

Tab 1	SB 1084 by Collins ; (Identical to H 01071) Department of Agriculture and Consumer Services
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Tab 2	SB 1398 by Collins ; (Identical to H 01265) Florida Crop Diversification Commission
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Tab 3	SB 1422 by Burgess (CO-INTRODUCERS) Rouson ; (Similar to H 01159) Food Recovery
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Tab 4	SJR 1560 by Collins ; (Similar to H 01251) Ad Valorem Taxation Exemptions
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Collins, Chair
Senator Boyd, Vice Chair

MEETING DATE: Tuesday, January 16, 2024
TIME: 1:30—3:30 p.m.
PLACE: 301 Senate Building

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

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1084 Collins (Identical H 1071, Compare H 119, H 435, S 188, S 586)	Department of Agriculture and Consumer Services; Preempting the regulation of electric vehicle charging stations to the state; prohibiting local governmental entities from enacting or enforcing such regulations; providing that a pest control operator's certificate, a special identification card, and certain limited certifications for pesticide applicators, respectively, expire a specified length of time after issuance; authorizing the department to take disciplinary action against a person who swears to or affirms a false statement on certain applications, cheats on a required examination, or violates certain procedures under certain circumstances; authorizing Class "G" licensees to qualify for multiple calibers of firearms in one requalification class under certain circumstances; prohibiting the manufacture, sale, holding or offering for sale, or distribution of cultivated meat in this state, etc. AG 01/16/2024 Favorable AEG FP	Favorable Yeas 4 Nays 1
2	SB 1398 Collins (Identical H 1265)	Florida Crop Diversification Commission; Creating the commission adjunct to the Department of Agriculture and Consumer Services; providing the membership and duties of the commission; requiring the commission to submit an annual report to the Governor and the Legislature by a specified date, etc. AG 01/16/2024 Favorable AEG FP	Favorable Yeas 5 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Agriculture

Tuesday, January 16, 2024, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 1422 Burgess (Similar H 1159)	Food Recovery; Directing the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a program to provide incentives to food producers to sell high-quality fresh food products to food recovery entities at a discounted price; providing a goal for the program; requiring food recovery entities to negotiate with food producers; providing shipping requirements; requiring the department to reimburse food recovery entities for certain costs, etc. AG 01/16/2024 Favorable AEG FP	Favorable Yeas 5 Nays 0
4	SJR 1560 Collins (Similar HJR 1251)	Ad Valorem Taxation Exemptions; Proposing amendments to the State Constitution to authorize the Legislature, by general law, to exempt certain tangible personal property from ad valorem taxation, etc. AG 01/16/2024 Favorable FT AP	Favorable Yeas 5 Nays 0

Other Related Meeting Documents

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 1084

INTRODUCER: Senator Collins

SUBJECT: Department of Agriculture and Consumer Services

DATE: January 16, 2024

REVISED: _____

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

I. Summary:

SB 1084 makes a number of changes to regulation of the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Preempts the regulation of electric vehicle charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations.
- Provides an expiration date of the pest control operator's certificate and amends requirements for its renewal.
- Prohibits applicants from swearing or affirming a false statement on an application for a pest control license and also prohibits cheating on an examination required for licensure and grants the department rulemaking authority to establish penalties for violations.
- Authorizes a Class "K" instructor to allow a Class "G" licensee to qualify for up to two calibers of firearms in one 4-hour firearm requalification class.
- Authorizes the Department to appoint a tax collector to accept new, renewal, and replacement license applications on behalf of the Department for licenses issued under ch. 493, F.S.
- Authorizes a tax collector appointed under s. 790.0625, F.S., to collect certain fees and provide certain services for concealed weapon or firearm licenses on behalf of the Department.
- Revises certain information that charitable organizations, sponsors, professional fundraising consultants, and professional solicitors must provide to the Department to include street addresses.
- Revises the information that must be displayed on certain collection receptacles to include street addresses and provides that a person who solicits funds within a public transportation facility must provide in an application to the authority and must display prominently on the person's badge or insignia, to include street addresses.

- Prohibits the manufacture, sale, hold or offer for sale, or distribution of cultivated meat in this state. The bill also provides the penalties for violations and gives the department rulemaking authority.
- Saves the Weights and Measures Act from expiring on July 1, 2025.
- Revises the information that must be provided to the department on a motor vehicle repair shop registration application and provides that the registration fee must be calculated for each location.
- Increases the cost of repair work which requires a motor vehicle repair shop to provide a customer with a written repair estimate from \$100 to \$150.
- Provides the definition of “center” to mean the Florida Agricultural Legacy Learning Center. The bill also removes the definition of “museum,” which is the Florida Agricultural Museum, which is designated as the museum for agriculture and rural history of the State of Florida.
- Prohibits the willful destroying, harvesting, or selling of saw palmetto berries on private or public land without the written permission of the landowner. The bill provides what must be included in landowner’s permission to harvest saw palmetto berries. The bill also provides penalties for violations created by this bill. The department is granted rulemaking authority.
- Provides criminal penalties for trespassing on land classified as commercial agricultural property.
- Provides that a student’s participation in a 4-H or Future Farmers of America (FFA) activity is an excused absence from school.

This bill takes effect July 1, 2024.

II. Present Situation:

The present situation for each issue is described below in Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:

Electric Vehicles

Present Situation

Electric Vehicle Charging Stations

Consumers and fleets considering electric vehicles (EVs), including all-electric vehicles and plug-in hybrid electric vehicles (PHEVs), need access to charging equipment. For most drivers, this starts with charging at home or at fleet facilities. Charging stations at workplaces, public destinations, and along highways offer more flexible charging opportunities at commonly visited locations.¹

EV charging equipment is classified based on the rate of charge:²

¹ U.S. Dept. of Energy (DOE), Alternative Fuels Data Center, *Developing Infrastructure to Charge Electric Vehicles*, https://afdc.energy.gov/fuels/electricity_infrastructure.html (last visited Dec. 18, 2023).

² U.S. Environmental Protection Agency (EPA), *Plug-in Electric Vehicle Charging*, <https://www.epa.gov/greenvehicles/plug-electric-vehicle-charging-basics> (last visited Dec. 18, 2023).

- Alternating Current (AC) Level 1 equipment provides charging through a common 120 volt AC outlet. Most, if not all, EVs come with a portable Level 1 cord, so no additional charging equipment is required. Level 1 chargers can take 40-50 hours to charge an all-electric vehicle from empty and 5-6 hours to charge a PHEV from empty.³
- AC Level 2 equipment offers charging through 240 volt (in residential applications) or 208 volt charging. As of 2022, 80 percent of public EV charging ports in the country were Level 2.⁴ Level 2 chargers can charge an all-electric vehicle from empty in 4-10 hours and a PHEV from empty in 1-2 hours.⁵
- Direct-current (DC) fast charging equipment enables rapid charging along heavy traffic corridors at installed stations. As of 2022, more than 20 percent of public EV charging ports in the country were DC fast chargers.⁶ DC fast charging equipment can charge an all-electric vehicle to 80 percent in 20 minutes to 1 hour.⁷

Charging times vary depending on the depletion level of the battery, how much energy the battery holds, the type of battery, temperature, and the type of supply equipment.

Currently, 44 of Florida's 67 counties⁸ have 3,230 EV public charging stations offering a total of 8,981 charging ports. AC Level 2 charging ports comprise 6,793 of these ports, and DC fast charging ports comprise 2,164 of these ports.⁹ Florida law requires the Department of Agriculture and Consumer Services (Department) to adopt rules to provide definitions, methods of sale, labeling requirements, and price-posting requirements for EV charging stations to provide consistency for consumers and the industry.¹⁰

Preemption

The State Constitution grants local county and municipal governments broad home rule authority. Specifically, non-charter county governments may exercise those powers of self-government that are proved by general or special law.¹¹ Those counties operating under a county charter have all powers of self-government not inconsistent with general or with special law approved by the vote of the electors.¹² Likewise, municipalities¹³ have those governmental, corporate, and proprietary powers enabling them to conduct municipal government, perform

³ U.S. Dept. of Transportation (USDOT), *Electric Vehicle Charging Speeds*, <https://www.transportation.gov/rural/ev/toolkit/ev-basics/charging-speeds> (last visited Dec. 18, 2023).

⁴ DOE, *supra* note 1.

⁵ DOT *supra* note 3.

⁶ DOE, *supra* note 1.

⁷ DOT, *supra* note 3.

⁸ Florida Department of Agriculture and Consumer Services (FDACS), Transportation, *Alternative Fueling Stations and Electric Vehicle Charging Stations*, <https://www.fdacs.gov/Business-Services/Energy/Florida-Energy-Clearinghouse/Transportation> (last visited Jan. 4, 2024)

⁹ U.S. Dept. of Energy, Alternative Fuels Data Center (AFDC), *Alternative Fueling Station Counts by State*, <https://afdc.energy.gov/stations/states> (last visited Dec. 13, 2023).

¹⁰ Section 366.94, F.S.

¹¹ Art. VIII, s. 1(f), Fla. Const.

¹² Art. VIII, s. 1(g), Fla. Const.

¹³ A municipality is a local government entity created to perform functions and provide services for the particular benefit of the population within the municipality, in addition to those provided by the county. The term "municipality" may be used interchangeably with the terms "town," "city," and "village."

their functions and provide services, and exercise any power for municipal purposes, except as otherwise provided by law.¹⁴

There are two ways that a local government can be inconsistent with state law and therefore unconstitutional. First, a local government cannot legislate in a field if the subject area has been preempted to the state. Second, in a field where both the state and local government can legislate concurrently, a local government cannot enact an ordinance that directly conflicts with the state statute.¹⁵

State law recognizes two types of state preemption: express and implied. Express preemption requires a specific legislative statement of intent to preempt a specific area of law; it cannot be implied or inferred.¹⁶ In contrast, implied preemption exists if the legislative scheme is so pervasive as to evidence an intent to preempt the particular area, and where strong public policy reasons exist for finding such an area to be preempted by the Legislature.¹⁷ Courts determining the validity of local government ordinances enacted in the face of state preemption, whether express or implied, have found such ordinances to be null and void.¹⁸

Effect of Proposed Changes

Section 1 amends s. 366.94, F.S., to preempt the regulation of EV charging stations to the state and prohibits local governmental entities from enacting or enforcing such regulations.

Pest Control

Present Situation

Pest Control License

For structural pest control (pest control provided to homes or other structures), Florida law requires that each pest control business location must:

- Be licensed by the Florida Department of Agriculture and Consumer Services (department),
- Carry the required insurance coverage (\$250,000 per person and \$500,000 per occurrence for bodily injury and \$250,000 per occurrence and \$500,000 in the aggregate for property damage, or a combined single limit coverage of \$500,000 in the aggregate), and
- Employ full-time a Florida-certified operator in charge of the pest control operations of the business location. This operator must be certified in the categories in which the business operates:

¹⁴ Art. VIII, s. 2(b), Fla. Const.; *see also* section 166.021(1), F.S.

¹⁵ *Orange County v. Singh*, 268 So. 3d 668, 673 (Fla. 2019) (citing *Phantom of Brevard, Inc. v. Brevard County*, 3 So. 3d 309, 314 (Fla. 2008)); *see also* James Wolf & Sarah Bolinder, *The Effectiveness of Home Rule: A Preemptions and Conflict Analysis*, 83 Fla. Bar J. 92 (2009), <https://www.floridabar.org/the-florida-bar-journal/the-effectiveness-of-home-rule-a-preemption-and-conflict-analysis/> (last visited Jan. 3, 2024).

¹⁶ *City of Hollywood v. Mulligan*, 934 So. 2d 1238, 1243 (Fla. 2006); *Phantom of Brevard, Inc.*, 3 So. 3d at 1018.

¹⁷ *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So. 3d 880, 886 (Fla. 2010).

¹⁸ *See, e.g., National Rifle Association of America, Inc. v. City of South Miami*, 812 So. 2d 504 (Fla. 3d DCA 2002) (concluding that a City of South Miami local government ordinance, which purported to provide safety standards for firearms, was null and void because the Legislature expressly preempted the entire field of firearm and ammunition regulation when it enacted section 790.33, F.S.)

- o General Household Pest and Rodent Control,
- o Termite and Other Wood-Destroying Organisms Control,
- o Lawn and Ornamental Pest Control, and/or
- o Fumigation.¹⁹

The business license fee is \$300, and the fee for each employee identification card is \$10.²⁰

A certified operator is an individual who has passed an examination administered by the department in any of four certification categories:

- General Household and Rodent Control;
- Lawn and Ornamental Pest Control;
- Termite and Other Wood-Destroying Organisms Control; and
- Fumigation.²¹

A person can be certified in just one or all four categories.

A company's pest control operations are the responsibility of the certified operator in charge and the business operations are limited to the category (or categories) possessed by the certified operator (or operators) in charge at the business location.²²

Limited Certification Programs

The department also administers four Limited Certification Categories:

- Commercial Landscape Maintenance applicators,
- Governmental or Private applicators,
- Commercial Urban Fertilizer applicators, and
- Commercial Wildlife Management.²³

None of these certifications allows the operation of a commercial pest control business.

Effect of Proposed Changes

Section 2 amends s. 482.111, F.S., to provide an expiration date of the pest control operator's certificate and amends requirements for its renewal.

Section 3 amends s. 482.151, F.S., to provide an expiration date of the special identification card for fumigation and amends requirements for its renewal.

¹⁹ FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited January 9, 2024).

²⁰ *Id.*

²¹ FDACS, Pest Control FAQ, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Pest-Control-FAQ> (last visited January 9, 2024).

²² *Id.*

²³ FDACS, Pest Control Licensing and Certification, available at, <https://www.fdacs.gov/Business-Services/Pest-Control/Licensing-and-Certification> (last visited January 9, 2024).

Section 4 amends s. 482.155, F.S., to provide an expiration date of the limited certification for governmental pesticide applicators or private applicators and amends requirements for its renewal.

Section 5 amends s. 482.156, F.S., to authorize individual commercial landscape maintenance personnel to apply herbicides in certain areas and to use certain pesticides. This section also sets the expiration date of the limited certification for commercial landscape maintenance personnel and amends requirements for its renewal.

Section 6 amends s. 482.157, F.S., to provide an expiration date of the limited certification for commercial wildlife management personnel and amends requirements for its renewal.

Section 7 amends s. 482.161, F.S., to provide additional disciplinary grounds related to licensure or licensure renewal applications.

Section 8 amends s. 482.191, F.S., to prohibit applicants from swearing or affirming a false statement on an application. This section also prohibits cheating on an examination required for licensure and grants the department rulemaking authority to establish penalties for violations.

Wood-Destroying Organisms Inspections (WDOI)

Inspection for wood destroying organisms is regulated as a pest control activity under the Florida Structural Pest Control Act, Chapter 482, Florida Statutes. Section 482.226, F.S., requires that when an inspection for wood destroying organisms is conducted for the purposes of a real estate transaction, and either a fee is charged, or a written report is requested, that a person qualified under Chapter 482 issue the report.²⁴

Section 482.226, F.S. also includes requirements as to what the report must include and a requirement that a notice of the inspection be posted in the access area to the attic or crawl or other accessible area of the structure inspected.²⁵ Licensees who perform wood destroying organism inspections for real estate transactions are required to have a minimum of \$50,000 in insurance coverage (or a bond) for professional liability for errors and omissions, or demonstrate an equity or net worth of no less than \$ 100,000 (482.226 (6) FS).²⁶

In addition, if treatment is made to the structure at the time of the inspection, the report must include information on the name of each WDO for which treatment was provided at the time of the inspection, the name of the pesticide used, and the conditions and terms associated with that treatment.²⁷

²⁴ FDACS, Baseline practices for performing 13645 WDO inspections., *available at*, https://ccmedia.fdacs.gov/content/download/3137/file/industry_baseline_final_10-07.pdf (last visited January 9, 2024).

²⁵ Section 482.226(2)(4), F.S.

²⁶ Section 482.226(6), F.S.

²⁷ Section 482.226(2)(b), F.S.

Effect of Proposed Changes

Section 9 amends s. 482.226, F.S., to require that a signed report be supplied to the property owner after each inspection or treatment for the presence or absence of wood destroying organisms.

Section 10 amends s. 487.031, F.S., to prohibit pesticide applicator license applicants from swearing or affirming a false statement on an application. This section also prohibits cheating on an examination required for licensure.

Section 11 amends s. 487.175, F.S., to prohibit applicants from swearing or affirming a false statement on an application for pesticide applicator licensure. This section also prohibits cheating on an examination required for licensure and grants the department rulemaking authority to establish penalties for violations.

Firearm Licensing*Present Situation***Chapter 493 Licensees, Generally**

The Division of Licensing within the Department is responsible for investigating and issuing licenses to conduct private security and private investigative services pursuant to ch. 493, F.S. As of November 30, 2023, there are 140,248 Class “D” security officer licensees, 6,921 Class “C” private investigator licensees, 25,283 Class “G” statewide firearm licensees, 691 Class “K” firearms instructor licensees, 1,320 Class “CC” private investigator intern licensees, 455 Class “M” private investigative or security manager licensees, 73 Class “MA” private investigative agency manager licensees, and 1,497 Class “MB” security manager licensees.²⁸ A ch. 493, F.S., licensee must renew his or her individual license every 2 years.²⁹

A security officer is an individual who advertises for, or performs: bodyguard services, personal or property protection; theft and loss prevention; armored car staffing; or transportation of prisoners.³⁰ Law enforcement officers engaged in their official duties or off-duty security activities that have been approved by appropriate superiors are not considered security officers.³¹ Additionally, unarmed security officers who are employed by, and perform their work entirely on the premises of either their employer’s business, a church or denominational organization, or a church cemetery are not required to be licensed as a security officer under ch. 493, F.S.³²

²⁸ FDACS, Division of Licensing, *Number of Licensees by Type* (Nov. 30, 2023),

https://www.fdacs.gov/content/download/82618/file/Number_of_Licensees_By_Type.pdf (last visited Jan. 9, 2024).

²⁹ Licenses shall be valid for a period of 2 years, except for Class “A,” Class “B,” Class “AB,” Class “K,” Class “R,” and branch agency licenses, which shall be valid for a period of 3 years. *See* s. 493.6111(2), F.S.

³⁰ Section 493.6101(19), F.S.; *see also*, FDACS, *Private Security Licenses*, <https://www.fdacs.gov/Business-Services/Private-Security-Licenses> (last visited Jan. 9, 2024).

³¹ Section 493.6102(1), F.S.

³² Section 493.6102(4), (13), F.S.

A private investigator is an individual who investigates a person for the purpose of obtaining information with reference to the following specific matters:³³

- Crimes or wrongdoings against the United States or any state or territory, when operating under express authority of a governmental official;
- The identity, habits, conduct, movement, and other characteristics of any society, person, or group of persons;
- The credibility of a witness or other person;
- The whereabouts of a missing person, owner of unclaimed or escheated property, or heirs to an estate;
- The location or recovery of lost or stolen property;
- The causes and origin of fires, libel, slander, losses, accidents, damage, or injuries to real or personal property; or
- Securing evidence to be used before an investigating committee or board, or in a civil or criminal trial.

Class “G” Statewide Firearm License

A Class “G” license is a supplemental license that permits specific licensees to carry a firearm during the course of their licensed, employment-related activity. A Class “G” license is available only to individuals who currently hold one of the following licenses: private investigator (Class “C”), private investigator intern (Class “CC”), security officer (Class “D”), private investigative or security agency manager (Class “M”), private investigative agency manager (Class “MA”), or security agency manager (Class “MB”).³⁴ The “Class G” license must be renewed every 2 years.

Application and Training Requirements for Class “G” Licensees

An initial applicant for a Class “G” license must complete firearm training, which must include at least 28 hours of range and classroom training (range training must be 8 hours) that is administered by a Class “K” licensee.³⁵

Class “G” licensees must annually complete 4 hours of firearms requalification training for each caliber of firearm that he or she carries in the course of his or her duties.³⁶

A Class “G” licensee is subject to a biennial statewide firearm license fee of \$112, but there is no application fee.³⁷ The applicant for a Class “G” license must submit a fingerprint processing (\$42) and retention (\$10.75) fee, however—this fee is waived if the applicant has otherwise paid these fees for any other license under ch. 493, F.S., within the last 6 months.³⁸

³³ Section 493.6101(16), F.S. *See also*, FDACS, *Private Investigation* (Dec. 2017), <https://licensing.freshfromflorida.com/forms/P-01721.pdf> (last visited Jan. 9, 2024).

³⁴ Section 493.6115(2), F.S.

³⁵ Section 493.6105(5), F.S. *See also* Fla. Admin. Code R. 5N-1.132(1)(a).

³⁶ Section 493.6113(3)(b), F.S.

³⁷ Fla. Admin. Code R. 5N-1.116(2)(a)6. and (2)(c). *See also*, FDACS, *Chapter 493, F.S., Renewal License Fee Schedule*, https://www.fdacs.gov/content/download/73502/file/FS493_Renewal_License_Fees.pdf (last visited Jan. 9, 2024).

³⁸ Fla. Admin. Code R. 5N-1.116(3)(a).

Regulation of Class “G” Licensees

A Class “G” licensee may only carry two firearms when performing his or her licensed duties. Unless the Department grants specific approval otherwise, the types of weapons a Class “G” licensee may use are limited to the following: a .38 caliber revolver; a .380 caliber or .9 mm semiautomatic pistol; a .357 caliber revolver used with .38 caliber ammunition; a .40 caliber handgun; or a .45 ACP handgun.³⁹

If a Class “G” licensee discharges his or her firearm during the course of her or his duties, the licensee must file an incident report with the Department.⁴⁰

Class “G” licensees are subject to penalty, ranging from a fine to the suspension or revocation of their license, for the following violations of administrative rule:⁴¹

- Conviction of, or adjudication of guilt withheld, on a crime directly related to the business for which the license is held;
- Improper exhibition of a firearm;
- Careless or improper handling of a firearm resulting in a discharge;
- Firing an unjustifiable warning shot while on duty;
- Impersonating a law enforcement officer or government employee; and
- Commission of an act of violence not in the lawful protection of one’s self or another.

Concealed Weapon and Firearm License

Florida is a “shall issue”⁴² state for applications for concealed weapon and firearm licenses.⁴³ The Department must review and either issue or deny a license within 90 days of receiving an application.⁴⁴ As of November 30, 2023, there were 2,511,443 concealed weapon or firearm licensees in Florida.⁴⁵

The Department must issue a license, which expires after 7 years,⁴⁶ if an applicant:

- Is a citizen of the United States, permanent resident alien, or consular security official of a foreign government;
- Is 21 years of age or older;
- Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

³⁹ Section 493.6115(6), F.S. *See also*, FDACS, *Approved Firearms for Class “G” License Holders*, <https://www.fdacs.gov/Business-Services/Private-Investigation-Licenses/Approved-Firearms-for-Class-G-License-Holders> (last visited Jan. 9, 2024).

