

1                                   A bill to be entitled  
2           An act relating to the Cattle Market Development Act;  
3           amending s. 570.83, F.S.; renaming the Beef Market  
4           Development Act as the Cattle Market Development Act;  
5           renaming the Florida Beef Council, Inc., as the  
6           Florida Cattle Enhancement Board, Inc.; conforming  
7           intent and definitions; removing a provision that  
8           deems a cow and nursing calf sold together as one  
9           unit; authorizing the Cattle Enhancement Board to  
10          impose additional assessments; limiting referenda on  
11          per-head-of-cattle assessments to once every 3 years;  
12          providing for the Commissioner of Agriculture to  
13          appoint a voting member rather than an ex officio,  
14          nonvoting member to the governing board of the Cattle  
15          Enhancement Board; providing for staggered terms of  
16          governing board members; providing for initial and  
17          subsequent appointment of governing board members;  
18          authorizing the commissioner to initiate a referendum  
19          on assessments with certain notice; directing the  
20          commissioner to designate a specified number of days  
21          for a referendum to take place; removing provisions  
22          requiring the board to maintain frequent communication  
23          with officers and industry representatives at the  
24          state and national levels; removing provisions  
25          authorizing the board to sue and be sued without  
26          individual liability of the members, to maintain a

27 financial reserve for emergency use, and to appoint  
 28 advisory groups; specifying a date by which collection  
 29 agents must collect and forward assessments to the  
 30 board; removing provisions entitling collection agents  
 31 to deduct a fee from the amount of assessments  
 32 collected; revising the date of the scheduled repeal  
 33 of the act; providing an effective date.

34

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

36

37 Section 1. Section 570.83, Florida Statutes, is amended to  
 38 read:

39 570.83 Cattle ~~Beef~~ Market Development Act; definitions;  
 40 Florida Cattle Enhancement Board ~~Beef Council~~, Inc., creation,  
 41 purposes, governing board, powers, and duties; referendum on  
 42 assessments imposed on gross receipts from cattle sales;  
 43 payments to organizations for services; collecting and refunding  
 44 assessments; vote on continuing the act; board ~~council~~ bylaws.—

45 (1) SHORT TITLE ~~POPULAR NAME~~.—This section ~~act~~ may be  
 46 cited as the "Cattle ~~Beef~~ Market Development Act."

47 (2) LEGISLATIVE INTENT.—The Legislature intends by this  
 48 act to promote the growth of the cattle industry in this state;  
 49 to assure the public an adequate and wholesome food supply; to  
 50 provide for the general economic welfare of producers and  
 51 consumers of beef and the state; and to provide the ~~beef~~ cattle  
 52 ~~production and feeding~~ industry of this state with the authority

53 | to establish a self-financed, self-governed program to help  
 54 | develop, maintain, and expand the state, national, and foreign  
 55 | markets for beef and beef products that are produced, processed,  
 56 | or manufactured in this state.

57 | (3) DEFINITIONS.—As used in this section ~~act~~, the term:

58 | (a) "Beef" or "beef products" means the products of beef  
 59 | intended for human consumption which are derived from any bovine  
 60 | animal, regardless of age, including, but not limited to, veal.

61 | (b)-(e) "Board" or "Florida Cattle Enhancement Board"  
 62 | ~~"Council"~~ means the Florida Cattle Enhancement Board ~~Beef~~  
 63 | ~~Council~~, Inc.

64 | (c)-(b) "Cattle" means such animals as are so designated by  
 65 | federal law, including any marketing, promotion, and research  
 66 | orders as are in effect. Unless such federal law provides to the  
 67 | contrary, the term "cattle" includes all bovine animals,  
 68 | regardless of age, including, but not limited to, calves. ~~A cow~~  
 69 | ~~and nursing calf sold together are considered one unit.~~

70 | (d)-(e) "Collection agent" means a person who sells, offers  
 71 | for sale, markets, distributes, trades, or processes cattle that  
 72 | have been purchased or acquired from a producer or that are  
 73 | marketed on behalf of a producer. The term also includes  
 74 | meatpacking firms and their agents that purchase or consign to  
 75 | purchase cattle.

