

POLICY BACKGROUND:

AGRICULTURE

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Topics covered in this backgrounder:

- Undocumented Workers: Ag Exempt from E-Verify Law
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Florida has nearly 50,000 farms, making up more than 9.7 million acres in total in 2019, ranking the state 29th in [overall farmland](#). The [largest crop](#) in dollar terms is oranges, valued at over \$1 billion, big enough that the citrus industry has its own state agency, the [Department of Citrus](#). Florida grows about 57% of the nation's citrus and 70% of the country's oranges. The citrus industry has struggled in Florida in recent years, though, and the amount of grove land in [production has dropped](#) by about half over the last two decades.

Sugarcane at about \$515 million, tomatoes at \$425 million and strawberries at just over \$300 million make up the [next three most valuable crops](#) in the state. Florida [grows just over half of the sugarcane](#) produced in the country, and measured by crop value, is the No. 2 sugar producing state, behind Louisiana. About 70% of the state's sugarcane crop is grown in rural western Palm Beach County, in the highly fertile muck soils near Lake Okeechobee. The sugarcane crop makes Palm Beach County [No. 1 in the state in crop value](#), and No. 37 among counties nationwide. Miami-Dade and Hendry counties are the next two biggest producers in crop value in the state. Florida is also the No. 3 peanut producer in the country and is a significant producer of flowers and sod.

Undocumented Workers: Ag Exempt from E-Verify Law

The nature of the agriculture workforce in Florida, which relies heavily on migrants from other countries, makes immigration a major issue in the industry. One of the policy issues related to immigrants in the agricultural workforce involves the process of tracking whether workers have the legal status to be allowed to work. [A priority for Gov. Ron DeSantis](#) in the 2020 legislative session – [and a campaign promise](#) – was increasing the use of the federal [E-Verify system](#), which allows employers to verify work status.

Lawmakers considered a proposal that would have required all businesses in Florida to use the E-Verify system to check employee eligibility, but that idea has long faced objections from employers, who say it is onerous. The measure [lawmakers eventually passed](#), and DeSantis signed, [SB 664](#), was much narrower. The [bill was amended](#) in February 2020 to exclude agricultural employers from the requirement. The final

measure [required only public employers](#), such as school systems or state agencies, and government contractors to use the Department of Homeland Security system.

Big Sugar vs. Environmentalists

Environmentalists [have long argued](#) that [Everglades restoration](#) is incompatible with the sugar industry that operates in and around the ecosystem and is [blamed for phosphorus buildups](#) in the area's waters.

[Defenders of the industry](#) say it is residential development that is more to blame for the incursion into and pollution of the system known as the River of Grass. The industry has also argued that it has undertaken a number of efforts to [preserve the Everglades](#), not least of which was the industry's support of the 1994 Everglades Forever Act.

In 1996, voters approved two state constitutional amendments related to Everglades cleanup. One, approved by nearly 70% of voters, was known as "Polluter Pays," and said, "Those in the Everglades Agricultural Area who cause water pollution within the Everglades Protection Area or the Everglades Agricultural Area shall be primarily responsible for paying the costs of the abatement of that pollution." The second one created a trust fund for the money for the cleanup project. A third amendment, which specifically authorized a 1 cent per pound tax on raw sugar grown in the Everglades to help fund restoration, [was rejected by voters](#).

But the Legislature never implemented the polluter pays amendment – and the Florida Supreme Court said in a 1997 advisory opinion and reiterated in a [2002 opinion](#), that the amendment was not self-executing, so to date it hasn't been enforced.

In 2008, Gov. Charlie Crist launched an effort to fix the long-running dispute between Big Sugar and environmentalists by simply having the state [buy the sugar industry out of the region](#). Crist and U.S. Sugar agreed to a plan to have the state pay \$1.75 billion to buy the company's 187,000 acres of land and accompanying facilities. But in the ensuing years, as

the nation and state became mired in the 2008-2009 recession, and the Crist Administration gave way to that of Gov. Rick Scott, the plan stalled. In 2017, lawmakers passed a bill ([SB 10](#)) requiring the construction of a reservoir that also gave U.S. Sugar the ability to [end the last remnant of the plan](#) to sell out to the state.

Recent Legislation

In 2020, the Legislature passed and Gov. Ron DeSantis signed a bill ([SB 712](#)) dealing with water and other environmental resource management that spelled out a comprehensive framework of regulatory authority for the effort to reduce pollution from septic systems, stormwater and farm runoff. A key part of the bill for the farm lobby, however, is meant to effectively prevent lawsuits known as “rights of nature” suits that essentially assign certain rights to natural features of the environment. The Florida Farm Bureau, which said SB 712 was its [top priority for the 2020 session](#), praised the bill for that provision, saying it could stop “frivolous lawsuits” against the agriculture industry. [The measure](#) also included language dealing with best practices that the farm lobby backed and some environmentalists opposed because they said the measure doesn’t do enough to require more from farms to reduce pollution.

Agriculture News

[“Agriculture Industry Hit Hard by Jan,”](#) Southeast Agnet

[“Florida’s Coronavirus Spike is Ravaging Migrant Farmworkers,”](#) New York Times

[“Environmentalists Challenge ‘Rights of Nature’ Preemption in SB 712,”](#) Florida Politics

Additional Resources

[USDA National Agricultural Statistics Service 2017 Florida County Profiles](#)

[Most Recent USDA Census of Agriculture - Florida](#)



[What is the federal Farm Bill?](#)

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