⁴⁰ Section 493.6115(9), F.S.

⁴¹ Fla. Admin. Code R. 5N-1.113. *See also*, s. 493.6118(1), F.S.

⁴² Generally, states issue a permit, or license, to carry a concealed weapon such as a firearm on either a “shall issue,” or “may issue” basis. The key difference is that shall issue states must issue the permit or license if the applicant meets the requirements; whereas, may issue states have much more discretion to deny an application even if the applicant meets the requirements under the law.

⁴³ Section 790.06(2), F.S.

⁴⁴ Section 790.06(6)(c), F.S.

⁴⁵ FDACS, Division of Licensing, *Number of Licensees by Type* (Nov. 30, 2023), https://www.fdacs.gov/content/download/82618/file/Number_of_Licensees_By_Type.pdf (last visited Jan. 9, 2024).

⁴⁶ Section 790.06(1), F.S.

- Has not been convicted of a felony;
- Has not been found guilty of a controlled substances crime within the previous 3 years;
- Has not been committed for the abuse of a controlled substance;⁴⁷
- Does not suffer from chronic and habitual use of alcohol or other substances to the extent that their normal faculties are impaired;⁴⁸
- Desires to carry a concealed weapon or firearm for lawful self-defense;
- Demonstrates competency with a firearm;⁴⁹
- Has not been adjudicated as an incapacitated person;
- Has not been committed to a mental institution;⁵⁰
- Has not had an adjudication of guilt withheld or a suspended sentence on a felony unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged;
- Has not had an adjudication of guilt withheld or an imposition of sentence suspended on a misdemeanor crime of domestic violence, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged;
- Has not been issued an injunction that is currently in force and effect that restrains that applicant from committing acts of domestic violence or acts of repeat violence; and
- Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.⁵¹

The Department must suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime that would disqualify such person from having a license until final disposition of the case.⁵² The Department is also required to suspend a license or the processing of an application for a license if the licensee or applicant is issued an injunction that restrains the licensee or applicant from committing acts of domestic violence or acts of repeat violence.⁵³

Once obtained, the licensee must carry the license with valid identification at all times when the licensee is in actual possession of a concealed weapon or firearm.⁵⁴ According to

⁴⁷ An applicant granted relief of firearms disabilities pursuant to s. 790.065(2)(a)4.d., F.S., after having been adjudicated mentally defective or committed to a mental institution is deemed not to be committed for the abuse of a controlled substance.

⁴⁸ The law presumes that a person chronically and habitually uses alcoholic beverages or other substances to the point of impairment if the applicant has been convicted of using a firearm while under the influence of alcoholic beverages, chemical substances, or controlled substances or has been deemed a habitual offender of disorderly intoxication under s. 856.011(3), F.S., or has had two or more convictions of driving under the influence within a 3-year period preceding the date which the application is submitted. *See*, s. 790.06(2)(f), F.S.

⁴⁹ There are several methods of demonstrating competency with a firearm, including completion of a hunter education or safety course approved by the Fish and Wildlife Conservation Commission, completion of any law enforcement firearms safety or training course, or completion of firearms training safety courses using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department.

⁵⁰ An applicant who has been granted relief from firearms disabilities pursuant to s. 790.065(2)(a)4.d., F.S., after having been adjudicated mentally defective or committed to a mental institution is deemed not to have been committed in a mental institution.

⁵¹ Section 790.06(2)(n), F.S.

⁵² Section 790.06(3), F.S.

⁵³ *Id.*

⁵⁴ Section 790.06(1), F.S.

s. 790.06(12)(a), F.S., the license, however, “does not authorize any person to carry a concealed weapon or firearm into:”

- Any place of nuisance;⁵⁵
- Any police, sheriff, or highway patrol station;
- Any detention facility, prison, or jail;
- Any courthouse;
- Any courtroom;⁵⁶
- Any polling place;
- Any meeting of the governing body of a county, public school district, municipality, or special district;
- Any meeting of the Legislature or a committee thereof;
- Any school, college, or professional athletic event not related to firearms;
- Any elementary or secondary school facility or administration building;
- Any career center;
- Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- Any college or university facility;⁵⁷
- The inside of the passenger terminal and sterile area of any airport; or
- Any place where the carrying of firearms is prohibited by federal law.⁵⁸

Appointment of tax collectors to accept applications for a concealed weapon or firearm license

The Department may appoint tax collectors,⁵⁹ to accept applications on behalf of the Division of Licensing of the Department (Division) for concealed weapon or firearm licenses. A tax collector appointed under s. 790.0625, F.S., may collect and retain a convenience fee of \$22 for each new application and \$12 for each renewal application.⁶⁰

A tax collector seeking to be appointed must submit a written request to the Division stating his or her name, address, telephone number, each location within the county at which the tax collector wishes to accept applications, and other information as required by the Division.⁶¹ If the written request is approved by the Division, the tax collector will be permitted to accept applications for new or renewal concealed weapon or firearm licenses on behalf of the Department.⁶²

A tax collector is prohibited from maintaining a list or record of persons who apply for or are granted a new or renewal license to carry a concealed weapon or firearm.⁶³ Upon receipt of a

⁵⁵ See s. 823.05, F.S., for an extensive description of places of nuisance.

⁵⁶ However, judges may carry a concealed weapon and allow others to do so within their courtroom. Section 790.06(12)(a)5., F.S.

⁵⁷ However, a “student, employee, or faculty member” may carry a stun gun or nonlethal electric weapon designed for defensive purposes as long as the weapon does not fire a dart or projectile.

⁵⁸ Section 790.06(12)(a)1.-15., F.S.

⁵⁹ See s. Art. VIII, § 1(d), Fla. Const.

⁶⁰ Section 790.0625(5), F.S.

⁶¹ Section 790.0625(3), F.S.

⁶² Section 790.0625(3)(a), F.S.

⁶³ Section 790.0625(6)(a), F.S.

completed renewal or replacement application, a new color photograph, and appropriate payment of required fees, an authorized tax collector may, upon approval and confirmation of license issuance by the Department, print and deliver a concealed weapon or firearm license to a licensee renewing his or her license at the tax collector's office.⁶⁴

Effect of Proposed Changes

Section 12 amends s. 493.6113(3)(b), F.S., to provide that a Class "K" instructor has discretion to allow a Class "G" licensee to qualify for up to two calibers of firearms in one 4-hour firearm requalification class if the licensee successfully completes training for each firearm, including a separate course of fire for each caliber of firearm.

Section 13 creates s. 493.6127, F.S., which gives the Department authority to appoint tax collectors to accept new, renewal, and replacement license applications on behalf of the Department for licenses issued under ch. 493, F.S. Such appointments must be for specified locations that will best serve the public interest.

The bill provides that a tax collector seeking to be appointed must submit a written request to the Department stating his or her name, address, telephone number, each location within the county at which the tax collector wishes to accept applications, and other information as required by the Department.

The bill requires the Department to review each written request upon receipt. The Department may decline to enter into a memorandum of understanding, or may approve the written request and enter into a memorandum of understanding with the tax collector to accept applications for new or renewal licenses on behalf of the Department. However, the Department may rescind a memorandum of understanding for any reason at any time.

The bill provides that information and records provided pursuant to ss. 493.6105 and 493.6113, F.S., remain confidential pursuant to s. 493.6122, F.S., or any other state or federal law.

The bill prohibits any person from handling an application for a license issued under ch. 493, F.S., for a fee or compensation of any kind unless he or she has been appointed by the Department to do so.

The bill establishes that an appointed tax collector may collect and retain a convenience fee of \$22 for each new application, \$12 for each renewal application, \$12 for each replacement license, \$9 for fingerprinting services associated with the completion of an application submitted online or by mail, and \$9 for photographing services associated with the completion of an application submitted online or by mail. Each week, the tax collector is required to remit the license fees to the Department to be deposited in the Division of Licensing Trust Fund. The bill provides that a person who willfully violates s. 493.6127, F.S., commits a second degree misdemeanor.⁶⁵

⁶⁴ Section 790.0625(8), F.S.

⁶⁵ A second degree misdemeanor is generally punishable by not more than 60 days in county jail, and a fine not exceeding \$500. Sections 775.082 and 775.083.

The bill provides that upon receipt of a completed renewal or replacement application, a new color photograph, and appropriate payment of required fees, an authorized tax collector may, upon approval and confirmation of license issuance by the Department, print and deliver a license to a licensee renewing or replacing his or her license at the tax collector's office.

Section 35 amends s. 790.0625, F.S., to provide that a tax collector appointed under s. 790.0625, F.S., may collect and retain \$12 for each replacement license, \$9 for fingerprinting services associated with the completion of an application submitted online or by mail, and \$9 for photographing services associated with the completion of an application submitted online or by mail.

The bill clarifies that a tax collector is authorized to accept renewal applications from an applicant for the renewal of a concealed weapon or firearm license. If an applicant is approved by the Department and completes a renewal application, provides a color photograph, and pays the required fees, then the tax collector may print and deliver a concealed weapon or firearm license to a licensee renewing his or her license at the tax collector's office.

The bill authorizes a tax collector to print and deliver a concealed weapon or firearm license to a licensee whose license has been lost or destroyed if a statement is received to the Department made under oath and payment of the required fees is received. The Department must confirm and approve that the aforementioned license is in good standing. Additionally, a tax collector who is authorized to accept an application for a concealed weapon or firearm license may provide fingerprinting and photographing services to aid concealed weapon and firearm applicants and licensees with initial and renewal applications submitted online or by mail.

Section 42 reenacts s. 493.6115, F.S., related to Class "G" license.

Charitable Organizations

Present Situation

Charitable Organizations and Sponsors

Organizations that intend to solicit donations in Florida are required to register with the Department pursuant to the Solicitation of Contributions Act.⁶⁶ The Act contains basic registration, financial disclosures, and notification requirements for charitable organizations and sponsors,⁶⁷ fundraising consultants, and solicitors.

Registration Statements

An initial registration statement must be submitted to the Department and include a financial report, a statement of the purpose of the charity, how donations will be used, names of

⁶⁶ Section 496.401, F.S.

⁶⁷ A sponsor is a group or person who is or holds itself out to be soliciting contributions by the use of a name that implies that the group or person is in any way affiliated with or organized for the benefit of emergency service employees or law enforcement officers and the group or person is not a charitable organization. The term includes a chapter, branch, or affiliate that has its principal place of business outside the state if the chapter, branch, or affiliate solicits or holds itself out to be soliciting contributions in the state. Section 496.404(25), F.S.

individuals in charge of solicitation activities, and proof of federal tax exempt status. The charity must also identify any professional solicitors and fundraising consultants the charity will use, along with the terms of the arrangements for compensation to be paid to the consultant and solicitor. The registration must include a statement related to the charity's activity in other states, including whether the charity is authorized to operate in another state; whether the charity's registration has been denied, suspended, or revoked in another state; and whether the charity or any person associated with the charity has been subject to any adverse administrative actions or criminal convictions in any state.⁶⁸

The following charitable organizations and sponsors are exempt from the registration requirements:

- A person who is soliciting for a named individual;
- A charitable organization or sponsor that limits solicitations of contributions to the membership of the charitable organization or sponsor;
- Any division, Department, post, or chapter of certain veterans' service organizations are exempt from the registration requirements; or
- A charitable organization that has less than \$50,000 in total revenue so long as they did not employ professional solicitors or have paid employees.⁶⁹

Before soliciting contributions, the charitable organization or sponsor claiming the exemption must provide the Department with certain financial and identifying information including the name, address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose for which the contributions to be solicited will be used.⁷⁰

Financial Statements

A charitable organization or sponsor that is required to register or renew registration must file an annual financial statement for the immediate preceding year with the Department. The statement must include:

- A balance sheet;
- A statement of support, revenue and expenses;
- Names and addresses of any charities, professional fundraising consultants, professional solicitors, and commercial co-ventures used and the amounts received from each of them; and
- A statement of functional expenses that must include program service costs, management and general costs, and fundraising costs.⁷¹

Upon the showing of good cause by a charitable organization or sponsor, the Department may extend the time for the filing of a financial statement by up to 180 days.⁷²

⁶⁸ Section 496.405(2), F.S.

⁶⁹ Section 496.406(1), F.S.

⁷⁰ Section 496.406(2), F.S.

⁷¹ Section 496.407(1), F.S.

⁷² Section 496.407(3), F.S.

Disclosure Requirements of Charitable Organizations and Sponsors

Charitable organizations or sponsors can solicit contributions only for the purpose expressed in the solicitation for contributions or the registration statement. The following disclosures must be included at the point of solicitation: the name of the organization or sponsor and principal place of business of the organization or sponsor; a description of the purpose for which the solicitation is being made; the name and address or telephone number of a person to whom inquiries may be addressed; the amount of the contribution which may be deducted from federal income tax; and the source from which a written financial statement may be obtained.⁷³

Professional Fundraising Consultants

Professional fundraising consultants⁷⁴ are required to annually register and pay a \$300 fee to the Department before operating in Florida.⁷⁵ Additionally, professional fundraising consultants who enter into agreements with charities may do so only if the charity has complied with ch. 496, F.S. and has obtained approval from the Department of a registration statement.⁷⁶

Applications for registration or renewal must be signed by an authorized official of the professional fundraising consultant and must include certain identifying information such as the names and residence addresses of all principals of the applicant, including all officers, directors, and owners; the form of the applicant's business; and the street address and telephone number of the principal place of business of the applicant and any Florida street addresses if the principal place of business is located outside of Florida.⁷⁷

After receiving the registration statement, the Department has 15 business days to either approve the registration or notify the consultant that the registration requirements are not satisfied. If, after 15 days the Department has not notified the consultant, the registration is deemed approved.⁷⁸

Professional Solicitors

Professional solicitors⁷⁹ must annually register and pay a \$300 fee to the Department before operating in Florida.⁸⁰ Information that must be provided for registration or renewal includes the street address and telephone number of the business, the form of the applicant's business, the

⁷³ Section 496.411, F.S.

⁷⁴ A professional fundraising consultant is a person retained by a charitable organization or sponsor for a fixed fee or rate under a written agreement to plan, manage, conduct, carry on, advise, consult, or prepare material for a solicitation of contributions in Florida but who does not solicit contributions or employ, procure, or engage any compensated person to solicit contributions and who does not at any time have custody or control of contributions. Section 496.404(20), F.S.

⁷⁵ Section 496.409(1),(3), F.S.

⁷⁶ See s. 496.409(6), F.S.

⁷⁷ Section 496.409(2), F.S.

⁷⁸ Section 496.409(6), F.S.

⁷⁹ A professional solicitor is a person who, for compensation, performs for a charitable organization or sponsor a service in connection with which contributions are or will be solicited in, or from a location in, Florida by the compensated person or by a person it employs, procures, or otherwise engages, directly or indirectly, to solicit contributions, or a person who plans, conducts, manages, carries on, advises, consults, directly or indirectly, in connection with the solicitation of contributions for or on behalf of a charitable organization or sponsor but who does not qualify as a professional fundraising consultant. Section 496.404(21), F.S.

⁸⁰ Section 496.410, F.S.

place and date when the applicant was legally established, and the names and residence addresses of all principals, including officers, directors, and owners. The application must also provide a list of all telephone numbers to be used by the applicant to solicit contributions as well as the physical address associated with each telephone number.⁸¹

After receiving the registration statement, the Department has 15 business days to either approve the registration or notify the solicitor that the registration requirements are not satisfied. If, after 15 days the Department has not notified the solicitor, the registration is deemed approved.⁸²

Solicitors must also file a solicitation notice with the Department at least 15 days before beginning a solicitation campaign or event. The notice must include identifying information including residence addresses.⁸³ During each solicitation campaign, and for not less than three years after its completion, the solicitor must maintain certain records including addresses of contributors and employees involved in the solicitation.⁸⁴ Additionally, if solicitors sell tickets to events, the solicitor must maintain records including addresses of contributors and of organizations that receive the donated tickets.⁸⁵

A solicitor license must be obtained from the Department by each officer, director, trustee, or owner of a professional solicitor and any employee of a professional solicitor conducting telephonic solicitations during which a donor's or potential donor's personal financial information is requested or provided is required. Among other information, the license application must include the name, home address, date of birth, and identification number of a government-issued ID of the applicant.⁸⁶

Collection Receptacles for Donations

All collection receptacles for donations must display a permanent sign on each side of the receptacle. For receptacles used by a charity required to register under ch. 496, F.S., the sign must provide the name, address, telephone number, and registration number of the charity.⁸⁷

Solicitation of Funds within Public Transportation Facilities

Any person wanting to solicit funds within a public transportation facility must obtain a written permit from the authority responsible for the administration of the facility. The application for the permit submitted to the authority must include the name, mailing address, and telephone number of the person or organization; the name, mailing address, and telephone number of each person participating in the activity as well as the person in charge of the activity; a description of the proposed activities; the dates and hours of the activities; and the number of persons engaged in such activities. While conducting the activities, each solicitor must display prominently a badge or insignia provided by the authority that describes the solicitor by name, age, height,

⁸¹ Section 496.410(2), F.S.

⁸² Section 496.410(5), F.S.

⁸³ Section 496.410(6), F.S.

⁸⁴ Section 496.410(10), F.S.

⁸⁵ Section 496.410(11), F.S.

⁸⁶ Section 496.4101, F.S.

⁸⁷ Section 496.4121, F.S.

weight, eye color, hair color, address, and principal occupation and indicating the name of the organization for which the funds are solicited.⁸⁸

Effect of Proposed Changes

Section 14 amends s. 496.404, F.S., to define the term “street address” as the physical location where activities subject to regulation under ch. 496, F.S., are conducted or where an applicant, licensee, or other referenced individual actually resides. The term does not include a virtual office, a post office box, or a mail drop.

Section 15 amends s. 496.405, F.S., to revise the information charitable organizations and sponsors must provide to the Department in an initial registration statement to include the name and street addresses of each institution where banking or similar monetary transactions are done by the charitable organization or sponsor, and account numbers associated with all transactions.

Section 16 amends s. 496.406, F.S., to revise the information charitable organizations and sponsors must provide the Department when claiming certain exemptions to include street addresses.

Section 17 amends s. 496.407, F.S., to revise the financial information charitable organizations and sponsors must provide the Department to include street addresses, and removes the requirement that a charitable organization or sponsor must show good cause in order to receive a filing extension from the Department.

Section 18 amends s. 496.409, F.S., to revise the information professional fundraising consultants must include in applications for registration or renewals of registration to include street addresses rather than residence addresses.

Section 19 amends s. 496.410, F.S., to revise the information that professional solicitors must include in applications for registration, renewals of registration, and solicitation notices provided to the Department, and that solicitors are required to maintain in their records to include street addresses rather than physical or residence addresses.

Section 20 amends s. 496.4101, F.S., to revise the information that must be included in certain solicitor license applications to include street addresses rather than home addresses.

Section 21 amends s. 496.411, F.S., to revise the information that disclosures of charitable organizations or sponsors soliciting in Florida must include street addresses.

Section 22 amends s. 496.4121, F.S., to revise the information that must be displayed on certain collection receptacles to include street addresses.

Section 23 amends s. 496.425, F.S., to provide that a person who solicits funds within a public transportation facility must provide in an application to the authority and must display prominently on the person’s badge or insignia, to include street addresses.

⁸⁸ S. 496.425, F.S.

Section 43 reenacts s. 496.4055, F.S., related to the board of directors of a charitable organization.

Alternative Meat

Present Situation

Cultivated Meat

The USDA describes Human Food Made with Cultured Animal Cells as the ability to take a small number of cells from living animals and grow them in a controlled environment to create food.⁸⁹ The USDA summarizes the process of making cultured meat below:

Step 1: Scientists typically start with a sample of cells from the tissue of an animal or fish, a process that typically does not permanently harm or kill the animal. Some cells from the sample are selected, screened, and grown to make a “bank” of cells to store for later use.

Step 2: To make food, a small number of cells are taken from the cell bank and placed in a tightly controlled and monitored environment (e.g., a very large, sealed vessel) that supports growth and cellular multiplication by supplying appropriate nutrients and other factors.

Step 3: After the cells have multiplied many times over into billions or trillions of cells, additional factors (e.g., protein growth factors, new surfaces for cell attachment, additional nutrients) are added to the controlled environment to enable the cells to differentiate into various cell types and assume characteristics of muscle, fat, or connective tissue cells.

Step 4: Once the cells have differentiated into the desired type, the cellular material can be harvested from the controlled environment and prepared using conventional food processing and packaging methods.⁹⁰

In 2019 the United States Food and Drug Administration (FDA) and the USDA’s Food Safety and Inspection Service agreed to establish a joint regulatory framework for human foods made from cultured cells of livestock and poultry to help ensure that any such products brought to market are safe, unadulterated, and truthfully labeled.⁹¹

As of 2024, there are currently several states that have laws related to the proper labeling of meat and lab grown meat products.⁹²

Effect of Proposed Changes

Section 24 amends s. 500.03, F.S., to provide a definition for cultivated meat to mean any meat or food product produced from cultured animal cells.

⁸⁹ USDA, Human Food Made with Cultured Animal Cells, *available at*, <https://www.fsis.usda.gov/inspection/compliance-guidance/labeling/labeling-policies/human-food-made-cultured-animal-cells> (last visited January 9, 2024).

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Penn State Law, Scope of the Meat Labeling Law Issue Tracker, *available at*, <https://aglaw.psu.edu/research-by-topic/issue-tracker/meat-labeling-law-2018-present/> (last visited January 9, 2024).

Section 25 creates s. 500.452, F.S., to prohibit the manufacture, sale, hold or offer for sale, or distribution of cultivated meat in this state. The bill also provides the penalties for violations and gives the Department rulemaking authority.

Section 26 amends s. 507.07, F.S., to prohibit a mover from placing a shipper's goods in a storage unit not owned by the mover unless the goods are stored in the shipper's name and the shipper contracts directly with the owner storage unit.

Bureau of Standards

Present Situation

Weights, Measures, and Standards

The Department's Bureau of Standards is responsible for the inspection of weights and measures devices or instruments in Florida.⁹³ "Weights and measures" are defined as all weights and measures of every kind, instruments, and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices, excluding taximeters, transportation measurement systems, and those weights and measures used for the purpose of inspecting the accuracy of devices used in conjunction with aviation fuel.⁹⁴ The weights and measures program is funded through permit fees.⁹⁵ This framework including provisions related to general permitting, initial and renewal applications, maximum permit fees, suspensions, penalties, revocations, and exemptions, are set to expire on July 1, 2025.⁹⁶

Effect of Proposed Changes

Section 27 repeals s. 531.67, F.S.; thus, saving the Weights and Measures Act from expiring on July 1, 2025.