76 | (e)-(d) "Department" means the Department of Agriculture  
 77 | and Consumer Services.

78 | (f) "Person" means any natural person, partnership,

79 corporation, company, association, society, trust, or other  
 80 business unit or organization.

81 (g) "Producer" means a person that has owned or sold  
 82 cattle in the previous calendar year or presently owns cattle.

83 (4) FLORIDA CATTLE ENHANCEMENT BOARD ~~BEEF COUNCIL~~, INC.;  
 84 CREATION; PURPOSES.—

85 (a) There is created the Florida Cattle Enhancement Board  
 86 ~~Beef Council~~, Inc., a not-for-profit corporation organized under  
 87 the laws of this state for the purpose of ~~and~~ operating as a  
 88 direct-support organization to ~~of~~ the department pursuant to  
 89 this section.

90 (b) The board ~~may council~~ ~~is authorized to~~ impose an  
 91 initial assessment, in addition to any other assessment provided  
 92 by law, of not more than \$1 on each head of cattle sold in the  
 93 state if the imposition of the assessment is approved by  
 94 referendum pursuant to subsection (6). The proceeds of the  
 95 assessment shall be used to fund the activities of the board  
 96 ~~council~~. ~~The council shall:~~

97 ~~1. Establish the amount of the assessment at not more than~~  
 98 ~~\$1 per head of cattle.~~

99 ~~2. Develop, implement, and monitor a collection system for~~  
 100 ~~the assessment.~~

101 ~~3. Coordinate the collection of the assessment with other~~  
 102 ~~states.~~

103 ~~4. Establish refund procedures.~~

104 ~~5. Conduct referenda under subsections (6) and (12).~~

- 105        ~~(c) The council shall:~~
- 106            1. ~~Plan, implement, and conduct programs of promotion,~~
- 107 ~~research, and consumer information or industry information which~~
- 108 ~~are designed to strengthen the cattle industry's market position~~
- 109 ~~in this state and in the nation and to maintain and expand~~
- 110 ~~domestic and foreign markets and expand uses for beef and beef~~
- 111 ~~products.~~
- 112            2. ~~Use the proceeds of the assessment for the purpose of~~
- 113 ~~funding cattle production and beef research, education,~~
- 114 ~~promotion, and consumer and industry information in this state~~
- 115 ~~and in the nation.~~
- 116            3. ~~Plan and implement a cattle and beef industry feedback~~
- 117 ~~program in this state.~~
- 118            4. ~~Coordinate research, education, promotion, industry,~~
- 119 ~~and consumer information programs with any national programs or~~
- 120 ~~programs of other states.~~
- 121            5. ~~Develop new uses and markets for beef and beef~~
- 122 ~~products.~~
- 123            6. ~~Develop and improve methods of distributing beef and~~
- 124 ~~beef products to the consumer.~~
- 125            7. ~~Develop methods of improving the quality of beef and~~
- 126 ~~beef products for the benefit of consumers.~~
- 127            8. ~~Inform and educate the public concerning the nutritive~~
- 128 ~~and economic values of beef and beef products.~~
- 129            9. ~~Serve as a liaison within the beef and other food~~
- 130 ~~industries of the state and elsewhere in matters that would~~

131 ~~increase efficiencies that ultimately benefit both consumers and~~  
132 ~~industry.~~

133 ~~10. Buy, sell, mortgage, rent, or improve, in any manner~~  
134 ~~that the council considers expedient, real property or personal~~  
135 ~~property, or both.~~

136 ~~11. Publish and distribute such papers or periodicals as~~  
137 ~~the board of directors considers necessary to encourage and~~  
138 ~~accomplish the purposes of the council.~~

139 ~~12. Do all other acts necessary or expedient for the~~  
140 ~~administration of the affairs and attainment of the purposes of~~  
141 ~~the council.~~

142 ~~13. Approve an annual plan, budget, and audit for the~~  
143 ~~council.~~

144 ~~(c)(d)1.~~ The board ~~council~~ may not participate in or  
145 intervene in any political campaign on behalf of or in  
146 opposition to any candidate for public office. This restriction  
147 includes, but is not limited to, a prohibition against  
148 publishing or distributing any statements.

