

Amendment Barcode (if applicable)

Name

William Hendrix

Phone

(850) 291-7907

Address

320 Frisco Rd

Email

WHendrix42@gmail.com

Street

Pensacola

City

FL

State

32507

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/23

Meeting Date

SB 1676

Bill Number or Topic

Ag

Committee

Amendment Barcode (if applicable)

Name Arby Barroso

Phone 305-345-0103

Address 2811 NE 56th CT

Email Arby@arbybarroso.com

Street

Fort Lauderdale FL

33308

City

State

Zip

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/23

Meeting Date

1676

Bill Number or Topic

Ag

Committee

Amendment Barcode (if applicable)

Name

Jeff Greene

Phone

984-304-0791

Address

1301 NW 187th Ave

Email

jeffgreene724@gmail.com

Street

Pembroke Pines

State

FL

Zip

City

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Arvida Labs

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/23

Meeting Date

1676

Bill Number or Topic

Agencies Committee

Committee

Amendment Barcode (if applicable)

Name

Abe Sharquwi

Phone

904-449-0000

Address

108 Robinson St

Street

Email

abe@budzburn.com

Brandon FL

City

State

33511

Zip

Speaking:

☐ For



Information

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/30/2023

Meeting Date

Agriculture

Committee

11676

Bill Number or Topic

~~733840~~

Amendment Barcode (if applicable)

Name Shaina Ortiz

Phone 813 965 1777

Address 108 Robinson St.
Street

Email shai@shsrestag.com

Brandon FL 33511
City State Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/20/2023

Meeting Date

Agriculture

Committee

1676

Bill Number or Topic

~~933840~~

Amendment Barcode (if applicable)

Name

Brandon Gomes

Phone

813-444-8886

Address

108 Robinson St

Street

Email

bg@slusteg

Brandon FL

City

State

33511

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/20/23

Meeting Date

1676

Bill Number (if applicable)

Topic Hemp

Amendment Barcode (if applicable)

Name Michael Hammer

Job Title Ceo

Address 11885 44th St. N.

Phone 727-758-6073

Street

Clearwater

FL

33762

City

State

Zip

Email michael@distromike.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

The Florida Senate

APPEARANCE RECORD

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3/20/23

Meeting Date

Agriculture

Committee

SB1676

Bill Number or Topic

733840

Amendment Barcode (if applicable)

Name

Michael Eisler

Phone

954-806-4725

Address

1521 Island Way

Street

Weston

City

FL

State

33326

Zip

Email

mje1812@gmail.com

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

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☐

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S-001 (08/10/2021)

APPEARANCE RECORD

Meeting Date

Agriculture

Committee

Deliver both copies of this form to

Senate professional staff conducting the meeting

Bill Number or Topic

1676
733840

Amendment Barcode (if applicable)

Name

Barney Martin

Phone

727-459-7085

Address

5104 W. Hanna Ave

Email

Barney@PROLEVE.com

Street

Tampa

City

FL

State

33634

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

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S-001 (08/10/2021)

3/20/23

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1676

Bill Number or Topic

733480

Amendment Barcode (if applicable)

Name

Alex Petrick

Phone

850-294-4631

Address

220 West Tennessee St

Email

alex@floridahempdistribution.com

Street

Tallahassee

State

FL

32301

Zip

City

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking: ☐ For ☐ Against ☒ Information

OR

Waive Speaking: ☐ In Support ☐ Against

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S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Agriculture Committee Judge:

Started: 3/20/2023 3:30:54 PM

Ends: 3/20/2023 5:43:14 PM

Length: 02:12:21

3:30:54 PM	Meeting called to order by Chair Collins
3:31:08 PM	roll call
3:31:16 PM	Pledge
3:31:24 PM	tab 7 by Burton - SB 1676
3:37:15 PM	question & answer between Rouson & Burton
3:40:05 PM	Sen. Berman asks a question
3:40:23 PM	Sen. Burton responds
3:41:16 PM	follow-up question
3:41:31 PM	Sen. Thompson recognized for a question
3:41:41 PM	response by Sen. Burton
3:42:04 PM	follow-up question
3:42:12 PM	response by Sen. Burton
3:42:49 PM	back & forth between Thompson & Burton
3:43:53 PM	amendment barcode 733840 taken up
3:44:47 PM	Melissa Villar speaks to give information on the amendment
3:47:35 PM	close on amendment - adopted
3:47:42 PM	back on bill as adopted - no questions
3:48:01 PM	Henry Calix speaks against bill
3:52:21 PM	Bill Helmich waives in opposition
3:52:34 PM	Theresa Miller speaks for the bill
3:54:21 PM	Sen. Rouson has a comment for Ms. Miller
3:55:20 PM	Ellen Snelling speaks in favor
3:59:20 PM	Isabelle Garbarino waives in support
3:59:32 PM	Joseph McCormick speaks against
4:00:43 PM	Dr. Sean Norris speaks against
4:03:40 PM	Sen. Berman has question
4:03:53 PM	Dr. Norris responds
4:05:05 PM	back & forth
4:05:13 PM	Philip Snow speaks against
4:07:55 PM	Andrew Trieu speaks against
4:10:19 PM	JJ Coombs speaks against
4:11:44 PM	Jason Brietstein speaks against
4:13:40 PM	Michael Eisler speaks against
4:15:54 PM	Barney Martin speaks against
4:16:49 PM	Alex Petrick speaks against
4:18:53 PM	Sen. Mayfield speaks on the legislative process to the audience
4:20:21 PM	Kassidy Stuart waives against
4:20:30 PM	Christopher Perine waives against
4:20:35 PM	Maria Abney waives against
4:20:40 PM	Beth Lebasky (representing Informed Families of Fla.) waives in support
4:20:53 PM	Ramon Maury waives in support
4:21:18 PM	Mary Geleski speaks against
4:22:42 PM	quick question from Mayfield
4:22:47 PM	James Van Horn recognized to speak against
4:23:40 PM	Dalton Rowan speaks against
4:24:56 PM	Matt Schwarmann speaks against
4:26:42 PM	Drew J. Hull speaks against
4:27:53 PM	Carlos Hermida speaks against
4:29:21 PM	David Millard speaks against
4:30:42 PM	Randy Rembert speaks against
4:31:33 PM	Vinode Seudath speaks against
4:33:09 PM	Matt Winters speaks against