Motor Vehicle Repair

Present Situation

Motor Vehicle Repair Shop Registration and Written Repair Estimates

The Florida Motor Vehicle Repair Act⁹⁷ requires anyone who is paid to repair motor vehicles owned by other individuals to register with the Department. Registration applications must include: the name of the applicant; the name under which the applicant is doing business; the business address; copies of all licenses, permits, and certifications; and the number of employees which the applicant intends to employ or currently employed.⁹⁸ Each application must be accompanied by a registration fee calculated on a per-year basis.⁹⁹

⁹³ Ch. 531, F.S. "Weights and Measures Act of 1971"

⁹⁴ Section 531.37(1), F.S.

⁹⁵ Section 531.63, F.S.

⁹⁶ Section 531.67, F.S.

⁹⁷ Section 559.901, F.S.

⁹⁸ Section 559.904(1), F.S.

⁹⁹ Section 559.904(3), F.S.

For repairs costing more than \$100, repair shops are required to prepare a written repair estimate that includes the estimated cost of repair work, including diagnostic work, before beginning any diagnostic work or repair. The repair shop must then give the customer the option of:

- Requesting a written estimate;
- Being notified by the shop if the repair exceeds an amount the customer specifies; or
- Not requiring a written estimate at all.¹⁰⁰

Effect of Proposed Changes

Section 28 amends s. 559.904, F.S., to remove the requirement for a motor vehicle repair shop to provide copies of licenses, permits, and certifications obtained by the applicant or employees of the applicant on the registration application; and to specify that the registration fee must be calculated for each location.

Section 29 amends s. 559.905, F.S., to increase the cost of repair work which requires a motor vehicle repair shop to provide a customer with a written repair estimate from \$100 to \$150.

Section 44 reenacts s. 559.907, F.S., related to charges for motor vehicle repair estimate.

The Florida Agricultural Museum

Present Situation

Florida Agricultural Museum (F.S. 570.692)

The Florida Agricultural Museum was established in 1983 by a group of concerned agriculturalists and historians at the request of Agricultural Commissioner Doyle Conner to help preserve this important part of Florida's heritage.¹⁰¹ Originally located in Tallahassee, the museum was part of the Division of Agriculture and Consumer Services.¹⁰² The Museum, now located in Flagler County, is a private non-profit 501(c)(3) corporation led by a board of trustees.¹⁰³

Effect of Proposed Changes

Section 30 amends s. 570.69, F.S., to provide the definition of "center" to mean the Florida Agricultural Legacy Learning Center. The bill also removes the definition of "museum," which is the Florida Agricultural Museum.

Section 31 amends s. 570.691, F.S., and **Section 32** amends s. 570.691, F.S., to conform to the changes made by Section 30.

¹⁰⁰ Section 559.905, F.S.

¹⁰¹ Florida Agricultural Museum, About the Museum, available at, <https://www.floridaagmuseum.org/about-the-museum/> (last visited January 9, 2024).

¹⁰² *Id.*

¹⁰³ *Id.*

Saw Palmetto Berries Harvesting

Present Situation

Saw Palmetto Berries

Saw palmetto berries collected from forests in Florida and Georgia are the most abundantly harvested medicinal non-timber forest products (NTFPs) in terms of dry weight. Saw palmetto berries are the fruit of a commonly occurring understory plant in Florida flatwoods. They are the source of certain medicinal compounds used in Native American, herbal and alternative medical treatments for prostate and other urologic conditions.¹⁰⁴

Effective July 2018, the Florida Department of Agriculture and Consumer Services (FDACS) requires a permit to harvest and sell saw palmetto berries in Florida.¹⁰⁵ The Endangered Plant Advisory Council unanimously recommended adding saw palmetto to the FDACS commercially exploited plant list.¹⁰⁶ There is no application fee to apply for a permit. The permit expires twelve months after the date of issuance and is not transferable.¹⁰⁷

Effect of Proposed Changes

Section 33 creates s. 581.189, F.S., to provide definitions for “harvest,” “harvester,” “landowner,” “person,” “saw palmetto berries,” “saw palmetto berry dealer,” and “seller.” The bill prohibits willful destroying, harvesting, or selling saw palmetto berries, on private or public land, without the written permission of the landowner. The bill provides what must be included in landowner’s permission to harvest saw palmetto berries. The bill also provides the reporting requirements after the berries have been harvested along with authorizing law enforcement to seize berries harvested in violation of this bill.

The bill also provides penalties for violations created by this bill. The department is granted rulemaking authority.

Section 34 amends s. 585.01, F.S., to include poultry in the definition of “livestock.”

Section 45 reenacts s. 468.382, F.S., related to the definition of “livestock.”

Section 46 reenacts s. 534.47, F.S.

Section 47 reenacts s. 767.01, F.S.

¹⁰⁴ Florida Department of Agriculture and Consumer Services (FDACS), Non-Timber Forest Products (NTFP): Additional Potential Revenue Sources for Forest Landowners

, <https://www.fdacs.gov/Forest-Wildfire/Our-Forests/Working-Forest/Non-Timber-Forest-Products-NTFP> (last visited January 9, 2024).

¹⁰⁵ Florida Department of Agriculture and Consumer Services (FDACS), Saw Palmetto Berry Harvesting, *available at*, <https://www.fdacs.gov/Agriculture-Industry/Plant-Industry-Permits/Saw-Palmetto-Berry-Harvesting> (last visited January 9, 2024).

¹⁰⁶ *Id.*

¹⁰⁷ FDACS, Saw Palmetto (*Serenoa repens*), Berry Harvesting FAQs, *available at*, <https://ccmedia.fdacs.gov/content/download/104215/file/SPBFAQs%5B84%5D.pdf> (last visited January 9, 2024).

Section 48 reenacts s. 767.03, F.S.

Criminal Trespass

Present Situation

Trespassing on Agricultural Land

A person commits the offense of trespass on property other than a structure or conveyance, when he or she, without being authorized, licensed, or invited, willfully enters upon or remains in any property other than a structure or conveyance:

- As to which notice against entering or remaining is given, either by actual communication to the offender or by posting, fencing, or cultivation; or
- If the property is the unenclosed curtilage⁶ of a dwelling and the offender enters or remains with the intent to commit an offense thereon, other than the offense of trespass.¹⁰⁸

Section 810.09, F.S. provides criminal penalties for specific types of trespass:

- The offender commits a felony of the third degree, if the property trespassed upon is commercial horticulture property and the property is legally posted and identified in substantially the following manner: “THIS AREA IS DESIGNATED COMMERCIAL PROPERTY FOR HORTICULTURE PRODUCTS, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY.”
- The offender commits a felony of the third degree, if the property trespassed upon is an agricultural site for testing or research purposes that is legally posted and identified in substantially the following manner: “THIS AREA IS A DESIGNATED AGRICULTURAL SITE FOR TESTING OR RESEARCH PURPOSES, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY.”
- Any person who in taking or attempting to take any animal, or in killing, attempting to kill, or endangering any animal¹⁰⁹, knowingly propels or causes to be propelled any potentially lethal projectile over or across private land without authorization commits trespass, a felony of the third degree. For purposes of this paragraph, the term “potentially lethal projectile” includes any projectile launched from any firearm, bow, crossbow, or similar tensile device. This section does not apply to any governmental agent or employee acting within the scope of his or her official duties.
- The offender commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#), if the property trespassed upon is an agricultural chemicals manufacturing facility that is legally posted and identified in substantially the following manner: “THIS AREA IS A DESIGNATED AGRICULTURAL CHEMICALS MANUFACTURING FACILITY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY.”

Effect of Proposed Changes

Section 36 amends s. 810.011, F.S., to add agricultural land to the definition of “posted land.”

¹⁰⁸ Section 810.09(1)(a), F.S.

¹⁰⁹ Animal is defined in s. 585.01(13) as: “Livestock” means grazing animals, such as cattle, horses, sheep, swine, goats, other hoofed animals, ostriches, emus, and rheas which are raised for private use or commercial purposes.

Section 37 amends s. 810.09, F.S., to provide criminal penalties for trespassing on land classified as commercial agricultural property. The bill also provides the definition for “commercial agricultural property” to mean property cleared of its natural vegetation or fenced for the purposes of planting, growing, harvesting, processing, raising, producing, or storing plant or animal commercial commodities.

Section 39 amends s. 379.3004, F.S., to conform with the changes in this bill related to trespassing on property while armed.

Section 40 amends s. 812.014, F.S., to conform with the changes in this bill related to trespassing on property that is identified as a construction zone.

Section 41 amends s. 921.0022, F.S., to conform with the changes in this bill related to trespassing.

4-H Participation in School

Present Situation

Public School Attendance Policies

Florida law directs district school boards to establish attendance policies defining excused or unexcused absences or tardiness.¹¹⁰ Specific criteria for determining whether an absence or tardiness is excused or unexcused are determined by the district school board.¹¹¹ The parent of a student who is absent from school must justify the absence, and the absence is evaluated based on the school board’s attendance policies.¹¹² However, a parent is not responsible for the student’s nonattendance at school if:

- The absence was with permission of the head of the school;
- The absence was without the parent’s knowledge, consent, or connivance, in which case the student must be dealt with as a dependent child;
- The parent is financially unable to provide necessary clothes; or
- On account of sickness, injury, or other insurmountable conditions.¹¹³

4-H Participation in School

4-H is the nation’s largest youth development organization. Over 230,000 members in the State of Florida help to make up the community of more than 6.5 million young people across America. 4-H is a non-formal, practical educational program for youth. Florida 4-H is the youth development program of Florida Cooperative Extension, a part of the University of Florida IFAS.¹¹⁴

¹¹⁰ Section 1003.24, F.S.

¹¹¹ *Id.*

¹¹² Section 1003.26, F.S.

¹¹³ Section 1003.24, F.S.

¹¹⁴ Florida 4-H, What is 4-H?, <https://florida4h.ifas.ufl.edu/about-us/> (last visited January 9, 2024).

4-H is open to all youth, ages 5-18, determined as of September 1 of the current 4-H program year and open to all counties in the State of Florida. 4-H serves youth from all backgrounds and interests. It reaches both boys and girls through 4-H clubs, special – interest groups and short – term projects, school-age childcare, individual and family learning and mentoring, camping, and school enrichment. There are three primary program areas, or mission mandates, – science, citizenship, and healthy living.¹¹⁵

Effect of Proposed Changes

Section 38 amends s. 1003.24, F.S., to provide that a student’s participation in a 4-H or Future Farmers of America (FFA) activity is an excused absence from school. A 4-H or FFA representative must provide documentation as proof of a student’s participation in a 4-H or FFA activity upon request by a school principal or the principal’s designee. The 4-H representative must be officially recognized or designated by the Florida Cooperative extension Service 4-H Program as a 4-H professional or a 4-H adult volunteer.

Section 49 provides that this bill shall take effect July 1, 2024.

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:

Article VII, s. 19 of the Florida Constitution requires the authorization of a state tax or fee be contained in a separate bill that contains no other subject and be approved by 2/3 of the membership of each house of the Legislature. These provisions do not apply to any tax or fee authorized to be imposed by a county. This bill authorizes county tax collectors approved by the Department to collect certain fees for processing applications.

E. Other Constitutional Issues:

None.

¹¹⁵ *Id.*

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

The bill authorizes a county tax collector approved by the Department to accept certain new, renewal, and replacement license applications and to collect fees associated such services. The appointed county tax collector may collect and retain the following fees associated with an application for a license under ch. 493, F.S.: a convenience fee of \$22 for each new application, \$12 for each renewal application, \$12 for each replacement license, \$9 for fingerprinting services, and \$9 for photographing services. Additionally, the appointed county tax collector may collect and retain the following fees associated with an application for a concealed weapon or firearm license: \$12 for each replacement license, \$9 for fingerprinting services, and \$9 for photographing services.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A county tax collector that elects to seek appointment under s. 493.6127, F.S., or s. 790.0625, F.S., to accept new, renewal, and replacement license applications on behalf of the Department may collect fees associated with such activities. These fees should cover the cost of the tax collector to provide such services. License fees collected will be remitted to the Department by the tax collector.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends sections 379.3004, 366.94, 482.111, 482.151, 482.155, 482.156, 482.157, 482.161, 482.191, 482.226, 487.031, 487.175, 493.6113, 496.404, 496.405, 496.406, 496.407, 496.409, 496.410, 496.4101, 496.411, 496.4121, 496.425, 500.03, 507.07, 559.904, 559.905, 570.69, 570.691, 570.692, 585.01, 790.0625, 810.011, 810.09, 812.014, 921.0022 and 1003.24 of the Florida Statutes.

This bill creates sections 493.6127, 500.452, and 581.189 of the Florida Statutes.

This bill reenacts sections 493.6115, 468.382, 496.4055, 534.47, 559.907, 767.01 and 767.03 of the Florida Statutes.

This bill repeals s. 531.67 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 Collins

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1 A bill to be entitled
 2 An act relating to the Department of Agriculture and
 3 Consumer Services; amending s. 366.94, F.S.;
 4 preempting the regulation of electric vehicle charging
 5 stations to the state; prohibiting local governmental
 6 entities from enacting or enforcing such regulations;
 7 amending ss. 482.111, 482.151, and 482.155, F.S.;
 8 providing that a pest control operator's certificate,
 9 a special identification card, and certain limited
 10 certifications for pesticide applicators,
 11 respectively, expire a specified length of time after
 12 issuance; revising renewal requirements for such
 13 certificates and cards; amending s. 482.156, F.S.;
 14 revising the tasks, pesticides, and equipment that
 15 individual commercial landscape maintenance personnel
 16 with limited certifications may perform and use;
 17 revising the initial and renewal certification
 18 requirements for such personnel; deleting a
 19 requirement that certificateholders maintain certain
 20 records; amending s. 482.157, F.S.; providing that a
 21 limited certification for commercial wildlife
 22 management personnel expires a specified length of
 23 time after issuance; revising renewal certification
 24 requirements for such personnel; amending s. 482.161,
 25 F.S.; authorizing the department to take disciplinary
 26 action against a person who swears to or affirms a
 27 false statement on certain applications, cheats on a
 28 required examination, or violates certain procedures
 29 under certain circumstances; amending s. 482.191,

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30 F.S.; providing penalties for a person who swears to
 31 or affirms a false statement on certain applications;
 32 providing that cheating on certain examinations or
 33 violating certain examination procedures voids an
 34 examinee's exam attempt; authorizing the department to
 35 adopt rules establishing penalties for such a
 36 violation; authorizing the department to exercise
 37 discretion in assessing penalties in certain
 38 circumstances; amending s. 482.226, F.S.; requiring
 39 pest control licensees to provide property owners or
 40 their agents with a signed report that meets certain
 41 requirements after each inspection or treatment;
 42 amending s. 487.031, F.S.; prohibiting a person from
 43 swearing to or affirming a false statement on certain
 44 pesticide applicator license applications, cheating on
 45 a required examination, or violating certain
 46 procedures; making technical changes; amending s.
 47 487.175, F.S.; providing penalties for a person who
 48 swears to or affirms a false statement on certain
 49 applications; providing that cheating on certain
 50 examinations or violating certain examination
 51 procedures voids an examinee's exam attempt; requiring
 52 the department to adopt rules establishing penalties
 53 for such a violation; authorizing the department to
 54 exercise discretion in assessing penalties in certain
 55 circumstances; amending s. 493.6113, F.S.; authorizing
 56 Class "G" licensees to qualify for multiple calibers
 57 of firearms in one requalification class under certain
 58 circumstances; creating s. 493.6127, F.S.; authorizing

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59 the department to appoint tax collectors to accept
 60 new, renewal, and replacement license applications
 61 under certain circumstances; requiring the department
 62 to establish by rule the types of licenses the tax
 63 collectors may accept; providing an application
 64 process for tax collectors who wish to perform such
 65 functions; providing that certain confidential
 66 information contained in the records of an appointed
 67 tax collector retains its confidentiality; prohibiting
 68 any person not appointed to do so from accepting an
 69 application for a license for a fee or compensation;
 70 authorizing tax collectors to collect and retain
 71 certain convenience fees; requiring the tax collectors
 72 to remit certain fees to the department for deposit in
 73 the Division of Licensing Trust Fund; providing
 74 penalties; amending s. 496.404, F.S.; defining the
 75 term "street address"; amending ss. 496.405 and
 76 496.406, F.S.; revising the information that
 77 charitable organizations and sponsors must provide to
 78 the department in an initial registration statement
 79 and when claiming certain exemptions, respectively, to
 80 include certain street addresses; amending s. 496.407,
 81 F.S.; revising the information charitable
 82 organizations or sponsors are required to provide to
 83 the department when initially registering or annually
 84 renewing a registration; revising circumstances under
 85 which the department may extend the time for filing a
 86 required final statement; amending ss. 496.409,
 87 496.410, 496.4101, 496.411, 496.4121, and 496.425,

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88 F.S.; revising the information that professional
 89 fundraising consultants must include in applications
 90 for registration or renewals of registration, that
 91 professional solicitors must include in applications
 92 for registration, renewals of registration, and
 93 solicitation notices provided to the department, that
 94 professional solicitors are required to maintain in
 95 their records, that must be included in certain
 96 solicitor license applications, that disclosures of
 97 charitable organizations or sponsors soliciting in
 98 this state must include, that must be displayed on
 99 certain collection receptacles, and that a person
 100 desiring to solicit funds within a facility must
 101 provide in an application to the department and must
 102 display prominently on his or her badge or insignia,
 103 respectively, to include street addresses; amending s.
 104 500.03, F.S.; defining the term "cultivated meat";
 105 creating s. 500.452, F.S.; prohibiting the
 106 manufacture, sale, holding or offering for sale, or
 107 distribution of cultivated meat in this state;
 108 providing criminal penalties; providing for
 109 disciplinary action and additional licensing
 110 penalties; providing that such products are subject to
 111 certain actions and orders; authorizing the department
 112 to adopt rules; amending s. 507.07, F.S.; prohibiting
 113 a mover from placing a shipper's goods in a self-
 114 service storage unit or self-contained unit not owned
 115 by the mover unless certain conditions are met;
 116 repealing s. 531.67, F.S., relating to the scheduled

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117 expiration of certain statute sections related to
 118 weights, measurements, and standards; amending s.
 119 559.904, F.S.; revising the information that must be
 120 provided to the department on a motor vehicle repair
 121 shop registration application; providing that the
 122 registration fee must be calculated for each location;
 123 amending s. 559.905, F.S.; revising the cost of repair
 124 work which requires a motor vehicle repair shop to
 125 provide a customer with a written repair estimate;
 126 amending s. 570.69, F.S.; defining the term "center";
 127 deleting the definition of the term "museum"; amending
 128 s. 570.691, F.S.; conforming provisions to changes
 129 made by the act; amending s. 570.692, F.S.; renaming
 130 the Florida Agricultural Museum as the Florida
 131 Agricultural Legacy Learning Center; creating s.
 132 581.189, F.S.; defining terms; prohibiting the willful
 133 destruction, harvest, or sale of saw palmetto berries
 134 without first obtaining written permission from the
 135 landowner or legal representative and a permit from
 136 the department; specifying the information that the
 137 landowner's written permission must include; requiring
 138 an authorized saw palmetto berry dealer to maintain
 139 certain information for a specified timeframe;
 140 authorizing law enforcement officers or authorized
 141 employees of the department to seize or order to be
 142 held for a specified timeframe saw palmetto berries
 143 harvested, sold, or exposed for sale in violation of
 144 specified provisions; declaring that unlawfully
 145 harvested saw palmetto berries constitute contraband

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146 and are subject to seizure and disposal; authorizing
 147 law enforcement agencies that seize such saw palmetto
 148 berries to sell the berries and retain the proceeds to
 149 implement certain provisions; providing that such law
 150 enforcement agencies are exempt from certain
 151 provisions; requiring the law enforcement agencies to
 152 submit certain information annually to the department;
 153 providing criminal penalties; providing that
 154 individuals convicted of such violations are
 155 responsible for specified costs; defining the term
 156 "convicted"; providing construction; requiring the
 157 department to adopt rules; amending s. 585.01, F.S.;
 158 revising the definition of the term "livestock" to
 159 include poultry; amending s. 790.0625, F.S.;
 160 authorizing certain tax collectors to collect and
 161 retain certain convenience fees for certain concealed
 162 weapon or firearm license applications; authorizing
 163 such tax collectors to print and deliver replacement
 164 licenses to licensees under certain circumstances;
 165 authorizing such tax collectors to provide
 166 fingerprinting and photographing services; amending s.
 167 810.011, F.S.; revising the definition of the term
 168 "posted land" to include land classified as
 169 agricultural which has specified signs placed at
 170 specified points; amending s. 810.09, F.S.; providing
 171 criminal penalties for trespassing with the intent to
 172 commit a crime on commercial agricultural property
 173 under certain circumstances; defining the term
 174 "commercial agricultural property"; amending s.

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175 1003.24, F.S.; providing that a student's
 176 participation in a 4-H or Future Farmers of America
 177 activity is an excused absence from school; defining
 178 the term "4-H representative"; amending ss. 379.3004,
 179 812.014, and 921.0022, F.S.; conforming cross-
 180 references; reenacting s. 493.6115(6), F.S., relating
 181 to weapons and firearms, to incorporate the amendment
 182 made to s. 493.6113, F.S., in a reference thereto;
 183 reenacting s. 496.4055(2), F.S., relating to
 184 charitable organization or sponsor board duties, to
 185 incorporate the amendment made to s. 496.405, F.S., in
 186 references thereto; reenacting s. 559.907(1)(b), F.S.,
 187 relating to the charges for motor vehicle repair
 188 estimates, to incorporate the amendment made to s.
 189 559.905, F.S., in a reference thereto; reenacting ss.
 190 468.382(6), 534.47(3), 767.01, and 767.03, F.S.,
 191 relating to the definition of the term "livestock" for
 192 auctions, livestock markets, dog owner's liability for
 193 damages to livestock, and defenses for killing dogs,
 194 respectively, to incorporate the amendment made to s.
 195 585.01, F.S., in references thereto; providing
 196 effective dates.

197

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

199

200 Section 1. Subsection (2) of section 366.94, Florida
 201 Statutes, is amended to read:

202 366.94 Electric vehicle charging stations.—

203 (2) The regulation of electric vehicle charging stations is

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204 ~~preempted to the state.~~

205 (a) A local governmental entity may not enact or enforce an
 206 ordinance or regulation related to electric vehicle charging
 207 stations.