149 ~~(d)2.~~ No part of The net receipts of the board may not  
150 ~~council shall~~ inure to the benefit of or be distributable to its  
151 directors, its officers, or other private persons, except that  
152 the board ~~council~~ may pay reasonable compensation for services  
153 rendered by staff employees and may make payments and  
154 distributions in furtherance ~~of the purposes~~ of this section  
155 ~~act.~~

156 ~~(e)3.~~ Notwithstanding any other provision of law, the

157 board council may not carry on any other activities prohibited  
 158 for not permitted to be carried on:

159 1.a.—By A corporation exempt from federal income tax under  
 160 s. 501(c) (3) of the Internal Revenue Code of 1986, as amended;  
 161 or

162 2.b.—By A corporation to which contributions are  
 163 deductible under s. 170(c) (2) of the Internal Revenue Code of  
 164 1986, as amended.

165 (f)4. Notwithstanding any other statement of the purposes  
 166 and responsibilities of the board council, the board council may  
 167 not engage in any activities or exercise any powers that are not  
 168 in furtherance of its ~~specific and primary~~ purposes.

169 (5) GOVERNING BOARD.—

170 (a) The Florida Cattle Enhancement Board ~~Beef Council,~~  
 171 ~~Inc.~~, shall be governed by a board of directors composed of 14  
 172 13 members as follows:

173 1. Eight, ~~including 8~~ representatives of the Florida  
 174 Cattlemen's Association, of whom one is a representative of the  
 175 Florida Association of Livestock Markets and one is a practicing  
 176 order buyer.†

177 2. One † representative of the Dairy Farmers, Inc.†

178 3. One † representative of the Florida CattleWomen, Inc.†

179 4. One † representative of the Florida Farm Bureau  
 180 Federation.†

181 5. One representative of an allied-industry.

182 6. One representative of the department appointed by the

183 Commissioner of Agriculture. ~~representative; and~~

184 7. One representative of the an Institute of Food and  
185 Agricultural Sciences ~~representative.~~

186 (b) The initial board of directors shall be appointed by  
187 the Commissioner of Agriculture for staggered terms ~~a term~~ of 1  
188 year for three members, 2 years for three members, 3 years for  
189 four members, and 4 years for four members. Each subsequent  
190 vacancy shall be filled in accordance with the bylaws of the  
191 Florida Cattle Enhancement Board ~~council~~. Thereafter, each ~~board~~  
192 member of the board of directors shall be appointed by the  
193 Florida Cattle Enhancement Board to serve a 3-year term and may  
194 be reappointed to serve an additional consecutive term. A member  
195 may not serve more than two consecutive terms. A member must be  
196 a resident of this state and must be a producer who has been a  
197 producer for at least the 5 years immediately preceding the  
198 first day of his or her service on the board, except that the  
199 representative of the Florida Farm Bureau Federation, the  
200 allied-industry representative, the department representative,  
201 and the Institute of Food and Agricultural Sciences  
202 representative need not be producers. All members of the ~~beef~~  
203 ~~council~~ board of directors ~~positions~~ shall serve without  
204 compensation but be unsalaried ; however, the board members are  
205 entitled to reimbursement as provided in s. 112.061 for travel  
206 and other expenses incurred in carrying out ~~the intents and~~  
207 ~~purposes of this section~~ act.