4:34:13 PM Hannah Porter speaks against
4:35:22 PM Pablo Bicca speaks against
4:36:27 PM Dave Williams speaks against
4:37:45 PM Maxim Laroche speaks against
4:39:04 PM Abe Sahagun w/ Savage Enterprises speaks against
4:40:22 PM Ernie Ciaccio w/ Savage Enterprises speaks against
4:41:43 PM Melissa Villar (on behalf of Norml Tallahassee) speaks against bill
4:43:32 PM William Hendrix speaks against
4:44:39 PM Arby Barroso speaks against
4:45:37 PM Jeff Greene waives against (representing Arvida Labs)
4:45:59 PM Abe Sharqown speaks against
4:46:45 PM Shana Ortiz speaks against
4:48:09 PM Brandon Gomes speaks against
4:49:19 PM Michael Hammer speaks against
4:50:57 PM Sen. Thompson is recognized in debate
4:54:37 PM Sen. Rouson recognized in debate
4:57:00 PM Sen. Boyd recognized in debate
4:58:40 PM Sen. Mayfield recognized in debate
5:00:40 PM Chair makes comments
5:01:43 PM Sen. Burton closes on bill
5:05:03 PM roll call on SB 1676 - reported favorably
5:05:33 PM tab 2 - SB 942 by Calatayud
5:07:43 PM Sen. Thompson recognized for a question
5:07:55 PM Sen. Calatayud responds
5:08:51 PM follow-up from Thompson
5:09:00 PM Calatayud responds
5:09:22 PM Kate MacFall (representing Humane Society of the US) waives in support
5:09:28 PM Heather Turnbull waives in support
5:09:37 PM Sen. Thompson in debate
5:10:19 PM Sen. Calatayud closes on SB 942
5:11:33 PM roll call - SB 942 reported favorably
5:12:02 PM tab 3 - SB 1376 by Rodriguez
5:12:19 PM Sen. Rodriguez explains bill
5:12:49 PM Sen. Berman recognized for a question
5:13:08 PM Rodriguez responds
5:13:51 PM barcode 461774 taken up
5:14:30 PM Rodriguez waives close - amend. adopted
5:14:49 PM Nancy Lawther, Ph.D, waives in support
5:15:03 PM Martina Brawer, E.D. of the Fla. School Nutrition Assn., speaks against
5:19:01 PM Sen. Rodriguez waives close
5:19:17 PM SB 1376 reported favorably
5:19:34 PM tab 5 - SB 1608
5:19:42 PM Sen. Rodriguez explains bill
5:20:08 PM Lena Juarez waives in support
5:20:20 PM Sen. Rodriguez waives close - SB 1608 reported favorably
5:20:44 PM tab 6 - SB 1610
5:20:49 PM Sen. Rodriguez explains bill
5:21:11 PM amendment barcode 278624
5:21:17 PM
5:21:18 PM amendment is explained
5:21:19 PM sponsor waives close on amendment
5:21:33 PM amendment barcode 278624 passes
5:21:49 PM Lena Juarez waives in support of bill as amended
5:22:06 PM sponsor waives close on bill - SB 1610 reported favorably
5:22:37 PM tab 1 - SB 422
5:22:45 PM Sen. Bradley explains bill
5:24:23 PM Sen. Simon recognized for question
5:24:58 PM Sen. Bradley responds
5:25:43 PM Tim Nungesser w/ NFIB waives in support
5:25:55 PM Charlie Dudley speaks against
5:27:20 PM Alleigh Reitz speaks against
5:29:37 PM question from Sen. Rouson

5:30:26 PM	Ms. Reitz responds
5:30:31 PM	Mr. Jackie Fleetwood speaks against
5:32:22 PM	Susan K. Miller speaks against
5:34:32 PM	Sen. Thompson recognized to ask question of speaker
5:34:47 PM	Ms. Miller responds
5:35:16 PM	Sen. Berman debates
5:35:50 PM	Sen. Bradley closes on bill
5:38:44 PM	roll call on SB 422 - reported favorably
5:39:06 PM	tab 4 - SB 1472
5:39:14 PM	Sen. Bradley explains bill
5:40:20 PM	Levin Gaston waives in support of bill
5:40:33 PM	Sen. Berman recognized in debate
5:41:05 PM	Sen. Bradley closes on bill
5:41:23 PM	roll call - SB 1472 reported favorably
5:41:54 PM	Sen. Rouson moves that meeting adjourn