208 (b) The Department of Agriculture and Consumer Services
 209 shall adopt rules to provide definitions, methods of sale,
 210 labeling requirements, and price-posting requirements for
 211 electric vehicle charging stations to allow for consistency for
 212 consumers and the industry.

213 Section 2. Subsections (3), (4), and (10) of section
 214 482.111, Florida Statutes, are amended to read:

215 482.111 Pest control operator's certificate.—

216 (3) A certificate expires 1 year after the date of
 217 issuance. Annually, on or before the 1-year ~~an~~ anniversary of
 218 the date of issuance ~~set by the department~~, an individual ~~se~~
 219 issued a pest control operator's certificate must apply to the
 220 department on a form prescribed by the department to renew the
 221 ~~for renewal of such~~ certificate. After a grace period not
 222 exceeding 60 ~~30~~ calendar days following such renewal date, the
 223 department shall assess a late renewal charge of \$50 ~~shall be~~
 224 ~~assessed and~~ the certificateholder must pay the late renewal
 225 charge ~~be paid~~ in addition to the renewal fee.

226 (4) If a certificateholder fails to renew his or her
 227 certificate and provide proof of completion of the required
 228 continuing education units under subsection (10) within 60 days
 229 after the certificate's expiration date, the certificateholder
 230 may be recertified only after reexamination ~~Unless timely~~
 231 ~~renewed, a certificate automatically expires 180 calendar days~~
 232 ~~after the anniversary renewal date. Subsequent to such~~

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~~expiration, a certificate may be issued only upon successful reexamination and upon payment of the examination and issuance fees due.~~

(10) ~~In order to renew~~ Prior to the expiration date of a certificate, the certificateholder must complete 2 hours of approved continuing education on legislation, safety, pesticide labeling, and integrated pest management and 2 hours of approved continuing education in each category of her or his certificate or must pass an examination given by the department. The department may not renew a certificate if the continuing education or examination requirement is not met.

(a) Courses or programs, to be considered for credit, must include one or more of the following topics:

1. The law and rules of this state pertaining to pest control.

2. Precautions necessary to safeguard life, health, and property in the conducting of pest control and the application of pesticides.

3. Pests, their habits, recognition of the damage they cause, and identification of them by accepted common name.

4. Current accepted industry practices in the conducting of fumigation, termites and other wood-destroying organisms pest control, lawn and ornamental pest control, and household pest control.

5. How to read labels, a review of current state and federal laws on labeling, and a review of changes in or additions to labels used in pest control.

6. Integrated pest management.

(b) The certificateholder must submit with her or his

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application for renewal a statement certifying that she or he has completed the required number of hours of continuing education. The statement must be on a form prescribed by the department and must identify at least the date, location, provider, and subject of the training and must provide such other information as required by the department.

(c) The department shall charge the same fee for examination as provided in s. 482.141(2).

Section 3. Subsections (6), (7), and (8) of section 482.151, Florida Statutes, are amended to read:

482.151 Special identification card for performance of fumigation.—

(6) A special identification card expires 1 year after the date of issuance. A cardholder must apply ~~An application~~ to the department to renew his or her ~~for renewal of a special~~ identification card ~~must be made~~ on or before the 1-year anniversary of the date of issuance ~~set by the department~~. The department shall set the fee for renewal of a special identification card ~~shall be set by the department~~ but the fee may not be more than \$100 or less than \$50; however, until a rule setting this fee is adopted by the department, the renewal fee ~~is shall be~~ \$50. After a grace period not exceeding 60 ~~30~~ calendar days following such renewal date, the department shall assess a late renewal charge of \$25, which the cardholder must ~~pay be paid~~ in addition to the renewal fee.

(7) If a cardholder fails to renew his or her card and provide proof of completion of the continuing education units required by subsection (8) within 60 days after the expiration date, the cardholder may be reissued a special identification

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291 ~~card only after reexamination Unless timely renewed, a special~~
 292 ~~identification card automatically expires 180 calendar days~~
 293 ~~after the anniversary renewal date. Subsequent to such~~
 294 ~~expiration, a special identification card may be issued only~~
 295 ~~upon successful reexamination and upon payment of examination~~
 296 ~~and issuance fees due, as provided in this section.~~

297 (8) In order to renew ~~Prior to the expiration date of a~~
 298 ~~special identification card, the cardholder must do at least one~~
 299 ~~of the following:~~

300 (a) Complete 2 hours of approved continuing education on
 301 legislation, safety, and pesticide labeling and 2 hours of
 302 approved continuing education in the fumigation category, ~~or~~

303 (b) Pass an examination in fumigation given by the
 304 department.

305 Section 4. Paragraph (b) of subsection (1) of section
 306 482.155, Florida Statutes, is amended to read:

307 482.155 Limited certification for governmental pesticide
 308 applicators or private applicators.—

309 (1)

310 (b) A person seeking limited certification under this
 311 subsection must pass an examination given or approved by the
 312 department. Each application for examination must be accompanied
 313 by an examination fee set by the department, in an amount of not
 314 more than \$150 or less than \$50; and a recertification fee of
 315 \$25 every 4 years. Until rules setting these fees are adopted by
 316 the department, the examination fee is \$50. Application for
 317 recertification must be accompanied by proof of having completed
 318 4 classroom hours of acceptable continuing education. The
 319 limited certificate expires 4 years after the date of issuance.

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320 If the certificateholder fails to renew his or her certificate
 321 and provide proof of completion of the required continuing
 322 education units within 60 days after the expiration date, the
 323 certificateholder may be recertified only after reexamination.

324 The department shall provide the appropriate reference material
 325 and make the examination readily accessible and available to all
 326 applicants at least quarterly or as necessary in each county.

327 Section 5. Subsections (1), (2), (3), and (5) of section
 328 482.156, Florida Statutes, are amended to read:

329 482.156 Limited certification for commercial landscape
 330 maintenance personnel.—

331 (1) The department shall establish a limited certification
 332 category for individual commercial landscape maintenance
 333 personnel to authorize them to apply herbicides for controlling
 334 weeds in plant beds, driveways, sidewalks, and patios and to
 335 perform integrated pest management on ornamental plants using
 336 pesticides that do not have a insecticides and fungicides having
 337 the signal word or that have the signal word "caution" but do
 338 not have having the signal word "warning" or "danger" on the
 339 label. The application equipment that may be used by a person
 340 certified pursuant to this section is limited to portable,
 341 handheld application equipment and 3-gallon compressed air
 342 sprayers or backpack sprayers but having no more than a 5-gallon
 343 capacity and does not include any type of power equipment.

344 (2) ~~(a)~~ A person seeking limited certification under this
 345 section must pass an examination given by the department. Each
 346 application for examination must be accompanied by an
 347 examination fee set by rule of the department, in an amount of
 348 not more than \$150 or less than \$50. Before the department

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~~issues~~ Prior to the department's issuing a limited certification under this section, each person applying for the certification must furnish proof of having a certificate of insurance which states that the employer meets the requirements for minimum financial responsibility for bodily injury and property damage required by s. 482.071(4).

~~(b) To be eligible to take the examination, an applicant must have completed 6 classroom hours of plant bed and ornamental continuing education training approved by the department and provide sufficient proof, according to criteria established by department rule. The department shall provide the appropriate reference materials for the examination and make the examination readily accessible and available to applicants at least quarterly or as necessary in each county.~~

(3) A certificate expires 1 year after the date of issuance. A certificateholder must apply to the department to renew his or her certificate on or before the 1-year anniversary of the date of issuance. The An application for recertification under this section must be made annually and be accompanied by a recertification fee set by rule of the department, in an amount of not more than \$75 or less than \$25. The application must also be accompanied by proof of having completed 4 classroom hours of acceptable continuing education and the same proof of having a certificate of insurance as is required for issuance of this certification. After a grace period not exceeding 60 30 calendar days following the annual date that recertification is due, a late renewal charge of \$50 shall be assessed and must be paid in addition to the renewal fee. If a certificateholder fails to renew his or her certificate and provide proof of completing the

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required continuing education units within 60 days after the expiration date, the certificateholder may be recertified only after reexamination ~~Unless timely recertified, a certificate automatically expires 180 calendar days after the anniversary recertification date. Subsequent to such expiration, a certificate may be issued only upon successful reexamination and upon payment of the examination fees due.~~

~~(5) A person certified under this section shall maintain records documenting the pests and areas treated, plus the methods and materials applied for control of such pests, which records must be available for review by the department upon request.~~

Section 6. Subsection (3) of section 482.157, Florida Statutes, is amended to read:

482.157 Limited certification for commercial wildlife management personnel.—

(3) A certificate expires 1 year after the date of issuance. A certificateholder must apply to the department to renew his or her certificate on or before the 1-year anniversary of the date of issuance. The An application for recertification must be made annually and be accompanied by a recertification fee of at least \$75, but not more than \$150, as prescribed by the department by rule. The application must also be accompanied by proof of completion of the required 4 classroom hours of acceptable continuing education and the required proof of insurance. After a grace period not exceeding 60 30 calendar days after the recertification renewal date, the department shall assess a late fee of \$50 in addition to the renewal fee. If a certificateholder fails to renew his or her certificate and

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407 provide proof of completing the required continuing education
 408 units within 60 days after the expiration date, the
 409 certificateholder may be recertified only after reexamination A
 410 certificate automatically expires 180 days after the
 411 recertification date if the renewal fee has not been paid. After
 412 expiration, the department shall issue a new certificate only if
 413 the applicant successfully passes a reexamination and pays the
 414 examination fee and late fee.

415 Section 7. Paragraphs (k) and (l) are added to subsection
 416 (1) of section 482.161, Florida Statutes, to read:

417 482.161 Disciplinary grounds and actions; reinstatement.—
 418 (1) The department may issue a written warning to or impose
 419 a fine against, or deny the application for licensure or
 420 licensure renewal of, a licensee, certified operator, limited
 421 certificateholder, identification cardholder, or special
 422 identification cardholder or any other person, or may suspend,
 423 revoke, or deny the issuance or renewal of any license,
 424 certificate, limited certificate, identification card, or
 425 special identification card that is within the scope of this
 426 chapter, in accordance with chapter 120, upon any of the
 427 following grounds:

428 (k) Swearing to or affirming any false statement in an
 429 application for a license issued pursuant to this chapter.

430 (l) Cheating on an examination required for licensure under
 431 this chapter or violating a published test center or examination
 432 procedure provided orally, in writing, or electronically at the
 433 test site and affirmatively acknowledged by the examinee.

434 Section 8. Section 482.191, Florida Statutes, is amended to
 435 read:

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436 482.191 Violation and penalty.—
 437 (1) It is unlawful to do any of the following:
 438 (a) Solicit, practice, perform, or advertise in pest
 439 control except as provided by this chapter.
 440 (b) Swear to or affirm a false statement in an application
 441 for a license or certificate issued pursuant to this chapter. A
 442 false statement contained in an application for such license or
 443 certificate renders the application, license, or certificate
 444 void.
 445 (c) Cheat on an examination required for licensure under
 446 this chapter or violate a published test center or examination
 447 procedure provided orally, in writing, or electronically at the
 448 test site and affirmatively acknowledged by an examinee.
 449 Violating this paragraph renders the examinee's exam attempt
 450 void. The department shall adopt rules establishing penalties
 451 for examinees who violate this subsection. The department may
 452 exercise discretion in assessing penalties based on the nature
 453 and frequency of the violation.

454 (2) Except as provided in paragraph (1)(c), a person who
 455 violates ~~any provision of~~ this chapter commits is guilty of a
 456 misdemeanor of the second degree, punishable as provided in s.
 457 775.082 or s. 775.083.

458 (3) ~~A~~ Any person who violates any rule of the department
 459 relative to pest control ~~commits is guilty of~~ a misdemeanor of
 460 the second degree, punishable as provided in s. 775.082 or s.
 461 775.083.

462 Section 9. Subsection (3) of section 482.226, Florida
 463 Statutes, is amended to read:
 464 482.226 Wood-destroying organism inspection report; notice

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of inspection or treatment; financial responsibility.-

(3) ~~A If periodic reinspections or retreatments are specified in wood-destroying organisms preventive or control contracts, the licensee shall furnish a~~ the property owner or the property owner's authorized agent, after each inspection ~~such reinspection or treatment retreatment, with~~ a signed report indicating the presence or absence of wood-destroying organisms covered by the wood-destroying organism preventive or control contract, whether treatment ~~retreatment~~ was made, and the common or brand name of the pesticide used. Such report need not be on a form prescribed by the department. A person may not perform inspections ~~periodic reinspections or treatments retreatments~~ unless she or he has an identification card issued under s. 482.091(9).

Section 10. Subsection (13) of section 487.031, Florida Statutes, is amended to read:

487.031 Prohibited acts.-It is unlawful:

(13) For any person to do any of the following:

(a) Make a false or fraudulent claim through any medium, misrepresenting the effect of materials or methods used.†

(b) Make a pesticide recommendation or application not in accordance with the label, except as provided in this section, or not in accordance with recommendations of the United States Environmental Protection Agency or not in accordance with the specifications of a special local need registration.†

(c) Operate faulty or unsafe equipment.†

(d) Operate in a faulty, careless, or negligent manner.†

(e) Apply any pesticide directly to, or in any manner cause any pesticide to drift onto, any person or area not intended to

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receive the pesticide.†

(f) Fail to disclose to an agricultural crop grower, before prior to the time pesticides are applied to a crop, full information regarding the possible harmful effects to human beings or animals and the earliest safe time for workers or animals to reenter the treated field.†

(g) Refuse or, after notice, neglect to comply with ~~the provisions of~~ this part, the rules adopted under this part, or any lawful order of the department.†

(h) Refuse or neglect to keep and maintain the records required by this part or to submit reports when and as required.†

(i) Make false or fraudulent records, invoices, or reports.†

(j) Use fraud or misrepresentation in making an application for a license or license renewal.†

(k) Swear to or affirm a false statement in an application for a license issued pursuant to this chapter.

(l) Cheat on an examination required for licensure under this chapter or violate a published test center or examination procedure provided orally, in writing, or electronically at the test site and affirmatively acknowledged by the examinee.

(m) Refuse or neglect to comply with any limitations or restrictions on or in a duly issued license.†

(n) ~~(1)~~ Aid or abet a licensed or unlicensed person to evade ~~the provisions of~~ this part, or combine or conspire with a licensed or unlicensed person to evade ~~the provisions of~~ this part, or allow a license to be used by an unlicensed person.†

(o) ~~(m)~~ Make false or misleading statements during or after

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an inspection concerning any infestation or infection of pests found on land.~~†~~

~~(p)(a)~~ Make false or misleading statements, or fail to report, pursuant to this part, any suspected or known damage to property or illness or injury to persons caused by the application of pesticides.~~†~~

~~(q)(e)~~ Impersonate any state, county, or city inspector or official.~~†~~

~~(r)(p)~~ Fail to maintain a current liability insurance policy or surety bond required by as provided for in this part.~~†~~

~~(s)(q)~~ Fail to adequately train, as required by provided ~~for in~~ this part, unlicensed applicators or mixer-loaders applying restricted-use pesticides under the direct supervision of a licensed applicator.~~†~~~~or~~

~~(t)(#)~~ Fail to provide authorized representatives of the department with records required by this part or with free access for inspection and sampling of any pesticide, areas treated with or impacted by these materials, and equipment used in their application.

Section 11. Section 487.175, Florida Statutes, is amended to read:

487.175 Penalties; administrative fine; injunction.—

(1) In addition to any other penalty provided in this part, when the department finds any person, applicant, or licensee has violated any provision of this part or rule adopted under this part, it may enter an order imposing any one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

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(c) Issuance of a warning letter.

(d) Placement of the licensee on probation for a specified period of time and subject to conditions the department may specify by rule, including requiring the licensee to attend continuing education courses, to demonstrate competency through a written or practical examination, or to work under the direct supervision of another licensee.

(e) Imposition of an administrative fine in the Class III category pursuant to s. 570.971 for each violation. When imposing a fine under this paragraph, the department shall consider the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator benefited from by noncompliance, whether the violation was committed willfully, and the compliance record of the violator.

(2) It is unlawful for a person to swear to or affirm a false statement in an application for a license or certificate issued pursuant to this chapter. A false statement contained in an application for such license or certificate renders the application, license, or certificate void.

(3) Cheating on an examination required for licensure under this chapter or violating a published test center or examination procedure provided orally, in writing, or electronically at the test site and affirmatively acknowledged by the examinee renders the examinee's exam attempt void. The department shall adopt rules establishing penalties for examinees who violate this section. The department may exercise discretion in assessing penalties based on the nature and frequency of the violation.

(4) Except as provided under subsection (3), a ~~Any~~ person

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581 who violates ~~any provision of~~ this part or rules adopted
 582 pursuant thereto commits a misdemeanor of the second degree and
 583 upon conviction is punishable as provided in s. 775.082 or s.
 584 775.083. For a subsequent violation, such person commits a
 585 misdemeanor of the first degree and upon conviction is
 586 punishable as provided in s. 775.082 or s. 775.083.

587 ~~(5)(3)~~ In addition to the remedies provided in this part
 588 and notwithstanding the existence of any adequate remedy at law,
 589 the department may bring an action to enjoin the violation or
 590 threatened violation of ~~any provision of~~ this part, or rule
 591 adopted under this part, in the circuit court of the county in
 592 which the violation occurred or is about to occur. Upon the
 593 department's presentation of competent and substantial evidence
 594 to the court of the violation or threatened violation, the court
 595 shall immediately issue the temporary or permanent injunction
 596 sought by the department. The injunction shall be issued without
 597 bond. A single act in violation of ~~any provision of~~ this part is
 598 ~~shall be~~ sufficient to authorize the issuance of an injunction.

599 Section 12. Paragraph (b) of subsection (3) of section
 600 493.6113, Florida Statutes, is amended to read:

601 493.6113 Renewal application for licensure.—

602 (3) Each licensee is responsible for renewing his or her
 603 license on or before its expiration by filing with the
 604 department an application for renewal accompanied by payment of
 605 the renewal fee and the fingerprint retention fee to cover the
 606 cost of ongoing retention in the statewide automated biometric
 607 identification system established in s. 943.05(2)(b). Upon the
 608 first renewal of a license issued under this chapter before
 609 January 1, 2017, the licensee shall submit a full set of

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610 fingerprints and fingerprint processing fees to cover the cost
 611 of entering the fingerprints into the statewide automated
 612 biometric identification system pursuant to s. 493.6108(4)(a)
 613 and the cost of enrollment in the Federal Bureau of
 614 Investigation's national retained print arrest notification
 615 program. Subsequent renewals may be completed without submission
 616 of a new set of fingerprints.

617 (b) Each Class "G" licensee shall additionally submit proof
 618 that he or she has received during each year of the license
 619 period a minimum of 4 hours of firearms requalification training
 620 taught by a Class "K" licensee and has complied with such other
 621 health and training requirements that the department shall adopt
 622 by rule. Proof of completion of firearms requalification
 623 training shall be submitted to the department upon completion of
 624 the training. A Class "G" licensee must successfully complete
 625 this requalification training for each type and caliber of
 626 firearm carried in the course of performing his or her regulated
 627 duties. At the discretion of a Class "K" instructor, a Class "G"
 628 licensee may qualify for up to two calibers of firearms in one
 629 4-hour firearm requalification class if the licensee
 630 successfully completes training for each firearm, including a
 631 separate course of fire for each caliber of firearm. If the
 632 licensee fails to complete the required 4 hours of annual
 633 training during the first year of the 2-year term of the
 634 license, the license ~~is shall be~~ automatically suspended. The
 635 licensee must complete the minimum number of hours of range and
 636 classroom training required at the time of initial licensure and
 637 submit proof of completion of such training to the department
 638 before the license may be reinstated. If the licensee fails to

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complete the required 4 hours of annual training during the second year of the 2-year term of the license, the licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be renewed. The department may waive the firearms training requirement if:

1. The applicant provides proof that he or she is currently certified as a law enforcement officer or correctional officer under the Criminal Justice Standards and Training Commission and has completed law enforcement firearms requalification training annually during the previous 2 years of the licensure period;

2. The applicant provides proof that he or she is currently certified as a federal law enforcement officer and has received law enforcement firearms training administered by a federal law enforcement agency annually during the previous 2 years of the licensure period;

3. The applicant submits a valid firearm certificate among those specified in s. 493.6105(6)(a) and provides proof of having completed requalification training during the previous 2 years of the licensure period; or

4. The applicant provides proof that he or she has completed annual firearms training in accordance with the requirements of the federal Law Enforcement Officers Safety Act under 18 U.S.C. ss. 926B-926C.

Section 13. Section 493.6127, Florida Statutes, is created to read:

493.6127 Appointment of tax collectors to accept applications and renewals for licenses; fees; penalties.-

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(1) The department may appoint a tax collector, a county officer as described in s. 1(d), Art. VIII of the State Constitution, to accept new, renewal, and replacement license applications on behalf of the department for licenses issued under this chapter. Such appointment shall be for specified locations that will best serve the public interest and convenience in persons applying for these licenses. The department shall establish by rule the type of new, renewal, or replacement licenses a tax collector appointed under this section is authorized to accept.

(2) A tax collector seeking to be appointed to accept applications for new, renewal, or replacement licenses must submit a written request to the department stating his or her name, address, telephone number, each location within the county at which the tax collector wishes to accept applications, and other information as required by the department.

(a) Upon receipt of a written request, the department shall review it and may decline to enter into a memorandum of understanding or, if approved, may enter into a memorandum of understanding with the tax collector to accept applications for new or renewal licenses on behalf of the department.

(b) The department may rescind a memorandum of understanding for any reason at any time.

(3) All information provided pursuant to s. 493.6105 or s. 493.6113 and contained in the records of a tax collector appointed under this section which is confidential pursuant to s. 493.6122, or any other state or federal law, retains its confidentiality.

(4) A person may not handle an application for a license

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697 issued pursuant to this chapter for a fee or compensation of any
698 kind unless he or she has been appointed by the department to do
699 so.

700 (5) A tax collector appointed under this section may
701 collect and retain a convenience fee of \$22 for each new
702 application, \$12 for each renewal application, \$12 for each
703 replacement license, \$9 for fingerprinting services associated
704 with the completion of an application submitted online or by
705 mail, and \$9 for photographing services associated with the
706 completion of an application submitted online or by mail, and
707 shall remit weekly to the department the license fees pursuant
708 to s. 790.06 for deposit in the Division of Licensing Trust
709 Fund.

710 (6) A person who willfully violates this section commits a
711 misdemeanor of the second degree, punishable as provided in s.
712 775.082 or s. 775.083.