208 (c) The Florida Cattle Enhancement Board ~~council~~ shall



209 provide for its officers through its bylaws, including the  
 210 ability to set forth offices and responsibilities and form  
 211 committees necessary for the implementation of this section ~~aet.~~  
 212 ~~The Commissioner of Agriculture may designate an ex officio~~  
 213 ~~nonvoting member of the board of directors.~~

214 (d) If a member of the board of directors misses three  
 215 consecutive, officially called meetings, the board of directors  
 216 may declare that position vacant.

217 (6) REFERENDUM ON ASSESSMENTS.—

218 (a) All producers in this state shall have the opportunity  
 219 to vote in a referendum to determine whether the Florida Cattle  
 220 Enhancement Board ~~may council shall be authorized to~~ impose an  
 221 assessment of not more than \$1 per head on cattle sold in the  
 222 state. The referendum shall pose the question: "Do you approve  
 223 of a Florida ~~an~~ assessment program, up to \$1 per head of cattle  
 224 pursuant to section 570.83, Florida Statutes, to be funded  
 225 through specific contributions that are mandatory and refundable  
 226 upon request?" The initial referendum under this paragraph shall  
 227 take place within 180 days after July 1, 2015. Such referendum  
 228 may not be held more often than once every 3 years.

229 (b) Additional referenda may be held to authorize the  
 230 board to increase the assessment to more than \$1 per head of  
 231 cattle if the board receives petitions from at least 1,800  
 232 producers or 10 percent of Florida's producers as determined by  
 233 the department, whichever is less, requesting an increase in the  
 234 assessment or if the board, by a two-thirds vote of its voting

235 members, approves a motion to increase the assessment. All  
236 petition signatures must be collected within a consecutive 12-  
237 month period. The referendum shall pose the question: "Do you  
238 approve of granting the Florida Cattle Enhancement Board, Inc.,  
239 authority to increase the per-head-of-cattle assessment pursuant  
240 to section 570.83, Florida Statutes, from ...(present rate)...  
241 to up to a maximum of ...(proposed rate)... per head?" Such  
242 referendum may not be held more often than once every 3 years.

243 (c) If the board receives petitions from at least 1,800  
244 producers or 10 percent of Florida's producers as determined by  
245 the department, whichever is less, asking, "Shall the assessment  
246 authorized by the Cattle Market Development Act continue?" the  
247 board shall, within 90 days, conduct a referendum to determine  
248 whether a majority of the producers voting in the referendum  
249 support the continuation of the Cattle Market Development Act.  
250 All petition signatures must be collected within a consecutive  
251 12-month period. Such referendum may not be held more often than  
252 once every 3 years.

253 (d) The Commissioner of Agriculture may initiate a  
254 referendum with a 90-day notice, but not more often that once  
255 every 3 years.

256 (e)-(a) A referendum held under this subsection ~~section~~  
257 must be conducted by secret ballot at extension offices of the  
258 Institute of Food and Agricultural Sciences of the University of  
259 Florida or at offices of the United States Department of  
260 Agriculture with the cooperation of the department to ensure

261 fairness in the referendum process.

262 (f) The Commissioner of Agriculture shall designate at  
 263 least 5 but not more than 10 consecutive business days for a  
 264 referendum to take place.

265 (g)~~(b)~~ Notice of a referendum ~~to be held under this act~~  
 266 must be given at least once in trade publications, the public  
 267 press, and statewide newspapers at least 30 days before the  
 268 referendum is held.

269 ~~(c) Additional referenda may be held to authorize the~~  
 270 ~~council to increase the assessment to more than \$1 per head of~~  
 271 ~~cattle. Such referendum shall pose the question: "Do you approve~~  
 272 ~~of granting the Florida Beef Council, Inc., authority to~~  
 273 ~~increase the per head of cattle assessment pursuant to section~~  
 274 ~~570.83, Florida Statutes, from ... (present rate)... to up to a~~  
 275 ~~maximum of ... (proposed rate)... per head?" Referenda may not be~~  
 276 ~~held more often than once every 3 years.~~

277 (h)~~(d)~~ Each ~~cattle~~ producer is entitled to only one vote  
 278 in a referendum held under this subsection ~~section~~. Proof of  
 279 identification and cattle ownership must be presented before  
 280 voting.

