

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 Appropriations Committee on Agriculture, Environment, and General Government

BILL: SB 1608

INTRODUCER: Senator Rodriguez

SUBJECT: Retail Fresh Market Farm Stand Signage

DATE: April 11, 2023

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|-----------------------------|-----------------------------|------------|-----------------------------|
| 1. | <u>Burse</u> | <u>Becker</u> | <u>AG</u> | <u>Favorable</u> |
| 2. | <u>Blizzard</u> | <u>Betta</u> | <u>AEG</u> | <u>Pre-meeting</u> |
| 3. | <u> </u> | <u> </u> | <u>FP</u> | <u> </u> |

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 on interstate highways and roads. It establishes the Fresh From Florida Retail Fresh Market Farm Stand Advisory Council within the department.

The bill has an indeterminate fiscal impact on state expenditures. See Section V. Fiscal Impact 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 over 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 department. 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) within the department, 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 a 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 from 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, six members shall be appointed by the commissioner for a one-year term and six

² Id.

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

⁴ Id.

⁵ Id.

members for a two-year term. Thereafter, members shall be appointed for two-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 the program. They will also have to pay a fee if they want additional signage on interstate highways, primary and secondary roads.

C. Government Sector Impact:

The bill may have an indeterminate fiscal impact on the Department of Agriculture and Consumer Services (department) and the Department of Transportation. 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.

This bill is linked to SB 1610 (2023 Regular Session) which requires the department to include application, permit, placement, and removal fees in rules implementing the Fresh From Florida Retail Fresh Market Farm Stand Signage Program.

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.