713 (7) Upon receipt of a completed renewal or replacement
714 application, a new color photograph, and appropriate payment of
715 required fees, a tax collector authorized to accept renewal or
716 replacement applications for licenses under this section may,
717 upon approval and confirmation of license issuance by the
718 department, print and deliver a license to a licensee renewing
719 or replacing his or her license at the tax collector's office.

720 Section 14. Subsection (28) is added to section 496.404,
721 Florida Statutes, to read:

722 496.404 Definitions.—As used in ss. 496.401-496.424, the
723 term:

724 (28) "Street address" means the physical location where
725 activities subject to regulation under this chapter are

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726 conducted or where an applicant, licensee, or other referenced
727 individual actually resides. The term does not include a virtual
728 office, a post office box, or a mail drop.

729 Section 15. Present paragraphs (d) through (g) of
730 subsection (2) of section 496.405, Florida Statutes, are
731 redesignated as paragraphs (e) through (h), respectively, a new
732 paragraph (d) is added to that subsection, and paragraphs (b)
733 and (d) of subsection (1), subsection (3), and paragraph (b) of
734 subsection (7) of that section are amended, to read:

735 496.405 Registration statements by charitable organizations
736 and sponsors.—

737 (1) A charitable organization or sponsor, unless exempted
738 pursuant to s. 496.406, which intends to solicit contributions
739 in or from this state by any means or have funds solicited on
740 its behalf by any other person, charitable organization,
741 sponsor, commercial co-venturer, or professional solicitor, or
742 that participates in a charitable sales promotion or sponsor
743 sales promotion, must, before engaging in any of these
744 activities, file an initial registration statement, and a
745 renewal statement annually thereafter, with the department.

746 (b) Any changes to the information submitted to the
747 department pursuant to paragraph (2) (d) or paragraph (2) (e) on
748 the initial registration statement or the last renewal statement
749 must be reported to the department on a form prescribed by the
750 department within 10 days after the change occurs.

751 (d) The registration of a charitable organization or
752 sponsor may not continue in effect and shall expire without
753 further action of the department under either of the following
754 circumstances:

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1. After the date the charitable organization or sponsor should have filed, but failed to file, its renewal statement in accordance with this section.

2. For failure to provide a financial statement within any extension period provided under s. 496.407.

(2) The initial registration statement must be submitted on a form prescribed by the department, signed by an authorized official of the charitable organization or sponsor who shall certify that the registration statement is true and correct, and include the following information or material:

(d) The name and street address of each institution where banking or similar monetary transactions are done by the charitable organization or sponsor, as well as the account numbers associated with all transactions.

(3) Each chapter, branch, or affiliate of a parent organization ~~that is~~ required to register under this section must file a separate registration statement and financial statement or report the required information to its parent organization, which shall then file, on a form prescribed by the department, a consolidated registration statement for the parent organization and its Florida chapters, branches, and affiliates. A consolidated registration statement filed by a parent organization must include or be accompanied by financial statements as specified in s. 496.407 for the parent organization and each of its Florida chapters, branches, and affiliates that solicited or received contributions during the preceding fiscal year. However, if all contributions received by chapters, branches, or affiliates are remitted directly into a depository account that feeds directly into the parent

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organization's centralized accounting system from which all disbursements are made, the parent organization may submit one consolidated financial statement on a form prescribed by the department. The consolidated financial statement must comply with s. 496.407 and must reflect the activities of each chapter, branch, or affiliate of the parent organization, including all contributions received in the name of each chapter, branch, or affiliate; all payments made to each chapter, branch, or affiliate; and all administrative fees assessed to each chapter, branch, or affiliate. A copy of Internal Revenue Service Form 990 and all attached schedules filed for the preceding fiscal year, or a copy of Internal Revenue Service Form 990-EZ and Schedule O for the preceding fiscal year, for the parent organization and each Florida chapter, branch, or affiliate ~~that is~~ required to file such forms must be attached to the consolidated financial statement.

(7)

(b) If a charitable organization or sponsor discloses information specified in subparagraphs (2)(e)2.-7. ~~subparagraphs (2)(d)2.-7.~~ in the initial registration statement or annual renewal statement, the time limits set forth in paragraph (a) are waived, and the department must ~~shall~~ process such initial registration statement or annual renewal statement in accordance with the time limits set forth in chapter 120. The registration of a charitable organization or sponsor shall be automatically suspended for failure to disclose any information specified in subparagraphs (2)(e)2.-7. ~~subparagraphs (2)(d)2.-7.~~ until such time as the required information is submitted to the department.

Section 16. Paragraph (a) of subsection (2) of section

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496.406, Florida Statutes, is amended to read:

496.406 Exemption from registration.—

(2) Before soliciting contributions, a charitable organization or sponsor claiming to be exempt from the registration requirements of s. 496.405 under paragraph (1)(d) must submit annually to the department, on forms prescribed by the department:

(a) The name, street address, and telephone number of the charitable organization or sponsor, the name under which it intends to solicit contributions, the purpose for which it is organized, and the purpose or purposes for which the contributions to be solicited will be used.

Section 17. Paragraph (a) of subsection (1) and subsection

(3) of section 496.407, Florida Statutes, are amended to read:

496.407 Financial statement.—

(1) A charitable organization or sponsor that is required to initially register or annually renew registration must file an annual financial statement for the immediately preceding fiscal year on a form prescribed by the department.

(a) The statement must include the following:

1. A balance sheet.

2. A statement of support, revenue and expenses, and any change in the fund balance.

3. The names and street addresses of the charitable organizations or sponsors, professional fundraising consultant, professional solicitors, and commercial co-venturers used, if any, and the amounts received therefrom, if any.

4. A statement of functional expenses that must include, but is not limited to, expenses in the following categories:

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a. Program service costs.

b. Management and general costs.

c. Fundraising costs.

(3) ~~Upon a showing of good cause by a charitable~~

~~organization or sponsor,~~ The department may extend the time for the filing of a financial statement required under this section ~~by up to 180 days,~~ during which time the previous registration shall remain active. The registration must ~~shall~~ be automatically suspended for failure to file the financial statement within the extension period.

Section 18. Paragraph (c) of subsection (2) of section 496.409, Florida Statutes, is amended to read:

496.409 Registration and duties of professional fundraising consultant.—

(2) Applications for registration or renewal of registration must be submitted on a form prescribed by the department, signed by an authorized official of the professional fundraising consultant who shall certify that the report is true and correct, and must include the following information:

(c) The names and street ~~residence~~ addresses of all principals of the applicant, including all officers, directors, and owners.

Section 19. Paragraphs (d) and (j) of subsection (2), paragraph (c) of subsection (6), paragraphs (a), (b), and (h) of subsection (10), and subsection (11) of section 496.410, Florida Statutes, are amended to read:

496.410 Registration and duties of professional solicitors.—

(2) Applications for registration or renewal of

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871 registration must be submitted on a form prescribed by rule of
 872 the department, signed by an authorized official of the
 873 professional solicitor who shall certify that the report is true
 874 and correct, and must include the following information:

875 (d) The names and ~~street~~ residence addresses of all
 876 principals of the applicant, including all officers, directors,
 877 and owners.

878 (j) A list of all telephone numbers the applicant will use
 879 to solicit contributions as well as the actual ~~street~~ physical
 880 address associated with each telephone number and any fictitious
 881 names associated with such address.

882 (6) No less than 15 days before commencing any solicitation
 883 campaign or event, the professional solicitor must file with the
 884 department a solicitation notice on a form prescribed by the
 885 department. The notice must be signed and sworn to by the
 886 contracting officer of the professional solicitor and must
 887 include:

888 (c) The legal name and ~~street~~ residence address of each
 889 person responsible for directing and supervising the conduct of
 890 the campaign.

891 (10) During each solicitation campaign, and for not less
 892 than 3 years after its completion, the professional solicitor
 893 shall maintain the following records:

894 (a) The date and amount of each contribution received and
 895 the name, street address, and telephone number of each
 896 contributor.

897 (b) The name and ~~residence~~ street address of each employee,
 898 agent, and any other person, however designated, who is involved
 899 in the solicitation, the amount of compensation paid to each,

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900 and the dates on which the payments were made.

901 (h) If a refund of a contribution has been requested, the
 902 name and street address of each person requesting the refund,
 903 and, if a refund was made, its amount and the date it was made.

904 (11) If the professional solicitor sells tickets to any
 905 event and represents that the tickets will be donated for use by
 906 another person, the professional solicitor also must ~~shall~~
 907 maintain for the same period as specified in subsection (10) the
 908 following records:

909 (a) The name and street address of each contributor who
 910 purchases or donates tickets and the number of tickets purchased
 911 or donated by the contributor.

912 (b) The name and street address of each organization that
 913 receives the donated tickets for the use of others, and the
 914 number of tickets received by the organization.

915 Section 20. Paragraph (a) of subsection (2) of section
 916 496.4101, Florida Statutes, is amended to read:

917 496.4101 Licensure of professional solicitors and certain
 918 employees thereof.—

919 (2) Persons required to obtain a solicitor license under
 920 subsection (1) shall submit to the department, in such form as
 921 the department prescribes, an application for a solicitor
 922 license. The application must include the following information:

923 (a) The true name, date of birth, unique identification
 924 number of a driver license or other valid form of
 925 identification, and street ~~home~~ address of the applicant.

926 Section 21. Paragraph (c) of subsection (2) of section
 927 496.411, Florida Statutes, is amended, and paragraph (e) of that
 928 subsection is reenacted, to read:

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929 496.411 Disclosure requirements and duties of charitable
930 organizations and sponsors.—

931 (2) A charitable organization or sponsor soliciting in this
932 state must include all of the following disclosures at the point
933 of solicitation:

934 (c) Upon request, the name and either the street address or
935 telephone number of a representative to whom inquiries may be
936 addressed.

937 (e) Upon request, the source from which a written financial
938 statement may be obtained. Such financial statement must be for
939 the immediate preceding fiscal year and must be consistent with
940 the annual financial statement filed under s. 496.407. The
941 written financial statement must be provided within 14 days
942 after the request and must state the purpose for which funds are
943 raised, the total amount of all contributions raised, the total
944 costs and expenses incurred in raising contributions, the total
945 amount of contributions dedicated to the stated purpose or
946 disbursed for the stated purpose, and whether the services of
947 another person or organization have been contracted to conduct
948 solicitation activities.

949 Section 22. Paragraph (a) of subsection (2) of section
950 496.4121, Florida Statutes, is amended to read:

951 496.4121 Collection receptacles used for donations.—

952 (2) A collection receptacle must display a permanent sign
953 or label on each side which contains the following information
954 printed in letters that are at least 3 inches in height and no
955 less than one-half inch in width, in a color that contrasts with
956 the color of the collection receptacle:

957 (a) For a collection receptacle used by a person required

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958 to register under this chapter, the name, street ~~business~~
959 address, telephone number, and registration number of the
960 charitable organization or sponsor for whom the solicitation is
961 made.

962 Section 23. Paragraph (a) of subsection (2) and subsection
963 (6) of section 496.425, Florida Statutes, are amended to read:

964 496.425 Solicitation of funds within public transportation
965 facilities.—

966 (2) Any person desiring to solicit funds within a facility
967 shall first obtain a written permit therefor from the authority
968 responsible for the administration of the facility.

969 (a) An application in writing for such permit must ~~shall~~ be
970 submitted to the authority and must state ~~shall set forth~~:

971 1. The full name, street ~~mailing~~ address, and telephone
972 number of the person or organization sponsoring, promoting, or
973 conducting the proposed activities;

974 2. The full name, street ~~mailing~~ address, and telephone
975 number of each person who will participate in such activities
976 and of the person who will have supervision of and
977 responsibility for the proposed activities;

978 3. A description of the proposed activities indicating the
979 type of communication to be involved;

980 4. The dates on and the hours during which the activities
981 are proposed to be carried out and the expected duration of the
982 proposed activities; and

983 5. The number of persons to be engaged in such activities.

984 (6) Each individual solicitor shall display prominently on
985 her or his person a badge or insignia, provided by the solicitor
986 and approved by the authority, bearing the signature of a

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responsible officer of the authority and that of the solicitor and describing the solicitor by name, age, height, weight, eye color, hair color, street address, and principal occupation and indicating the name of the organization for which funds are solicited.

Section 24. Effective upon this act becoming a law, present paragraphs (k) through (y) of subsection (1) of section 500.03, Florida Statutes, are redesignated as paragraphs (l) through (z), respectively, and a new paragraph (k) is added to that subsection, to read:

500.03 Definitions; construction; applicability.—

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

(k) "Cultivated meat" means any meat or food product produced from cultured animal cells.

Section 25. Effective upon this act becoming a law, section 500.452, Florida Statutes, is created to read:

500.452 Cultivated meat; prohibition; penalties.—

(1) It is unlawful for any person to manufacture, sell, hold or offer for sale, or distribute cultivated meat in this state.

(2) A person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A food establishment that manufactures, distributes, or sells cultivated meat in violation of this section is subject to disciplinary action pursuant to s. 500.121.

(4) In addition to the penalties provided in this section, the license of any restaurant, store, or other business may be suspended as provided in the applicable licensing law upon the

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conviction of an owner or employee of that business for a violation of this section in connection with that business.

(5) A product found to be in violation of this section is subject to s. 500.172 and an immediate stop-sale order.

(6) The department may adopt rules to implement this section.

Section 26. Subsection (10) is added to section 507.07, Florida Statutes, to read:

507.07 Violations.—It is a violation of this chapter:

(10) For a mover to place a shipper's goods in a self-service storage unit or self-contained storage unit owned by anyone other than the mover unless those goods are stored in the name of the shipper and the shipper contracts directly with the owner of the self-service storage unit or self-contained storage unit.

Section 27. Section 531.67, Florida Statutes, is repealed.

Section 28. Paragraphs (d) and (e) of subsection (1) and paragraph (a) of subsection (3) of section 559.904, Florida Statutes, are amended to read:

559.904 Motor vehicle repair shop registration; application; exemption.—

(1) Each motor vehicle repair shop engaged or attempting to engage in the business of motor vehicle repair work must register with the department prior to doing business in this state. The application for registration must be on a form provided by the department and must include at least the following information:

(d) ~~Copies of all licenses, permits, and certifications obtained by the applicant or employees of the applicant.~~

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1045 ~~(e)~~ Number of employees who perform repairs at each
 1046 location or whom ~~which~~ the applicant intends to employ ~~or which~~
 1047 ~~are currently employed.~~

1048 (3) (a) Each application for registration must be
 1049 accompanied by a registration fee for each location calculated
 1050 on a per-year basis as follows:

1051 1. If the place of business has 1 to 5 employees who
 1052 perform repairs: \$50.

1053 2. If the place of business has 6 to 10 employees who
 1054 perform repairs: \$150.

1055 3. If the place of business has 11 or more employees who
 1056 perform repairs: \$300.

1057 Section 29. Subsections (1) and (2) of section 559.905,
 1058 Florida Statutes, are amended to read:

1059 559.905 Written motor vehicle repair estimate and
 1060 disclosure statement required.—

1061 (1) When any customer requests a motor vehicle repair shop
 1062 to perform repair work on a motor vehicle, the cost of which
 1063 repair work will exceed \$150 ~~\$100~~ to the customer, the shop
 1064 shall prepare a written repair estimate, which is a form setting
 1065 forth the estimated cost of repair work, including diagnostic
 1066 work, before effecting any diagnostic work or repair. The
 1067 written repair estimate must ~~shall~~ also include all of the
 1068 following items:

1069 (a) The name, address, and telephone number of the motor
 1070 vehicle repair shop.

1071 (b) The name, address, and telephone number of the
 1072 customer.

1073 (c) The date and time of the written repair estimate.

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1074 (d) The year, make, model, odometer reading, and license
 1075 tag number of the motor vehicle.

1076 (e) The proposed work completion date.

1077 (f) A general description of the customer's problem or
 1078 request for repair work or service relating to the motor
 1079 vehicle.

1080 (g) A statement as to whether the customer is being charged
 1081 according to a flat rate or an hourly rate, or both.

1082 (h) The estimated cost of repair which must ~~shall~~ include
 1083 any charge for shop supplies or for hazardous or other waste
 1084 removal and, if a charge is included, the estimate must ~~shall~~
 1085 include the following statement:

1086 "This charge represents costs and profits to the motor
 1087 vehicle repair facility for miscellaneous shop
 1088 supplies or waste disposal."

1089
 1090 If a charge is mandated by state or federal law, the estimate
 1091 must ~~shall~~ contain a statement identifying the law and the
 1092 specific amount charged under the law.

1094 (i) The charge for making a repair price estimate or, if
 1095 the charge cannot be predetermined, the basis on which the
 1096 charge will be calculated.

1097 (j) The customer's intended method of payment.

1098 (k) The name and telephone number of another person who may
 1099 authorize repair work, if the customer desires to designate such
 1100 person.

1101 (l) A statement indicating what, if anything, is guaranteed
 1102 in connection with the repair work and the time and mileage

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period for which the guarantee is effective.

(m) A statement allowing the customer to indicate whether replaced parts should be saved for inspection or return.

(n) A statement indicating the daily charge for storing the customer's motor vehicle after the customer has been notified that the repair work has been completed. However, ~~no~~ storage charges may not shall accrue or be due and payable for a period of 3 working days from the date after ~~of~~ such notification.

(2) If the cost of repair work will exceed \$150 ~~\$100~~, the shop must shall present to the customer a written notice conspicuously disclosing, in a separate, blocked section, only the following statement, in capital letters of at least 12-point type:

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND SIGN:

I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$150 ~~\$100~~.

.... I REQUEST A WRITTEN ESTIMATE.

.... I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE REPAIR COSTS DO NOT EXCEED \$..... THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

.... I DO NOT REQUEST A WRITTEN ESTIMATE.

SIGNED

DATE

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Section 30. Section 570.69, Florida Statutes, is amended to read:

570.69 Definitions; ss. 570.69 and 570.691.—For the purpose of this section and s. 570.691:

(1) "Center" means the Florida Agricultural Legacy Learning Center.

(2) "Designated program" means the departmental program that which a direct-support organization has been created to support.

(3) ~~(2)~~ "Direct-support organization" or "organization" means an organization that which is a Florida corporation not for profit incorporated under chapter 617 and approved by the department to operate for the benefit of a museum or a designated program.

~~(3) "Museum" means the Florida Agricultural Museum, which is designated as the museum for agriculture and rural history of the State of Florida.~~

Section 31. Subsections (1), (2), (4), (5), and (7) of section 570.691, Florida Statutes, are amended to read:

570.691 Direct-support organization.—

(1) The department may authorize the establishment of direct-support organizations to provide assistance, funding, and promotional support for ~~the museums and other~~ programs of the department. The following provisions ~~shall~~ govern the creation, use, powers, and duties of the direct-support organizations:

(a) The department shall enter into a memorandum or letter of agreement with the direct-support organization, which must shall specify the approval of the department, the powers and duties of the direct-support organization, and rules with which

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the direct-support organization must comply.

(b) The department may authorize, without charge, appropriate use of property, facilities, and personnel of the department by the direct-support organization. The use must ~~shall~~ be for the approved purposes of the direct-support organization and may not be made at times or places that would unreasonably interfere with opportunities for the general public to use department facilities.

(c) The department shall prescribe by agreement conditions with which the direct-support organization must comply in order to use property, facilities, or personnel of the department. Such conditions must ~~shall~~ provide for budget and audit review and oversight by the department.

(d) The department may not authorize the use of property, facilities, or personnel of the center museum, department, or designated program by the direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(2) (a) The direct-support organization may conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the center museum or designated program.

(b) Notwithstanding ~~the provisions of~~ s. 287.025(1)(e), the direct-support organization may enter into contracts to insure property of the center museum or designated programs and may

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insure objects or collections on loan from others in satisfying security terms of the lender.

(4) A department employee, direct-support organization or center museum employee, volunteer, or director, or designated program may not do either of the following:

(a) Receive a commission, fee, or financial benefit in connection with the sale or exchange of real or personal property or historical objects to the direct-support organization, the center museum, or the designated program. ~~or~~

(b) Be a business associate of any individual, firm, or organization involved in the sale or exchange of real or personal property to the direct-support organization, the center museum, or the designated program.

(5) All moneys received by the direct-support organization shall be deposited into an account of the direct-support organization and must ~~shall~~ be used by the organization in a manner consistent with the goals of the center museum or designated program.

(7) The Commissioner of Agriculture, or the commissioner's designee, may serve on the board of trustees and the executive committee of any direct-support organization established to benefit the center museum or any designated program.

Section 32. Section 570.692, Florida Statutes, is amended to read:

570.692 Florida Agricultural Legacy Learning Center Museum.—The Florida Agricultural Legacy Learning Center Museum is designated as the legacy learning center for ~~museum of~~ agriculture and rural history of this the ~~the~~ state of Florida and is ~~hereby~~ established within the department.

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1219 Section 33. Section 581.189, Florida Statutes, is created
 1220 to read:
 1221 581.189 Dealing in, buying, transporting, and processing
 1222 saw palmetto berries.—
 1223 (1) As used in this section, the term:
 1224 (a) "Harvest" or "harvesting" means to dig up, remove, or
 1225 cut and remove saw palmetto berries from the place where they
 1226 are grown.
 1227 (b) "Harvester" means a person, firm, or corporation that
 1228 takes, harvests, or attempts to take or harvest saw palmetto
 1229 berries.
 1230 (c) "Landowner" means:
 1231 1. The public agency administering any public lands; or
 1232 2. The person who holds legal title to the real property
 1233 from which saw palmetto berries are harvested or the person
 1234 having possession, control, or use of that land which has lawful
 1235 authority to grant permission to harvest saw palmetto berries
 1236 from the land.
 1237 (d) "Person" means an individual, a partnership, a
 1238 corporation, an association, or any other legal entity.
 1239 (e) "Saw palmetto berries" means the fruit of the plant
 1240 *Serenoa repens*, commonly known as the saw palmetto.
 1241 (f) "Saw palmetto berry dealer" means a person that
 1242 purchases or otherwise obtains saw palmetto berries from a
 1243 seller for the purpose of selling the saw palmetto berries at
 1244 retail or for the purpose of selling the saw palmetto berries to
 1245 another saw palmetto berry dealer or for both such purposes.
 1246 This term also includes a person who purchases saw palmetto
 1247 berries directly from a landowner for the purpose of selling the

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1248 saw palmetto berries at retail.
 1249 (g) "Seller" means a person that exchanges or offers to
 1250 exchange saw palmetto berries for money or for any other
 1251 valuable consideration.
 1252 (2) It is unlawful for any person to willfully destroy,
 1253 harvest, or sell saw palmetto berries on the private land of
 1254 another or on any public land without first obtaining written
 1255 permission from the landowner or legal representative of the
 1256 landowner and a permit from the department as provided in s.
 1257 581.185. The landowner's written permission must include all of
 1258 the following information:
 1259 (a) The name, address, and telephone number of the
 1260 landowner.
 1261 (b) The start date, end date, and location, including
 1262 county, of the harvest.
 1263 (c) The landowner's actual or electronic signature.
 1264 (3) (a) A saw palmetto berry dealer that purchases saw
 1265 palmetto berries from a landowner or a person harvesting saw
 1266 palmetto berries from another's property shall:
 1267 1. Maintain a bill of lading, a copy of the harvester's
 1268 entire permit, as provided in s. 581.185, a copy of the
 1269 landowner's written permission to harvest, and all of the
 1270 following:
 1271 a. The name, address, and telephone number of the seller.
 1272 b. The date or dates of harvesting.
 1273 c. The weight, quantity, or volume and a description of the
 1274 type of saw palmetto berries harvested.
 1275 d. A scan or photocopy of a valid government-issued photo
 1276 identification card of such person.