281 (i)~~(e)~~ A simple majority of those casting ballots shall  
 282 determine any issue that requires a referendum under this  
 283 subsection ~~section~~.

284 (7) POWERS AND DUTIES OF THE BOARD ~~COUNCIL~~.—

285 (a) The board ~~council~~ shall:

286 1. Establish the amount of the assessment at not more than

- 287 \$1 per head of cattle.
- 288 2. Develop, implement, and monitor a collection system for  
289 the assessment.
- 290 3. Coordinate the collection of the assessment with other  
291 states.
- 292 4. Establish refund procedures.
- 293 5. Conduct referenda under subsection (6).
- 294 6. Plan, implement, and conduct programs of promotion,  
295 research, and consumer information or industry information which  
296 are designed to strengthen the market position of the cattle  
297 industry in this state and in the nation and to maintain and  
298 expand domestic and foreign markets and expand uses for beef and  
299 beef products.
- 300 7. Use the proceeds of the assessment for the purpose of  
301 funding cattle production and beef research, education,  
302 promotion, and consumer and industry information in this state  
303 and in the nation.
- 304 8. Plan and implement a cattle and beef industry feedback  
305 program in this state.
- 306 9. Coordinate research, education, promotion, industry,  
307 and consumer information programs with any national programs or  
308 programs of other states.
- 309 10. Serve as a liaison within the beef and other food  
310 industries of the state and elsewhere in matters that would  
311 increase efficiencies that ultimately benefit consumers and  
312 industry.

313 11. Buy, sell, mortgage, rent, or improve, in any manner  
314 that the board considers expedient, real property or personal  
315 property, or both.

316 12. Publish and distribute such papers or periodicals as  
317 the board of directors considers necessary to encourage and  
318 accomplish the purposes of the Florida Cattle Enhancement Board.

319 13.4. Receive and disburse funds, pursuant to as  
320 ~~prescribed elsewhere in this section act,~~ to be used in  
321 administering and implementing this section ~~the act.~~

322 ~~2. Maintain a permanent record of its business~~  
323 ~~proceedings.~~

324 ~~3. Maintain a permanent, detailed record of its financial~~  
325 ~~dealings.~~

326 ~~4. Prepare periodic reports and an annual report of its~~  
327 ~~activities for the fiscal year, for review by the beef industry~~  
328 ~~in this state, and file its annual report with the department.~~

329 14.5. Prepare, for review by the beef industry in this  
330 state, periodic reports and an annual accounting for each fiscal  
331 year of all receipts and expenditures to be filed with the  
332 department, and ~~shall~~ retain a certified public accountant for  
333 this purpose.

334 15.6. Appoint a licensed banking institution to serve as  
335 the depository for program funds and to handle disbursements of  
336 those funds.

337 ~~7. Maintain frequent communication with officers and~~  
338 ~~industry representatives at the state and national levels,~~

339 ~~including the department.~~

340 16.8. Maintain an office in this state.

341 17. Do all other acts necessary permitted by law to  
342 further the intent of this section.

343 (b) The board ~~council~~ may:

344 1. Conduct or contract for scientific research with any  
345 accredited university, college, or similar institution, and  
346 enter into other contracts or agreements that will aid in  
347 carrying out the purposes of the program, including contracts  
348 for the purchase or acquisition of facilities or equipment  
349 necessary to carry out the purposes of the program.

350 2. Disseminate reliable information benefiting the  
351 consumer and the beef industry on subjects such as, but not  
352 limited to, the purchase, identification, care, storage,  
353 handling, cookery, preparation, serving, and nutritive value of  
354 beef and beef products.