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1277 (b) A person required to maintain the information under
 1278 paragraph (a) shall retain such records for at least 2 years
 1279 from the date the harvest ends.

1280 (4) (a) When any law enforcement officer or any authorized
 1281 employee of the department finds that any saw palmetto berries
 1282 are being harvested, offered for sale, or exposed for sale in
 1283 violation of this section, the law enforcement officer or
 1284 authorized department employee may seize or order such saw
 1285 palmetto berries be held at a designated location until the
 1286 individual:

1287 1. Provides the officer or employee with the required
 1288 permit and landowner's written permission to harvest, within 7
 1289 calendar days following the seizure; or

1290 2. Legally disposes of the saw palmetto berries in
 1291 accordance with this section.

1292 (b) A law enforcement officer or authorized department
 1293 employee shall release the saw palmetto berries when the
 1294 requirements of this section are met.

1295 (5) Unlawfully harvested saw palmetto berries constitute
 1296 contraband and are subject to seizure and disposal by the
 1297 seizing law enforcement agency or the department.

1298 (a) Notwithstanding any other provision of law, a law
 1299 enforcement agency that seizes saw palmetto berries harvested or
 1300 possessed in violation of this section or unlawfully harvested
 1301 in violation of s. 581.185, or in violation of any other state
 1302 or federal law, may sell such saw palmetto berries and retain
 1303 the proceeds of the sale for the enforcement of this section.
 1304 Law enforcement agencies selling contraband saw palmetto berries
 1305 are exempt from s. 581.185.

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1306 (b) Law enforcement agencies that seize unlawfully
 1307 harvested saw palmetto berries shall submit annually to the
 1308 department, in the manner prescribed by department rule:

1309 1. The quantity and a description of the saw palmetto
 1310 berries seized; and

1311 2. The location from which the saw palmetto berries were
 1312 harvested, if known.

1313 (6) (a) A harvester that exchanges or offers to exchange saw
 1314 palmetto berries with a saw palmetto dealer, seller, or
 1315 processor for money or any other valuable consideration without
 1316 first presenting to the saw palmetto berry dealer, seller,
 1317 processor the person's entire permit, as provided in s. 581.185,
 1318 or the landowner's written permission commits a misdemeanor of
 1319 the first degree, punishable as provided in s. 775.082 or s.
 1320 775.083.

1321 (b) A person required to maintain records as required in
 1322 this section that fails to maintain such record for the time
 1323 period specified in paragraph (3) (b) commits a misdemeanor of
 1324 the first degree, punishable as provided in s. 775.082 or s.
 1325 775.083.

1326 (c) A person that willfully destroys or harvests saw
 1327 palmetto berries without first obtaining the landowner's written
 1328 permission to harvest as required by subsection (2) or a permit
 1329 as required by s. 581.185 commits a felony of the third degree,
 1330 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1331 (d) A saw palmetto berry dealer, buyer, processor,
 1332 harvester, or seller that presents a false, forged, or altered
 1333 document purporting to be a landowner's written permission or
 1334 the permit required by s. 581.185 commits a felony of the third

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degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) A saw palmetto berry dealer, transporter, or processor that exchanges, offers to exchange for money or any other valuable consideration, or possesses unlawfully harvested saw palmetto berries commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) (a) A person convicted of a violation of this section is responsible for:

1. All reasonable costs incurred by the responding law enforcement agencies and the department, including, but not limited to, investigative costs; and

2. Restitution to the landowner in an amount equal to the fair market value of the saw palmetto berries unlawfully harvested.

(b) For the purposes of this subsection, the term "convicted" means that there has been a determination of guilt as a result of trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

(8) This section does not affect any other person that legally harvests or handles saw palmetto berries from up to two plants for home or personal use.

(9) The department shall adopt rules to administer this section.

Section 34. Subsection (13) of section 585.01, Florida Statutes, is amended to read:

585.01 Definitions.—In construing this part, where the context permits, the word, phrase, or term:

(13) "Livestock" means grazing animals, such as cattle,

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horses, sheep, swine, goats, other hoofed animals, poultry, ostriches, emus, and rheas, which are raised for private use or commercial purposes.

Section 35. Subsections (5) and (8) of section 790.0625, Florida Statutes, are amended, and subsections (9) and (10) are added to that section, to read:

790.0625 Appointment of tax collectors to accept applications for a concealed weapon or firearm license; fees; penalties.—

(5) A tax collector appointed under this section may collect and retain a convenience fee of \$22 for each new application, ~~and~~ \$12 for each renewal application, \$12 for each replacement license, \$9 for fingerprinting services associated with the completion of an application submitted online or by mail, and \$9 for photographing services associated with the completion of an application submitted online or by mail, and shall remit weekly to the department the license fees pursuant to s. 790.06 for deposit in the Division of Licensing Trust Fund.

(8) Upon receipt of a completed renewal application, a new color photograph, and ~~appropriate~~ payment of required fees, a tax collector authorized to accept renewal applications for concealed weapon or firearm licenses under this section may, upon approval and confirmation of license issuance by the department, print and deliver a concealed weapon or firearm license to a licensee renewing his or her license at the tax collector's office.

(9) Upon receipt of a statement under oath to the department and payment of required fees, a tax collector

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1393 authorized to accept an application for a concealed weapon or
 1394 firearm license under this section may, upon approval and
 1395 confirmation from the department that a license is in good
 1396 standing, print and deliver a concealed weapon or firearm
 1397 license to a licensee whose license has been lost or destroyed.
 1398 (10) Tax collectors authorized to accept an application for
 1399 a concealed weapon or firearm license under this section may
 1400 provide fingerprinting and photographing services to aid
 1401 concealed weapon and firearm applicants and licensees with
 1402 initial and renewal applications submitted online or by mail.
 1403 Section 36. Paragraph (a) of subsection (5) of section
 1404 810.011, Florida Statutes, is amended to read:
 1405 810.011 Definitions.—As used in this chapter:
 1406 (5) (a) "Posted land" is land upon which any of the
 1407 following are placed:
 1408 1. Signs placed not more than 500 feet apart along and at
 1409 each corner of the boundaries of the land or, for land owned by
 1410 a water control district that exists pursuant to chapter 298 or
 1411 was created by special act of the Legislature, signs placed at
 1412 or near the intersection of any district canal right-of-way and
 1413 a road right-of-way or, for land classified as agricultural
 1414 pursuant to s. 193.461, signs placed at each point of ingress
 1415 and at each corner of the boundaries of the agricultural land,
 1416 which prominently display in letters of not less than 2 inches
 1417 in height the words "no trespassing" and the name of the owner,
 1418 lessee, or occupant of the land. The signs must be placed along
 1419 the boundary line of posted land in a manner and in such
 1420 position as to be clearly noticeable from outside the boundary
 1421 line; or

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1422 2.a. A conspicuous no trespassing notice is painted on
 1423 trees or posts on the property, provided that the notice is:
 1424 (I) Painted in an international orange color and displaying
 1425 the stenciled words "No Trespassing" in letters no less than 2
 1426 inches high and 1 inch wide either vertically or horizontally;
 1427 (II) Placed so that the bottom of the painted notice is not
 1428 less than 3 feet from the ground or more than 5 feet from the
 1429 ground; and
 1430 (III) Placed at locations that are readily visible to any
 1431 person approaching the property and no more than 500 feet apart
 1432 on agricultural land.
 1433 b. When a landowner uses the painted no trespassing posting
 1434 to identify a no trespassing area, those painted notices must be
 1435 accompanied by signs complying with subparagraph 1. and must be
 1436 placed conspicuously at all places where entry to the property
 1437 is normally expected or known to occur.
 1438 Section 37. Subsection (2) of section 810.09, Florida
 1439 Statutes, is amended to read:
 1440 810.09 Trespass on property other than structure or
 1441 conveyance.—
 1442 (2) ~~(a)~~ Except as provided in this subsection, trespass on
 1443 property other than a structure or conveyance is a misdemeanor
 1444 of the first degree, punishable as provided in s. 775.082 or s.
 1445 775.083.
 1446 (a) ~~(b)~~ If the offender defies an order to leave, personally
 1447 communicated to the offender by the owner of the premises or by
 1448 an authorized person, or if the offender willfully opens any
 1449 door, fence, or gate or does any act that exposes animals,
 1450 crops, or other property to waste, destruction, or freedom;

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unlawfully dumps litter on property; or trespasses on property other than a structure or conveyance, the offender commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

~~(b)(c)~~ If the offender is armed with a firearm or other dangerous weapon during the commission of the offense of trespass on property other than a structure or conveyance, he or she commits ~~is guilty of~~ a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Any owner or person authorized by the owner may, for prosecution purposes, take into custody and detain, in a reasonable manner, for a reasonable length of time, any person when he or she reasonably believes that a violation of this paragraph has been or is being committed, and that the person to be taken into custody and detained has committed or is committing the violation. If a person is taken into custody, a law enforcement officer must ~~shall~~ be called as soon as is practicable after the person has been taken into custody. The taking into custody and detention in compliance with the requirements of this paragraph does not result in criminal or civil liability for false arrest, false imprisonment, or unlawful detention.

~~(c)(d)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed is a construction site that is:

1. Greater than 1 acre in area and is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."; or

2. One acre or less in area and is identified as such with

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a sign that appears prominently, in letters of not less than 2 inches in height, and reads in substantially the following manner: "THIS AREA IS A DESIGNATED CONSTRUCTION SITE, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY." The sign must ~~shall~~ be placed at the location on the property where the permits for construction are located. For construction sites of 1 acre or less as provided in this subparagraph, it may ~~shall~~ not be necessary to give notice by posting as defined in s. 810.011(5).

~~(d)(e)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is commercial horticulture property and the property is legally posted and identified in substantially the following manner: "THIS AREA IS DESIGNATED COMMERCIAL PROPERTY FOR HORTICULTURE PRODUCTS, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

~~(e)(f)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is an agricultural site for testing or research purposes that is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED AGRICULTURAL SITE FOR TESTING OR RESEARCH PURPOSES, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

~~(f)(g)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is a domestic violence center certified under s. 39.905 which is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED RESTRICTED SITE, AND ANYONE WHO TRESPASSES ON THIS

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PROPERTY COMMITS A FELONY."

(g) ~~(h)~~ Any person who in taking or attempting to take any animal described in s. 379.101(19) or (20), or in killing, attempting to kill, or endangering any animal described in s. 585.01(13) knowingly propels or causes to be propelled any potentially lethal projectile over or across private land without authorization commits trespass, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this paragraph, the term "potentially lethal projectile" includes any projectile launched from any firearm, bow, crossbow, or similar tensile device. This section does not apply to any governmental agent or employee acting within the scope of his or her official duties.

(h) ~~(i)~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property trespassed upon is an agricultural chemicals manufacturing facility that is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED AGRICULTURAL CHEMICALS MANUFACTURING FACILITY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

(i) ~~1. (j) 1.~~ The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offender trespasses with the intent to injure another person, damage property, or impede the operation or use of an aircraft, runway, taxiway, ramp, or apron area, and the property trespassed upon is the operational area of an airport that is legally posted and identified in substantially the following manner: "THIS AREA IS A DESIGNATED OPERATIONAL AREA OF AN AIRPORT, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A

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FELONY."

2. For purposes of this paragraph, the term "operational area of an airport" means any portion of an airport to which access by the public is prohibited by fences or appropriate signs and includes runways, taxiways, ramps, apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft.

(j) The offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offender trespasses with the intent to commit a crime on commercial agricultural property that is legally posted and identified by signs in letters of at least 2 inches at each pedestrian and vehicle entrance in substantially the following manner: "THIS AREA IS A DESIGNATED COMMERCIAL AGRICULTURAL PROPERTY, AND ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY."

1. A first-time offender who is under 18 years of age at the time he or she commits the crime specified in this paragraph must be given the option of participating in a diversion program described in s. 958.12, s. 985.125, s. 985.155, or s. 985.16 or a program to which a referral is made by a state attorney under s. 985.15.

2. For the purpose of this paragraph, the term "commercial agricultural property" means property cleared of its natural vegetation or fenced for the purposes of planting, growing, harvesting, processing, raising, producing, or storing plant or animal commercial commodities.

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Section 38. Subsection (5) is added to section 1003.24, Florida Statutes, to read:

1003.24 Parents responsible for attendance of children; attendance policy.—Each parent of a child within the compulsory attendance age is responsible for the child's school attendance as required by law. The absence of a student from school is prima facie evidence of a violation of this section; however, criminal prosecution under this chapter may not be brought against a parent until the provisions of s. 1003.26 have been complied with. A parent of a student is not responsible for the student's nonattendance at school under any of the following conditions:

(5) AGRICULTURAL SCHOOL ACTIVITIES.—

(a) A student who participates in an activity or program sponsored by 4-H or Future Farmers of America (FFA) must be credited with an excused absence by the school in which he or she is enrolled in the same manner as any other excused absence is credited. Any such participation in an activity or program sponsored by 4-H or FFA may not be counted as an unexcused absence, for any day, portion of a day, or days missed from school.

(b) Upon request from a school principal or the principal's designee, a 4-H or FFA representative shall provide documentation as proof of a student's participation in an activity or program sponsored by 4-H or FFA.

(c) As used in this subsection, the term "4-H representative" means an individual officially recognized or designated by the Florida Cooperative Extension Service 4-H Program as a 4-H professional or a 4-H adult volunteer.

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Each district school board shall establish an attendance policy that includes, but is not limited to, the required number of days each school year that a student must be in attendance and the number of absences and tardinesses after which a statement explaining such absences and tardinesses must be on file at the school. Each school in the district must determine if an absence or tardiness is excused or unexcused according to criteria established by the district school board.

Section 39. Paragraph (b) of subsection (2) of section 379.3004, Florida Statutes, is amended to read:

379.3004 Voluntary Authorized Hunter Identification Program.—

(2) Any person hunting on private land enrolled in the Voluntary Authorized Hunter Identification Program shall have readily available on the land at all times when hunting on the property written authorization from the owner or his or her authorized representative to be on the land for the purpose of hunting. The written authorization shall be presented on demand to any law enforcement officer, the owner, or the authorized agent of the owner.

(b) Failure by any person hunting on private land enrolled in the program to present written authorization to hunt on that ~~said~~ land to any law enforcement officer or the owner or representative thereof within 7 days after ~~of~~ demand shall be prima facie evidence of violation of s. 810.09(2)(b) ~~s. 810.09(2)(c)~~, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, such evidence may be contradicted or rebutted by other evidence.

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1625 Section 40. Paragraph (c) of subsection (2) of section
 1626 812.014, Florida Statutes, is amended to read:
 1627 812.014 Theft.—
 1628 (2)
 1629 (c) It is grand theft of the third degree and a felony of
 1630 the third degree, punishable as provided in s. 775.082, s.
 1631 775.083, or s. 775.084, if the property stolen is:
 1632 1. Valued at \$750 or more, but less than \$5,000.
 1633 2. Valued at \$5,000 or more, but less than \$10,000.
 1634 3. Valued at \$10,000 or more, but less than \$20,000.
 1635 4. A will, codicil, or other testamentary instrument.
 1636 5. A firearm, except as provided in paragraph (f).
 1637 6. A motor vehicle, except as provided in paragraph (a).
 1638 7. Any commercially farmed animal, including any animal of
 1639 the equine, avian, bovine, or swine class or other grazing
 1640 animal; a bee colony of a registered beekeeper; and aquaculture
 1641 species raised at a certified aquaculture facility. If the
 1642 property stolen is a commercially farmed animal, including an
 1643 animal of the equine, avian, bovine, or swine class or other
 1644 grazing animal; a bee colony of a registered beekeeper; or an
 1645 aquaculture species raised at a certified aquaculture facility,
 1646 a \$10,000 fine shall be imposed.
 1647 8. Any fire extinguisher that, at the time of the taking,
 1648 was installed in any building for the purpose of fire prevention
 1649 and control. This subparagraph does not apply to a fire
 1650 extinguisher taken from the inventory at a point-of-sale
 1651 business.
 1652 9. Any amount of citrus fruit consisting of 2,000 or more
 1653 individual pieces of fruit.

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1654 10. Taken from a designated construction site identified by
 1655 the posting of a sign as provided for in s. 810.09(2)(c) ~~or~~
 1656 ~~810.09(2)(d)~~.
 1657 11. Any stop sign.
 1658 12. Anhydrous ammonia.
 1659 13. Any amount of a controlled substance as defined in s.
 1660 893.02. Notwithstanding any other law, separate judgments and
 1661 sentences for theft of a controlled substance under this
 1662 subparagraph and for any applicable possession of controlled
 1663 substance offense under s. 893.13 or trafficking in controlled
 1664 substance offense under s. 893.135 may be imposed when all such
 1665 offenses involve the same amount or amounts of a controlled
 1666 substance.
 1667
 1668 However, if the property is stolen during a riot or an
 1669 aggravated riot prohibited under s. 870.01 and the perpetration
 1670 of the theft is facilitated by conditions arising from the riot;
 1671 or within a county that is subject to a state of emergency
 1672 declared by the Governor under chapter 252, the property is
 1673 stolen after the declaration of emergency is made, and the
 1674 perpetration of the theft is facilitated by conditions arising
 1675 from the emergency, the offender commits a felony of the second
 1676 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 1677 775.084, if the property is valued at \$5,000 or more, but less
 1678 than \$10,000, as provided under subparagraph 2., or if the
 1679 property is valued at \$10,000 or more, but less than \$20,000, as
 1680 provided under subparagraph 3. As used in this paragraph, the
 1681 terms "conditions arising from a riot" and "conditions arising
 1682 from the emergency" have the same meanings as provided in

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 paragraph (b). A person arrested for committing a theft during a riot or an aggravated riot or within a county that is subject to a state of emergency may not be released until the person appears before a committing magistrate at a first appearance hearing. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 41. Paragraphs (b) and (c) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

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403.413(6)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.	1701
517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.	1702
590.28(1)	3rd	Intentional burning of lands.	1703
784.03(3)	3rd	Battery during a riot or an aggravated riot.	1704
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.	1705
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.	1706

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1707	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
1708	806.13(3)	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
1709	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
1710	<u>810.09(2)(d)</u> 810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
1711	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$750 or more but less than \$5,000.
	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$750, taken from unenclosed curtilage of dwelling.

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1712	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
1713	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
1714	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
1715	817.52(3)	3rd	Failure to redeliver hired vehicle.
1716	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
1717	817.60(5)	3rd	Dealing in credit cards of another.
1718	817.60(6)(a)	3rd	Forgery; purchase goods,

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			services with false	
			card.	
1719	817.61	3rd	Fraudulent use of credit	
			cards over \$100 or more	
			within 6 months.	
1720	826.04	3rd	Knowingly marries or has	
			sexual intercourse with	
			person to whom related.	
1721	831.01	3rd	Forgery.	
1722	831.02	3rd	Uttering forged	
			instrument; utters or	
			publishes alteration	
			with intent to defraud.	
1723	831.07	3rd	Forging bank bills,	
			checks, drafts, or	
			promissory notes.	
1724	831.08	3rd	Possessing 10 or more	
			forged notes, bills,	
			checks, or drafts.	
1725	831.09	3rd	Uttering forged notes,	
			bills, checks, drafts,	
			or promissory notes.	

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1726	831.11	3rd	Bringing into the state	
			forged bank bills,	
			checks, drafts, or	
			notes.	
1727	832.05(3)(a)	3rd	Cashing or depositing	
			item with intent to	
			defraud.	
1728	843.01(2)	3rd	Resist police canine or	
			police horse with	
			violence; under certain	
			circumstances.	
1729	843.08	3rd	False personation.	
1730	843.19(3)	3rd	Touch or strike police,	
			fire, SAR canine or	
			police horse.	
1731	893.13(2)(a)2.	3rd	Purchase of any s.	
			893.03(1)(c), (2)(c)1.,	
			(2)(c)2., (2)(c)3.,	
			(2)(c)6., (2)(c)7.,	
			(2)(c)8., (2)(c)9.,	
			(2)(c)10., (3), or (4)	
			drugs other than	
			cannabis.	

1732	14-00529E-24	20241084__		
	893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.	
1733				
1734	(c) LEVEL 3			
1735				
	Florida Statute	Felony Degree	Description	
1736				
	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.	
1737				
	316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.	
1738				
	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.	
1739				
	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.	
1740				
	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.	