355 ~~3. Provide to government bodies, on request, information~~  
356 ~~relating to subjects of concern to the beef industry, and may~~  
357 Act jointly or in cooperation with the state or Federal  
358 Government, and agencies thereof, in the development or  
359 administration of programs that the board ~~council~~ considers to  
360 be consistent with the objectives of the program.

361 ~~4. Sue and be sued as a council without individual~~  
362 ~~liability of the members for acts of the council when acting~~  
363 ~~within the scope of the powers of this act and in the manner~~  
364 ~~prescribed by the laws of this state.~~

365 ~~4.5.~~ Borrow from licensed lending institutions money in  
366 amounts that are not cumulatively greater than 50 percent of the  
367 board's ~~council's~~ anticipated annual income.

368 ~~6.~~ ~~Maintain a financial reserve for emergency use, the~~  
369 ~~total of which must not exceed 50 percent of the council's~~  
370 ~~anticipated annual income.~~

371 ~~7.~~ ~~Appoint advisory groups composed of representatives~~  
372 ~~from organizations, institutions, governments, or businesses~~  
373 ~~related to or interested in the welfare of the beef industry and~~  
374 ~~the consuming public.~~

375 ~~5.8.~~ Employ staff ~~subordinate officers and employees of~~  
376 ~~the council~~, prescribe their duties, and fix their compensation  
377 and terms of employment.

378 ~~6.9.~~ Cooperate with any local, state, regional, or  
379 nationwide organization or agency engaged in work or activities  
380 consistent with the objectives of the program.

381 ~~7.10.~~ Cause any duly authorized agent or representative to  
382 enter upon the premises of any market agency, market agent,  
383 collection agency, or collection agent and examine or cause to  
384 be examined, only by the authorized agent, ~~only~~ books, papers,  
385 and records that deal with the payment of the assessment  
386 provided for in this section ~~act~~ or with the enforcement of this  
387 section ~~act~~.

388 ~~11.~~ ~~Do all other things necessary to further the intent of~~  
389 ~~this act which are not prohibited by law.~~

390 (8) ACCEPTANCE OF GRANTS AND GIFTS.—The board ~~council~~ may

391 accept grants, donations, contributions, or gifts from any  
 392 source if the use of such resources is not restricted in any  
 393 manner that the board ~~council~~ considers to be inconsistent with  
 394 the objectives of the program.

395 (9) PAYMENTS TO ORGANIZATIONS.—

396 (a) The board ~~council~~ may pay funds to other organizations  
 397 for work or services performed which are consistent with the  
 398 objectives of the program.

399 (b) Before making payments pursuant to ~~described in~~ this  
 400 subsection, the board ~~council~~ must secure a written agreement  
 401 that the organization receiving payment will:

402 1. Furnish at least annually, or more frequently on  
 403 request of the board ~~council~~, written or printed reports of  
 404 program activities and reports of financial data that are  
 405 relative to the board's ~~council's~~ funding of such activities;  
 406 and

407 2. Agree to have appropriate representatives attend  
 408 business meetings of the board ~~council~~ as reasonably requested  
 409 by the chairperson of the board ~~council~~.

410 (c) The board ~~council~~ may require adequate proof of  
 411 security bonding on such ~~said~~ funds to any individual, business,  
 412 or other organization.

413 (10) COLLECTION OF MONEYS AT TIME OF MARKETING.—

414 (a) Each collection agent shall ~~may~~ deduct from the gross  
 415 receipts of the producer, at the time of sale, the assessment  
 416 imposed by the board ~~council~~.



417 (b) The collection agent shall collect all such moneys and  
418 forward them to the board by the 15th day of each ~~council~~  
419 ~~periodically, at least once a month.~~ and The board ~~council~~  
420 shall provide appropriate business forms for the convenience of  
421 the collecting agent in executing this duty.

422 (c) The board ~~council~~ shall maintain within its financial  
423 records a separate accounting of all moneys received under this  
424 section ~~subsection~~.