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1741	14-00529E-24	20241084__		
	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.	
1742				
	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.	
1743				
	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.	
1744				
	327.35(2)(b)	3rd	Felony BUI.	
1745				
	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.	
1746				
	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.	
1747				
	376.302(5)	3rd	Fraud related to	

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	14-00529E-24		20241084	
				reimbursement for cleanup expenses under the Inland Protection Trust Fund.
1748	379.2431 (1) (e) 5.	3rd		Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
1749	379.2431 (1) (e) 6.	3rd		Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
1750	379.2431 (1) (e) 7.	3rd		Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
1751				

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	400.9935 (4) (a) or (b)	3rd		Operating a clinic, or offering services requiring licensure, without a license.
1752	400.9935 (4) (e)	3rd		Filing a false license application or other required information or failing to report information.
1753	440.1051 (3)	3rd		False report of workers' compensation fraud or retaliation for making such a report.
1754	501.001 (2) (b)	2nd		Tampers with a consumer product or the container using materially false/misleading information.
1755	624.401 (4) (a)	3rd		Transacting insurance without a certificate of authority.
1756	624.401 (4) (b) 1.	3rd		Transacting insurance without a certificate of authority; premium

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	14-00529E-24		20241084__	collected less than \$20,000.
1757				
	626.902(1)(a) & (b)	3rd		Representing an unauthorized insurer.
1758				
	697.08	3rd		Equity skimming.
1759				
	790.15(3)	3rd		Person directs another to discharge firearm from a vehicle.
1760				
	794.053	3rd		Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
1761				
	806.10(1)	3rd		Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1762				
	806.10(2)	3rd		Interferes with or assaults firefighter in performance of duty.
1763				
	<u>810.09(2)(b)</u> 810.09(2)(c)	3rd		Trespass on property other than structure or

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	14-00529E-24		20241084__	conveyance armed with firearm or dangerous weapon.
1764				
	812.014(2)(c)2.	3rd		Grand theft; \$5,000 or more but less than \$10,000.
1765				
	812.0145(2)(c)	3rd		Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1766				
	812.015(8)(b)	3rd		Retail theft with intent to sell; conspires with others.
1767				
	812.081(2)	3rd		Theft of a trade secret.
1768				
	815.04(4)(b)	2nd		Computer offense devised to defraud or obtain property.
1769				
	817.034(4)(a)3.	3rd		Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1770				
	817.233	3rd		Burning to defraud insurer.
1771				
	817.234	3rd		Unlawful solicitation of

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	14-00529E-24		20241084	
	(8) (b) & (c)		persons involved in motor vehicle accidents.	
1772	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.	
1773	817.236	3rd	Filing a false motor vehicle insurance application.	
1774	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.	
1775	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.	
1776	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.	
1777	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to	

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	14-00529E-24		20241084	
			defraud.	
1778	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.	
1779	836.13 (2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without consent.	
1780	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.	
1781	860.15 (3)	3rd	Overcharging for repairs and parts.	
1782	870.01 (2)	3rd	Riot.	
1783	870.01 (4)	3rd	Inciting a riot.	
1784	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4)	

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drugs).

1785

893.13(1)(d)2.

2nd

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.

1786

893.13(1)(f)2.

2nd

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.

1787

893.13(4)(c)

3rd

Use or hire of minor; deliver to minor other controlled substances.

1788

893.13(6)(a)

3rd

Possession of any controlled substance other than felony possession of cannabis.

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1789

893.13(7)(a)8.

3rd

Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

1790

893.13(7)(a)9.

3rd

Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

1791

893.13(7)(a)10.

3rd

Affix false or forged label to package of controlled substance.

1792

893.13(7)(a)11.

3rd

Furnish false or fraudulent material information on any document or record required by chapter 893.

1793

893.13(8)(a)1.

3rd

Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the

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practitioner's practice.

1794

893.13(8)(a)2.

3rd

Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

1795

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

1796

893.13(8)(a)4.

3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

1797

918.13(1)

3rd

Tampering with or fabricating physical evidence.

1798

944.47

3rd

(1)(a)1. & 2.

Introduce contraband to correctional facility.

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1799

944.47(1)(c)

2nd

Possess contraband while upon the grounds of a correctional institution.

1800

985.721

3rd

Escapes from a juvenile facility (secure detention or residential commitment facility).

1801

1802

1803

1804

1805

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1820

Section 42. For the purpose of incorporating the amendment made by this act to section 493.6113, Florida Statutes, in a reference thereto, subsection (6) of section 493.6115, Florida Statutes, is reenacted, to read:

493.6115 Weapons and firearms.—

(6) In addition to any other firearm approved by the department, a licensee who has been issued a Class "G" license may carry a .38 caliber revolver; or a .380 caliber or 9 millimeter semiautomatic pistol; or a .357 caliber revolver with .38 caliber ammunition only; or a .40 caliber handgun; or a .45 ACP handgun while performing duties authorized under this chapter. A licensee may not carry more than two firearms upon her or his person when performing her or his duties. A licensee may only carry a firearm of the specific type and caliber with which she or he is qualified pursuant to the firearms training referenced in subsection (8) or s. 493.6113(3)(b).

Section 43. For the purpose of incorporating the amendment made by this act to section 496.405, Florida Statutes, in

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1821 references thereto, subsection (2) of section 496.4055, Florida
 1822 Statutes, is reenacted, to read:
 1823 496.4055 Charitable organization or sponsor board duties.—
 1824 (2) The board of directors, or an authorized committee
 1825 thereof, of a charitable organization or sponsor required to
 1826 register with the department under s. 496.405 shall adopt a
 1827 policy regarding conflict of interest transactions. The policy
 1828 shall require annual certification of compliance with the policy
 1829 by all directors, officers, and trustees of the charitable
 1830 organization. A copy of the annual certification shall be
 1831 submitted to the department with the annual registration
 1832 statement required by s. 496.405.
 1833 Section 44. For the purpose of incorporating the amendment
 1834 made by this act to section 559.905, Florida Statutes, in a
 1835 reference thereto, paragraph (b) of subsection (1) of section
 1836 559.907, Florida Statutes, is reenacted to read:
 1837 559.907 Charges for motor vehicle repair estimate;
 1838 requirement of waiver of rights prohibited.—
 1839 (1) No motor vehicle repair shop shall charge for making a
 1840 repair price estimate unless, prior to making the price
 1841 estimate, the shop:
 1842 (b) Obtains authorization on the written repair estimate,
 1843 in accordance with s. 559.905, to prepare an estimate. No motor
 1844 vehicle repair shop shall impose or threaten to impose any such
 1845 charge which is clearly excessive in relation to the work
 1846 involved in making the price estimate.
 1847 Section 45. For the purpose of incorporating the amendment
 1848 made by this act to section 585.01, Florida Statutes, in a
 1849 reference thereto, subsection (6) of section 468.382, Florida

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1850 Statutes, is reenacted to read:
 1851 468.382 Definitions.—As used in this act, the term:
 1852 (6) "Livestock" means any animal included in the definition
 1853 of "livestock" by s. 585.01 or s. 588.13.
 1854 Section 46. For the purpose of incorporating the amendment
 1855 made by this act to section 585.01, Florida Statutes, in a
 1856 reference thereto, subsection (3) of section 534.47, Florida
 1857 Statutes, is reenacted to read:
 1858 534.47 Definitions.—As used in ss. 534.48-534.54, the term:
 1859 (3) "Livestock" has the same meaning as in s. 585.01(13).
 1860 Section 47. For the purpose of incorporating the amendment
 1861 made by this act to section 585.01, Florida Statutes, in a
 1862 reference thereto, section 767.01, Florida Statutes, is
 1863 reenacted to read:
 1864 767.01 Dog owner's liability for damages to persons,
 1865 domestic animals, or livestock.—Owners of dogs shall be liable
 1866 for any damage done by their dogs to a person or to any animal
 1867 included in the definitions of "domestic animal" and "livestock"
 1868 as provided by s. 585.01.
 1869 Section 48. For the purpose of incorporating the amendment
 1870 made by this act to section 585.01, Florida Statutes, in a
 1871 reference thereto, section 767.03, Florida Statutes, is
 1872 reenacted to read:
 1873 767.03 Good defense for killing dog.—In any action for
 1874 damages or of a criminal prosecution against any person for
 1875 killing or injuring a dog, satisfactory proof that said dog had
 1876 been or was killing any animal included in the definitions of
 1877 "domestic animal" and "livestock" as provided by s. 585.01 shall
 1878 constitute a good defense to either of such actions.

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1879 Section 49. Except as otherwise expressly provided in this
1880 act and except for this section, which shall take effect upon
1881 this act becoming a law, this act shall take effect July 1,
1882 2024.

The Florida Senate

APPEARANCE RECORD

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

1/16/24

Meeting Date

Agriculture

Committee

SB 1084

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jackson Oberlink

Phone 772-532-1371

Address
Street

Email jackson@floridaforall.vote

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
Rising

☐ 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
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1/16/2024
Meeting Date

SB 1084
Bill Number or Topic

Agriculture
Committee

Amendment Barcode (if applicable)

Name Nancy Stewart

Phone 850-385-7805

Address 1400 Village Square Blvd Ste 3-
Street

Email nancy.stewart@nancyblackstewart.com

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:

Florida Poultry Federation

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)

12/16/2024

Meeting Date

Agriculture

Committee

Name **Tim Qualls**

Address **216 S. Monroe St.**

Street

Tallahassee

City

FL

State

32301

Zip

The Florida Senate
APPEARANCE RECORD

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

SB1084

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-222-7206**

Email **Tqualls@yvlaw.net**

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 Tax Collectors
Association, Inc.**

☐

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)

1/16/2024

Meeting Date

The Florida Senate
APPEARANCE RECORD

1084

Bill Number or Topic

Agriculture

Committee

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

Amendment Barcode (if applicable)

Name **Isabelle Garbarino**

Phone **8506177700**

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

Email

Street

Tallahassee

FL

32399

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:

**The Florida Department of Agriculture
and Consumer Services**

☐ 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

01.16.24
Meeting Date
Senate Agriculture
Committee

1084
Bill Number or Topic

Amendment Barcode (if applicable)

Name Madeline Wright Phone 850-557-3871

Address 310 W College Ave Email madeline.wright@flsenate.org
Street

Tallahassee FL
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:

FL farm
BUREAU

☐ 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

1084/1560
Bill Number or Topic

1/16/24
Meeting Date

Ag
Committee

Amendment Barcode (if applicable)

Name Kathy Mears Phone _____

Address The Capitol Email Kathy.Mears@FDACS.gov
Tallahassee, FL 32399
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:

FDACS

☐ 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

1/16/24

Meeting Date

Agriculture

Committee

1084

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name

Tripp Hunter

Phone

850-488-6000

Address

119 S Monroe Street

Email

Tripp.Hunter@FFVA.com

Street

Tallahassee

City

FL

State

32303

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 Fruit & Vegetable Assn.

☐

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

16th January, 2024
Meeting Date

Agriculture
Committee

1084 / Cultivated Meat
Bill Number or Topic

Amendment Barcode (if applicable)

Name Sami Nabulsi

Phone 310 621 5196

Address 2020 N Bayshore Drive
Street

Email Sami@pythagtech.com

Miami
City

FL
State

33137
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

1/16/2024

Meeting Date

1084 / cultivated meat

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name

David Voorman

Phone

402-617-0872

Address

4527 12th St., NE

Email

dvoorman@foodsolutionsaction.org

Street

Washington

City

DC

State

20017

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:

Food Solutions Action



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

16 Jan 2024

Meeting Date

Agriculture

Committee

1084 / cultivated meat

Bill Number or Topic

Amendment Barcode (if applicable)

Name ~~Dr.~~ Dr. Faraz Harsini

Phone 806 543 4468

Address 1604 Denesa Dr

Street

Email Fharsini@gfi.org

Austin

City

TX

State

78725

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

16 January, 2024

Meeting Date

Agriculture

Committee

1084 / cultivated meat

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Arye Elfenbein

Phone

1.603.359.8553

Address

451 Kansas St Unit 616

Street

Email

ELFENBEIN216@YAHOO.COM

San Francisco

City

CA

State

94107

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

Committee Agenda Request

To: Committee on Agriculture

Subject: Committee Agenda Request

Date: January 11, 2024

I respectfully request that **Senate Bill #1084**, relating to Department of Agriculture and Consumer Services, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Jay Collins", is written over a horizontal line.

Senator Jay Collins
Florida Senate, District 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 1398

INTRODUCER: Senator Collins

SUBJECT: Florida Crop Diversification Commission

DATE: January 16, 2024

REVISED: _____

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

I. Summary:

SB 1398 creates the Florida Crop Diversification Commission (commission), adjunct to the Department of Agricultural and Consumer Services (department), and establishes the commission's powers and duties. The commission is directed to evaluate alternative agricultural crops, contract for the design and implementation of the Florida Crop Diversification Initiative, develop best management practices for crops or products recommended by the commission, and assist local economic development councils in encouraging the development of manufacturing and processing facilities for new crops or products recommended by the commission.

The bill also requires the commission to publish their findings on an annual basis. By July 1, 2026 and each July 1 thereafter, the commission shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill appropriates \$500,000 in nonrecurring funds for fiscal year 2024-25 for the purpose of implementing this bill.

The bill shall take effect upon becoming a law.

II. Present Situation:

Florida Agriculture

Florida's 47,500 farms and ranches utilize 9.7 million acres and continue to produce a wide variety of safe and dependable food products.¹ Agricultural land (cropland and ranchland) and

¹ FDACS, Florida Agriculture Overview and Statistics, available at <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics> (last visited January 12, 2024).

forest land make up nearly 2/3 of the state's land area.² There are over 200-300 commodities produced and some form of agriculture in all 67 counties.³ Florida's agriculture, natural resources, and food industries supported 2.4 million fulltime and part-time jobs throughout Florida's economy (14.2% of all jobs in the state), contributing \$149.6 billion to gross state product in 2018.⁴

In 2021, Florida ranked first in the United States in total floriculture sales and in the value of production for sweetcorn, foliage plants for indoor use, Valencia oranges, sugarcane, fresh market tomatoes and watermelons. Florida ranked second nationally in the value of production for bell peppers, grapefruit, all oranges, strawberries and non-Valencia oranges. The state ranked fourth in cabbage, cantaloupe and peanuts.⁵ The state also ranked 1st in ornamental fish, 2nd in alligators and 3rd in horses and ponies in the United States.⁶

III. Effect of Proposed Changes:

Section 1 creates s. 570.233, F.S., establishing the Florida Crop Diversification Commission (commission), adjunct to the department. It provides that the commission shall be composed of the following nine members:

- The Commissioner of Agriculture or their designee.
- The dean for research of the Institute of Food and Agricultural Sciences of the University of Florida or their designee.
- The following members, appointed by the commissioner based upon their knowledge and experience in agricultural production, processing, or manufacturing:
 - Four members who are currently involved in agricultural production or who have been involved in agricultural production within the last 3 years.
 - One member who has experience in agricultural processing or manufacturing.
 - One member who has experience in the packing or processing of fresh agricultural products.
 - One member who has experience in agricultural marketing analysis and the viability of agricultural products.

The bill directs the commission to:

- Evaluate alternative agricultural crops and determine whether there exists one or more viable crops or products that would provide an economic benefit to growers using current agricultural infrastructure on land that has been taken out of production by diseases or adverse weather conditions.
- Contract for the design and implementation of the Florida Crop Diversification Initiative. The initiative must provide direct cash payments to nurseries and agricultural producers in

² IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited January 12, 2024).

³ IFAS, Florida's Agriculture and Food System Fast Facts 2021, available at <https://sfyl.ifas.ufl.edu/media/sfylifasufledu/orange/ag-nat-res/docs/pdf/Florida-Agriculture-and-Food-Systems-Fast-Facts-2021.pdf> (last visited January 12, 2024).

⁴ IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited January 12, 2024).

⁵ *Id.*

⁶ *Id.*

this state in order to rapidly stimulate the adoption of alternative crops, moderate the required economic outlay, and speed the economic recovery of producers, packers, nurseries, processors, and communities. The entity with which the commission contracts for the Florida Crop Diversification Initiative must be a nonprofit organization that has a history of focusing on alternative crops and has the organizational capacity to manage a statewide initiative and carry out the requirements of this paragraph.

- Develop best management practices for crops or products recommended by the commission.
- Assist local economic development councils in encouraging the development of manufacturing and processing facilities for new crops or products recommended by the commission.
- Publish the findings of the commission on an annual basis after review and approval of the commissioner.

The bill also requires the commission to submit a report by July 1, 2026 and each July 1 thereafter, to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must contain, at minimum, the following:

- Information about each crop or product recommended, detailing the environmental impact of each.
- An assessment of each recommended crop's suitability to this state's climate, and the expected economic benefit to growers and communities in this state.
- Recommendations for best practices to sustain and improve the agricultural industry in this state.

Section 2 appropriates \$500,000 in nonrecurring funds for fiscal year 2024-25 for the purpose of implementing this bill.

Section 3 provides that the bill shall take effect upon becoming 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:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

For the 2024-2025 fiscal year, the sum of \$500,000 in nonrecurring funds is appropriated from the General Revenue Fund to the department for the purpose of creating the Florida Crop Diversification Commission.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 570.233 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 Collins

14-00593-24

20241398__

1 A bill to be entitled
 2 An act relating to the Florida Crop Diversification
 3 Commission; creating s. 570.233, F.S.; creating the
 4 commission adjunct to the Department of Agriculture
 5 and Consumer Services; providing the membership and
 6 duties of the commission; requiring the commission to
 7 submit an annual report to the Governor and the
 8 Legislature by a specified date; providing
 9 requirements for the report; providing an
 10 appropriation; providing an effective date.
 11
 12 WHEREAS, the Legislature finds that agricultural producers
 13 in this state are confronted by a continuous stream of deadly
 14 diseases and adverse weather conditions, including drought,
 15 wind, flooding, and hurricanes, which threaten their crops and
 16 their livelihoods, and
 17 WHEREAS, these damaging diseases and weather conditions
 18 severely reduce agricultural production and cause a loss of jobs
 19 and severe economic losses to communities, families, and
 20 individual producers, and
 21 WHEREAS, maintaining agricultural production is vital to
 22 this state's rural communities and overall economy, and
 23 WHEREAS, preserving agricultural lands that produce crops,
 24 rather than developing them, has many ecological benefits,
 25 including maintaining wildlife habitats, absorbing carbon
 26 dioxide, recharging the aquifer, reducing greenhouse gases, and
 27 reducing erosion, and
 28 WHEREAS, the Legislature finds that the loss of
 29 agricultural infrastructure, jobs, economic opportunity, and

Page 1 of 4

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14-00593-24

20241398__

30 wildlife habitat caused by deadly diseases and adverse weather
 31 conditions is not sustainable and has a negative impact on the
 32 quality of life for all of the residents of this state, NOW,
 33 THEREFORE,
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Section 570.233, Florida Statutes, is created to
 38 read:
 39 570.233 Florida Crop Diversification Commission; powers and
 40 duties.—
 41 (1) The Florida Crop Diversification Commission, a
 42 commission as defined in s. 20.03(4), is created adjunct to the
 43 department. The commission shall be composed of the following
 44 nine members:
 45 (a) The commissioner or his or her designee.
 46 (b) The dean for research of the Institute of Food and
 47 Agricultural Sciences of the University of Florida or his or her
 48 designee.
 49 (c) The following members, appointed by the commissioner
 50 based upon their knowledge and experience in agricultural
 51 production, processing, or manufacturing:
 52 1. Four members who are currently involved in agricultural
 53 production or who have been involved in agricultural production
 54 within the last 3 years.
 55 2. One member who has experience in agricultural processing
 56 or manufacturing.
 57 3. One member who has experience in the packing or
 58 processing of fresh agricultural products.

Page 2 of 4

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14-00593-24

20241398

4. One member who has experience in agricultural marketing analysis and the viability of agricultural products.

(2) The commission shall do all of the following:

(a) Evaluate alternative agricultural crops and determine whether there exists one or more viable crops or products that would provide an economic benefit to growers using current agricultural infrastructure on land that has been taken out of production by diseases or adverse weather conditions.

(b) Contract for the design and implementation of the Florida Crop Diversification Initiative. The initiative must provide direct cash payments to nurseries and agricultural producers in this state in order to rapidly stimulate the adoption of alternative crops, moderate the required economic outlay, and speed the economic recovery of producers, packers, nurseries, processors, and communities. The entity with which the commission contracts for the Florida Crop Diversification Initiative must be a nonprofit organization that has a history of focusing on alternative crops and has the organizational capacity to manage a statewide initiative and carry out the requirements of this paragraph.

(c) Develop best management practices for crops or products recommended by the commission.

(d) Assist local economic development councils in encouraging the development of manufacturing and processing facilities for new crops or products recommended by the commission.

(e) Publish the findings of the commission on an annual basis after review and approval by the commissioner.

(3) By July 1, 2026, and each July 1 thereafter, the

14-00593-24

20241398

commission shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes, at a minimum:

(a) Information about each crop or product recommended, detailing the environmental impact of each.

(b) An assessment of each recommended crop's suitability to this state's climate, and the expected economic benefit to growers and communities in this state.

(c) Recommendations for best practices to sustain and improve the agricultural industry in this state.

Section 2. For the 2024-2025 fiscal year, the sum of \$500,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Agriculture and Consumer Services for the purpose of implementing s. 570.233, Florida Statutes, as created by this act.

Section 3. This act shall take effect upon becoming a law.



The Florida Senate

Committee Agenda Request

To: Committee on Agriculture

Subject: Committee Agenda Request

Date: January 11, 2024

I respectfully request that **Senate Bill #1398**, relating to Florida Crop Diversification Commission, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, which appears to read "Jay Collins", is written over a horizontal line.

Senator Jay Collins
Florida Senate, District 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 1422

INTRODUCER: Senator Burgess

SUBJECT: Food Recovery

DATE: January 16, 2024

REVISED: _____

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

I. Summary:

SB 1422 directs the Department of Agriculture and Consumer Services (department), subject to legislative appropriation, to implement a program to provide incentives to food producers to sell high-quality fresh food products to food recovery entities at a discounted price. The bill authorizes food recovery entities to negotiate the price for fresh food products and requires the department to reimburse them for each negotiated purchase of fresh food products produced, purchased, and distributed in this state.

The bill directs the department to submit a report on the program to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2025 and to submit an updated report by January 1, 2026. The bill grants the department rulemaking authority for the program.

The bill appropriates \$5,000,000 in nonrecurring funds for the 2024-2025 fiscal year to the department to implement the program.

This bill takes effect July 1, 2024.

II. Present Situation:

S. 595.420, F.S., provides legislative intent and powers of the Department of Agriculture and Consumer Services (department) regarding food recovery. The Legislature finds that millions of pounds of surplus and slightly blemished fruits and vegetables are destroyed each year, while many Floridians go without food.¹ The Legislature further finds that the state, through the Commissioner of Agriculture, should assist food recovery programs, when needed, to aid in their

¹ Section 595.420(1)(a), F.S.

establishment and to support their continued and efficient operation.² In helping to coordinate the establishment of food recovery programs, the department may: identify suppliers, volunteers, and nonprofit organizations in the community to ascertain the level of interest in establishing a food recovery program; provide facilities and other resources for initial organizational meetings; and provide direct and indirect support for the fledgling program, upon demonstration of serious interest at the local level.³

Approximately one-fifth of Floridians are food insecure, including over one million children. The department's Food Recovery Program works to recover food by working with farmers (volunteers visit the farms and collect surplus produce in a process called gleaning) and by working with schools (the department provides Florida Schools with guidance on food waste audits, share tables, food donations, and composting).⁴

Food distribution programs are funded by the legislature through the FDACS Food Recovery Program. Partnerships for the 2022-2023 fiscal year include:

- Feeding Florida's Farmers Feeding Florida Program, which purchases cosmetically blemished produce from local agricultural producers and provides it to households in need through Feeding Florida's member food banks.
- The Farm Share Program, which provides food free of charge to local community partner agencies as well as directly to families, children, senior citizens, and individuals in need to address food insecurity throughout the state.⁵

III. Effect of Proposed Changes:

SB 1422 creates s. 595.420(8), F.S., and directs the department to implement a program to provide incentives to agricultural companies to sell fresh products to food recovery entities. It creates definitions for "food producer," "food recovery entity," "fresh food products," and "high-quality fresh food products."