425 (d) The assessment is due and payable upon the sale of  
426 cattle in this state. The assessment constitutes a personal debt  
427 of the producer who is so assessed or who otherwise owes the  
428 assessment. If a producer fails to remit any properly due  
429 assessment, the board ~~council~~ may bring a civil action against  
430 that person in the circuit court of any county for the  
431 collection thereof, ~~and~~ may add a penalty in the amount of 10  
432 percent of the assessment owed, the cost of enforcing the  
433 collection of the assessment, court costs, and reasonable  
434 attorney ~~attorney's~~ fees. The action shall be tried and judgment  
435 rendered as in any other cause of action for debts due and  
436 payable. All assessments, penalties, and enforcement costs are  
437 due and payable to the board ~~council~~.

438 (e) The board ~~council~~ may adopt reciprocal agreements with  
439 other beef councils or similar organizations relating to moneys  
440 collected by ~~at~~ Florida collection agents on cattle from other  
441 states and to Florida cattle sold at other state markets.

442 ~~(f) The collection agents shall be entitled to deduct 2.5~~

443 ~~percent of the amount collected to retain as a reasonable~~  
 444 ~~collection allowance prior to remitting the funds to the~~  
 445 ~~council.~~

446 (11) REFUNDS.—

447 (a) A producer who has had moneys deducted from his or her  
 448 gross sales receipts under this section ~~act~~ is entitled to a  
 449 prompt and full refund on request.

450 (b) The board ~~council~~ shall make available to all  
 451 collection agents business forms for requesting refunds  
 452 ~~permitting request for refund~~, which forms are to be submitted  
 453 by the objecting producer within 45 days after the sale  
 454 transaction takes place.

455 (c) A refund claim must include the claimant's signature,  
 456 date of sale, place of sale, number of cattle, and amount of  
 457 assessment deducted, and must have attached thereto proof of the  
 458 assessment deducted.

459 (d) If the board ~~council~~ has reasonable doubt that a  
 460 refund claim is valid, it may withhold payment and take such  
 461 action as it considers necessary to determine the validity of  
 462 the claim. Any dispute arising under this subsection shall be  
 463 determined as specified in paragraph (10) (d).

464 (e) The board ~~council~~ shall take action on refund requests  
 465 within 30 calendar days following the date of receipt of the  
 466 request.

467 (f) Only the producer may initiate a request for refund.

468 ~~(12) VOTE ON CONTINUING THE ASSESSMENT. Upon the delivery~~

469 ~~by certified mail to the Florida Beef Council office of~~  
470 ~~petitions from at least 1,800 producers or 10 percent of~~  
471 ~~Florida's producers as determined by the department, whichever~~  
472 ~~is less, and stating "Shall the assessment authorized by the~~  
473 ~~Beef Market Development Act continue?" the council shall, within~~  
474 ~~90 days, conduct a referendum to determine whether a majority of~~  
475 ~~the producers voting in the referendum support the continuation~~  
476 ~~of the Beef Market Development Act. All signatures must be~~  
477 ~~collected within a 12-month period. A referendum held under this~~  
478 ~~subsection may not be held more than one time in a 3-year~~  
479 ~~period. Qualifications for signature and vote are the same as~~  
480 ~~those required in subsection (6).~~

481 (12)~~(13)~~ BYLAWS.—The Florida Cattle Enhancement Board Beef  
482 Council shall, within 90 days after the governing board is  
483 appointed ~~this act becomes a law~~, adopt bylaws to carry out the  
484 intents and purposes of this section ~~act~~. The ~~These~~ bylaws may  
485 be amended with a 30-day notice to governing board members at  
486 any regular or special meeting called for such ~~this~~ purpose. The  
487 bylaws must conform to the requirements of this section ~~act~~ but  
488 may also address any matter not in conflict with the general  
489 laws of this state.

490 (13)~~(14)~~ REPEAL.—This section is repealed October 1, 2020  
491 ~~2019~~, unless reviewed and saved from repeal by the Legislature.

492 Section 2. This act shall take effect July 1, 2015.