Subject to appropriation, the bill directs the department to implement a program to incentivize food producers to sell high-quality fresh food products to food recovery entities at a discounted price with the goal of reducing human hunger in this state. The bill authorizes food recovery entities to negotiate the price for fresh food products and requires the department to reimburse them for each negotiated purchase of fresh food products produced, purchased, and distributed in this state. To receive a reimbursement, a food entity must:

- Certify in writing to the department that all of the fresh food products on an invoice meet the food recovery entity's food quality standards and that the fresh food products received will not be sold at wholesale, retail, or secondary markets for monetary gain; and
- Submit the invoice and any other documents provided by the food producer to the department. The invoice must include the shipment date; shipment location, by shipper and city; total number of packages shipped and the price of each product; total price paid for each product; total invoice price paid; and total pounds shipped.

² Section 595.420(1)(c), F.S.

³ Section 595.420(3), F.S.

⁴ Florida Department of Agriculture and Consumer Services Food Recovery Program *see* <https://www.fdacs.gov/Food-Nutrition/Nutrition-Programs/Food-Recovery-Program> (last visited January 11, 2024).

⁵ *Id.*

The bill requires the department submit a report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2025 and to submit an updated report by January 1, 2026. The reports must include an itemized list of all of the following:

- Each fresh food product by package size, the total number of packages, and the average price paid per package.
- The total weight in pounds of each fresh food product type, the price paid per pound for each fresh food product type, and the total spent per fresh food product type.
- The total amount spent and the total amount spent per major fresh food product.

The bill appropriates \$5,000,000 in nonrecurring funds for the 2024-2025 fiscal year to the department to implement the program and grants the department rulemaking authority to implement the bill.

This act shall take effect July 1, 2024.

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:

Food producers may benefit from having an additional market for their produce and Floridians may benefit from the increased availability of fresh produce from food recovery entities.

C. Government Sector Impact:

To implement the program, the department is appropriated a nonrecurring appropriation of \$5,000,000 for the 2024-2025 fiscal year. The department may incur costs relating to workload associated with implementation of the program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the section 595.420 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 Burgess

23-01084A-24

20241422__

A bill to be entitled

An act relating to food recovery; amending s. 595.420, F.S.; defining terms; directing the Department of Agriculture and Consumer Services, subject to legislative appropriation, to implement a program to provide incentives to food producers to sell high-quality fresh food products to food recovery entities at a discounted price; providing a goal for the program; requiring food recovery entities to negotiate with food producers; providing shipping requirements; requiring the department to reimburse food recovery entities for certain costs; providing reimbursement invoice requirements; requiring the department to submit a report to the Governor and Legislature by specified dates; providing requirements for the report; requiring the department to adopt rules; providing an appropriation; providing an effective date.

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

Section 1. Subsection (8) is added to section 595.420, Florida Statutes, to read:

595.420 Food recovery; legislative intent; department functions.—

(8)(a) As used in this subsection, the term:

1. "Food producer" means an agricultural company that produces fresh food products in this state or the company's associated shipper.

Page 1 of 4

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23-01084A-24

20241422__

2. "Food recovery entity" means a nonprofit association engaged in food recovery and distribution which has been in operation in this state for at least 20 years and has received a minimum of 10 million pounds of perishable produce annually within the last 3 years.

3. "Fresh food products" includes fresh fruits, vegetables, proteins, poultry, eggs, and dairy, produced in this state by a food producer.

4. "High-quality fresh food products" means fresh food products that meet United States Department of Agriculture commodity standards and grades upon delivery to their final destination.

(b) Subject to legislative appropriation, the department shall implement a program to provide incentives to food producers to sell high-quality fresh food products to food recovery entities in this state at a discounted price. The goal of the program is to reduce human hunger in this state.

(c) A food recovery entity shall negotiate with a food producer to pay discounted prices for the producer's fresh food products. An invoice, bill of lading, or other documents provided by the food producer to the food recovery entity must include the harvest or processing date, the current market price of each product purchased, and the shipping destination.

(d) A food recovery entity may reject any product that fails to meet the entity's food quality standards.

(e) The department shall reimburse a food recovery entity for each negotiated purchase of fresh food products produced, purchased, and distributed in this state. To receive a reimbursement, a food recovery entity must:

Page 2 of 4

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23-01084A-24

20241422__

1. Certify in writing to the department that all of the fresh food products on an invoice meet the food recovery entity's food quality standards and that the fresh food products received will not be sold at wholesale, retail, or secondary markets for monetary gain; and

2. Submit the invoice and any other documents provided by the food producer to the department. The invoice must include all of the following information:

a. Shipment date.

b. Shipment location, by shipper and city.

c. Total number of packages shipped and the price of each product.

d. Total price paid for each product.

e. Total invoice price paid.

f. Total pounds shipped, as determined by measured weight or an estimated weight, for each fresh food product.

(f) The department shall also reimburse a food recovery entity for delivery and distribution costs in an amount equal to 2 cents per pound of fresh food products shipped, as indicated by invoice.

(g) The department shall submit a report on the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2025, and shall submit an updated report by January 1, 2026. The reports must include an itemized list of all of the following:

1. Each fresh food product by package size, the total number of packages, and the average price paid per package.

2. The total weight in pounds of each fresh food product type, the price paid per pound for each fresh food product type,

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and the total spent per fresh food product type.

3. The total amount spent and the total amount spent per major fresh food product.

(h) The department shall adopt rules to implement this subsection.

Section 2. For the 2024-2025 fiscal year, the sum of \$5 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Agriculture and Consumer Services to implement the program created pursuant to s. 595.420(8), Florida Statutes, by this act.

Section 3. This act shall take effect July 1, 2024.



The Florida Senate

Committee Agenda Request

To: Senator Jay Collins, Chair
Committee on Agriculture

Subject: Committee Agenda Request

Date: January 10, 2024

I respectfully request that **Senate Bill #1422**, relating to Food Recovery, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Danny", is written over a horizontal line.

Senator Danny Burgess
Florida Senate, District 23

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB1422

Bill Number or Topic

1-16-24

Meeting Date

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Chante' Jones, AARP FL

Phone

850-272-0551

Address

215 S Monroe St Ste 603

Email

cejones@aarp.org

Street

Tallahassee FL

32303

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:

AARP Florida

☐

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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The Florida Senate
APPEARANCE RECORD

1422

Meeting Date

Bill Number or Topic

Agriculture

Committee

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Amendment Barcode (if applicable)

Name

Karen Mazzola, Florida PTA

Phone

407-855-7604

Address

1747 Orlando Central Pkwy

Email

vp.education@floridapta.org

Street

Orlando

FL

32809

City

State

Zip

For a review

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:

FL 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)



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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: SJR 1560

INTRODUCER: Senator Collins

SUBJECT: Ad Valorem Taxation Exemptions

DATE: January 16, 2024

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Burse	Becker	AG	Favorable
2.			FT	
3.			AP	

I. Summary:

SJR 1560 proposes an amendment to the Florida Constitution to permit the legislature to provide ad valorem tax relief for tangible personal property on agricultural land.

If adopted by the Legislature, the proposed amendment will be submitted to Florida's electors for approval or rejection at the next general election in November 2024.

If approved by at least 60 percent of the electors, the proposed amendment will take effect on January 1, 2025.

II. Present Situation:**General Overview of Property Taxation**

The ad valorem tax or "property tax" is an annual tax levied by counties, municipalities, school districts, and some special districts. The tax is based on the taxable value of property as of January 1 of each year.¹ The property appraiser annually determines the "just value"² of property

¹ Both real property and tangible personal property are subject to tax. Section 192.001(12), F.S., defines "real property" as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines "tangible personal property" as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

² Property must be valued at "just value" for purposes of property taxation, unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm's-length transaction. *See, e.g., Walter v. Schuler*, 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *S. Bell Tel. & Tel. Co. v. Dade Cnty.*, 275 So. 2d 4 (Fla. 1973).

within the taxing jurisdiction and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's "taxable value."³ Property tax bills are mailed in November of each year based on the previous January 1 valuation, and payment is due by March 31 of the following year.⁴

The Florida Constitution prohibits the state from levying ad valorem taxes,⁵ and it limits the Legislature's authority to provide for property valuations at less than just value, unless expressly authorized.⁶

Ad Valorem Taxation of Tangible Personal Property

Article VII, section 1, also grants exclusive authority to local governments to levy ad valorem taxes on tangible personal property.⁷ The Florida Constitution includes the following exemptions and authorization for exemptions for tangible personal property:

- Section 1 specifies that motor vehicles, boats, airplanes, trailers, trailer coaches, and mobile homes are subject to license taxes, but may not be subject to ad valorem taxes.
- Under section 3, household goods and personal effects are granted an exemption of at least \$1,000.
- Local governments are authorized under section 3 to grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, which may apply to tangible personal property.
- Also exempt under section 3 is \$25,000 of the assessed value of tangible personal property⁸, and the assessed value of solar or renewable energy devices may be exempt pursuant to general law⁹.
- Under section 4, tangible personal property "held for sale as stock in trade" may be exempted from taxation.¹⁰

Agricultural Land Valuation

Property appraisers annually classify, for assessment purposes, all lands within a county as either agricultural or nonagricultural.¹¹ Only lands that are used primarily for "bona fide agricultural purposes" shall be classified agricultural.¹² In determining whether the use of the land for agricultural purposes is bona fide, the following factors may be taken into consideration:

- The length of time the land has been so used.
- Whether the use has been continuous.
- The purchase price paid.

³ See s. 192.001(2) and (16), F.S.

⁴ Sections 197.162 and 197.322, F.S.; see also FLA. DEP'T OF REVENUE, *Florida Property Tax Calendar* (Dec. 2016), available at: <https://floridarevenue.com/property/Documents/taxcalendar.pdf>.

⁵ FLA. CONST. art. VII, s. 1(a)

⁶ FLA. CONST. art. VII, s. 4.

⁷ See also FLA. CONST. art. VII, s. 9(a).

⁸ Section 196.183, F.S., specifies the conditions for the general exemption of \$25,000 of the assessed value of tangible personal property.

⁹ Section 196.182, F.S., specifies the conditions for exemption of renewable energy source devices.

¹⁰ This exemption for inventory is restated at section 196.185, F.S., and inventory is defined at section 192.001(11)(c), F.S.

¹¹ Section 193.461(1), F.S.

¹² Section 193.461(3)(b), F.S.

- Size, as it relates to specific agricultural use, but a minimum acreage may not be required for agricultural assessment.
- Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted commercial agricultural practices, including, without limitation, fertilizing, liming, tilling, mowing, reforestation, and other accepted agricultural practices.
- Whether the land is under lease and, if so, the effective length, terms, and conditions of the lease.
- Such other factors as may become applicable.

When the land is classified as agricultural, the property appraiser shall consider the following use factors only:

- The quantity and size of the property;
- The condition of the property;
- The present market value of the property as agricultural land;
- The income produced by the property;
- The productivity of land in its present use;
- The economic merchantability of the agricultural product.
- Such other agricultural factors as may from time to time become applicable, which are reflective of the standard present practices of agricultural use and production.¹³

III. Effect of Proposed Changes:

The joint resolution proposes an amendment to the Florida Constitution to permit the legislature to provide ad valorem tax relief for tangible personal property on agricultural land.

If adopted by the Legislature, the proposed amendment will be submitted to Florida's electors for approval or rejection at the next general election in November 2024.

The joint resolution also provides the ballot statement, which will appear on the November 2024 ballot if adopted by the Legislature, as follows:

AUTHORIZING LEGISLATURE TO EXEMPT TANGIBLE PERSONAL PROPERTY ON AGRICULTURAL LAND FROM TAXATION.—Proposing an amendment to the State Constitution to authorize the Legislature, beginning with the 2026 tax roll, to exempt tangible personal property located on land classified as agricultural and owned by the landowner or leaseholder of the land from ad valorem taxation.

If approved by at least 60 percent of the electors, the proposed amendment will take effect on January 1, 2025.

¹³ Section 193.461(6)(a), F.S.

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

The mandate provisions in Article VII, section 18 of the Florida Constitution, do not apply to joint resolutions.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Article XI, s. 1 of the Florida Constitution authorizes the Legislature to propose amendments to the Florida Constitution by joint resolution approved by a three-fifths vote of the membership of each house. Article XI, s. 5(a) of the Florida Constitution requires the amendment be placed before the electorate at the next general election¹⁴ held more than 90 days after the proposal has been filed with the Secretary of State or at a special election held for that purpose. Constitutional amendments submitted to the electors must be printed in clear and unambiguous language on the ballot.¹⁵

Article XI, s. 5(d) of the Florida Constitution requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment or revision must be published once in the 10th week and again in the 6th week immediately preceding the week the election is held.

Article XI, s. 5(e) of the Florida Constitution requires approval by 60 percent of voters for a constitutional amendment to take effect. The amendment, if approved, becomes effective on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment.

¹⁴ Section 97.021(16), F.S., defines “general election” as an election held on the first Tuesday after the first Monday in November in the even-numbered years, for the purpose of filling national, state, county, and district offices and for voting on constitutional amendments not otherwise provided for by law.

¹⁵ Section 101.161(1), F.S.

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

None.

B. Private Sector Impact:

If approved by 60 percent of voters in November 2024, beginning with the 2026 tax roll, landowners with tangible personal property on agricultural land will be exempt from ad valorem taxes. This will result in an indeterminate positive fiscal impact as landowners take advantage of ad valorem tax savings

C. Government Sector Impact:

Article XI, Section 5(d) of the Florida Constitution requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment or revision must be published in the 10th week and again in the 6th week immediately preceding the week the election is held.

The Division of Elections (division) within the Department of State pays for publication costs to advertise all constitutional amendments in both English and Spanish,¹⁶ typically paid from non-recurring General Revenue funds.¹⁷ Accurate cost estimates for the next constitutional amendment advertising cannot be determined until the total number of amendments to be advertised is known and updated quotes are obtained from newspapers.

There is an unknown additional cost for the printing and distributing of the constitutional amendments, in poster or booklet form, in English and Spanish, for each of the 67 Supervisors of Elections to post or make available at each polling room or each voting site, as required by s. 101.171, F.S. Historically, the division has printed and distributed booklets that include the ballot title, ballot summary, text of the constitutional amendment, and, if applicable, the financial impact statement. Beginning in 2020, the summary of such financial information statements was also included as part of the booklets.¹⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

¹⁶ Pursuant to Section 203 of the Voting Rights Act (52 U.S.C.A. § 10503)

¹⁷ See Ch. 2020-111, Specific Appropriation 3132, Laws of Fla.

¹⁸ Section 100.371(13)(e)4., F.S. See also Ch. 2019-64, s. 3, Laws of Fla.

VIII. Statutes Affected:

This resolution amends section 3, Article VII of the Florida Constitution.

This resolution also creates a new section in Article XII of the Florida Constitution.

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 Collins

14-01693A-24

20241560__

Senate Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize the Legislature, by general law, to exempt certain tangible personal property from ad valorem taxation.

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

That the following amendment to Section 3 of Article VII and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less

Page 1 of 5

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

14-01693A-24

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than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

(d) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad

Page 2 of 5

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

14-01693A-24

20241560

valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(e) By general law and subject to conditions specified therein:

(1) Twenty-five thousand dollars of the assessed value of property subject to tangible personal property tax shall be exempt from ad valorem taxation.

(2) The assessed value of solar devices or renewable energy source devices subject to tangible personal property tax may be exempt from ad valorem taxation, subject to limitations provided by general law.

(3) Tangible personal property that is located on property classified as agricultural land, as specified by general law, and owned by the landowner or leaseholder of the agricultural land shall be exempt from ad valorem taxation.

(f) There shall be granted an ad valorem tax exemption for real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

(g) By general law and subject to the conditions specified therein, each person who receives a homestead exemption as provided in section 6 of this article; who was a member of the United States military or military reserves, the United States

14-01693A-24

20241560

Coast Guard or its reserves, or the Florida National Guard; and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year.

ARTICLE XII

SCHEDULE

Ad valorem exemption for tangible personal property on land classified as agricultural.—This section and the amendment to Section 3 of Article VII, which authorizes the Legislature to provide for a tax exemption for certain tangible personal property applies beginning with the 2026 tax roll.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 3

ARTICLE XII

AUTHORIZING LEGISLATURE TO EXEMPT TANGIBLE PERSONAL PROPERTY ON AGRICULTURAL LAND FROM TAXATION.—Proposing an amendment to the State Constitution to authorize the Legislature, beginning with the 2026 tax roll, to exempt tangible personal property located on land classified as

14-01693A-24

20241560

117 agricultural and owned by the landowner or leaseholder of the
118 land from ad valorem taxation.



The Florida Senate

Committee Agenda Request

To: Committee on Agriculture

Subject: Committee Agenda Request

Date: January 11, 2024

I respectfully request that **Senate Joint Resolution #1560**, relating to Ad Valorem Taxation Exemptions, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, which appears to read "Jay Collins", is written over a horizontal line.

Senator Jay Collins
Florida Senate, District 14

1/16/24

Meeting Date

Ag

Committee

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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1084/1560

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Kathy Mears

Phone

Address

The Capitol

Email

Kathy.Mears@
FDACS.gov

Street

Tallahassee, FL 32399

City

State

Zip

if needed

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:

FDACS

☐

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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The Florida Senate

APPEARANCE RECORD

1/16/2024

Meeting Date

Agriculture

Committee

Name **Isabelle Garbarino**

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

Street

Tallahassee

City

FL

State

32399

Zip

1560

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **8506177700**

Email

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:

The Florida Department of Agriculture and Consumer Services

☐

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-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

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11/6/24

Meeting Date

1560

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name

Tripp Hunter

Phone

850-408-6012

Address

201 S Monroe St

Email

Tripp.Hunter@FFVA.com

Street

Tallahassee

City

FL

State

32308

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 Fruit & Vegetable Assn.

☐

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)

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01.16.24
Meeting Date
~~Senate Ag.~~
Committee

1560
Bill Number or Topic
Amendment Barcode (if applicable)

Name Madeline Wright Phone 850 597 3871
Address 310 W College Ave Email madeline.wright@ffbf.org
Street
Tallahassee FL
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:

FL Farm
Bureau

☐ 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

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1/16/24

Meeting Date

Agriculture

Committee

S13 1560

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jackson Oberlink

Phone

772-532-1371

Address

Street

Email

jackson@floridaforall.vote

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
Rising

☐

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)

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Committee on Agriculture

Judge:

Started: 1/16/2024 1:30:16 PM

Ends: 1/16/2024 2:16:22 PM

Length: 00:46:07

1:30:15 PM Chair Collins calls meeting to order
1:30:31 PM Roll call, quorum is present
1:30:38 PM Pledge of Allegiance
1:31:27 PM Tab 3, SB 1422, Food Recovery by Senator Burgess
1:31:30 PM Senator Burgess explains the bill
1:32:23 PM Questions:
1:32:25 PM Senator Berman
1:32:58 PM Senator Burgess
1:33:04 PM Senator Berman
1:33:42 PM Senator Burgess
1:33:47 PM Senator Berman
1:34:30 PM Chair Collins recognizes public testimony
1:34:45 PM Debate:
1:34:48 PM Senator Rouson
1:35:45 PM Senator Burgess closes on SB 1422
1:36:23 PM Roll call
1:36:51 PM Chair Collins passes gavel to Senator Simon
1:36:59 PM Tab 1, SB 1084 Dpt. of Agriculture and Consumer Services by Senator Collins
1:37:28 PM Senator Collins explains the bill
1:38:49 PM Questions:
1:38:51 PM Senator Rouson
1:39:55 PM Senator Collins
1:40:02 PM Senator Berman
1:40:06 PM Senator Collins
1:40:13 PM Senator Berman
1:40:18 PM Senator Collins
1:40:37 PM Senator Berman
1:40:40 PM Senator Collins
1:40:57 PM Senator Berman
1:41:09 PM Senator Collins
1:41:12 PM Senator Berman
1:41:44 PM Senator Collins
1:42:07 PM Chair Simon recognizes public testimony:
1:42:26 PM Arye Elfenstein
1:50:23 PM Dr. Faraz Harasini
1:57:31 PM David Voorman, Food Solutions Action
1:59:41 PM Sami Nabulsi
2:03:18 PM Debate:
2:03:40 PM Senator Berman
2:05:41 PM Senator Collins closes on the bill
2:08:41 PM Roll call
2:09:01 PM Tab 2, SB 1398 on Florida Crop Diversification and Consumer Services
2:09:36 PM Senator Collins explains the bill
2:10:23 PM Questions:
2:10:30 PM Senator Berman
2:10:45 PM Debate:
2:10:49 PM Senator Collins closes on SB 1398
2:11:22 PM Roll call
2:11:37 PM Tab 4, SJR 1560, Ad Valorem Tax Exemptions by Senator Collins
2:12:27 PM Senator Collins explains the bill
2:12:41 PM Questions:
2:12:48 PM Senator Berman

2:13:11 PM Chair Simon recognizes public appearance forms
2:13:38 PM Debate:
2:13:42 PM Senator Berman
2:13:59 PM Senator Collins closes on the bill
2:15:31 PM Roll call
2:15:45 PM Chair Simon passes gavel back to Chair Collins
2:16:04 PM Senator Simon moves to adjourn
2:16:11 PM Meeting adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Banking and Insurance, *Chair*
Agriculture, *Vice Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Finance and Tax
Fiscal Policy
Judiciary
Rules

SENATOR JIM BOYD

20th District

January 16, 2024

Senator Jay Collins
335 Knott Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Collins:

I am writing today to respectfully request approval to be excused from the Committee on Agriculture meeting that took place this afternoon. I was presenting bills in two other committees and did not make it back before the committee adjourned.

I appreciate your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jim Boyd".

Jim Boyd

cc: Katherine Becker
Evan Denny

REPLY TO:

- ☐ 717 Manatee Avenue West, Bradenton, Florida 34205 (941) 742-6445
- ☐ 415 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5020

Senate's Website: www.flsenate.gov

KATHLEEN PASSIDOMO
President of the Senate

DENNIS BAXLEY
President Pro Tempore